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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, our hope and guide, during this season where each day seems to bring news we find difficult to believe, we continue to trust Your sovereignty. Look with mercy upon our Senators in these challenging times. Draw them close to You and each other in humility so they will sincerely seek to find common ground.

As they seek to confront history's surprises, may they not lean only on their abilities but put their ultimate trust in You. Lord, prepare them to expect and celebrate the healing intervention of Your powerful providence.

We pray in Your magnificent Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 2, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR EN BLOC—S. 1395 and H.R. 2811

Mr. SCHUMER. Mr. President, first, a little housekeeping: I understand that there are two bills at the desk due for a second reading en bloc.

The ACTING PRESIDENT pro tempore. The leader is correct.

The clerk will read the bills by title for the second time, en bloc.

The senior assistant legislative clerk read as follows:

A bill (S. 1395) to temporarily suspend the debt limit through December 31, 2024.

A bill (H.R. 2811) to provide for a responsible increase to the debt ceiling, and for other purposes.

Mr. SCHUMER. In order to place the bills on the Calendar under the provisions of rule XIV, I would object to further proceedings, en bloc.

The ACTING PRESIDENT pro tempore. The objection having been heard, the bills will be placed on the Calendar.

DEBT CEILING

Mr. SCHUMER. Mr. President, now, yesterday, Treasury Secretary Janet

Yellen released a letter warning that the U.S. government will likely default on its obligations as soon as June 1, only 30 days away.

Rather than listen to reason, Speaker MCCARTHY has caved to extremists. By passing the "Default on America Act," he has handed the keys over to the House Freedom Caucus, many of whom are more than happy to let the United States default if they don't get every last cut and every last unrelated, hard-right policy that had been added to this bill chockablock. Every one of them they want. As one House Freedom Caucus Member said plainly, Speaker MCCARTHY "cannot get to 218 with changes to this deal."

Let me read that again so everyone hears it. This is where we are at. A House Freedom Caucus Member—each of whom, as we know, has great power in the House because they didn't change their rules—as one Freedom Caucus Member has said, plainly, Speaker MCCARTHY "cannot get to 218 with changes to this deal."

But, as is obvious to just about anyone who looks at this, the "Default on America Act" has no future in the Senate. Consequently, Speaker MCCARTHY has created a situation where he knowingly passed an extreme bill, has been boxed by his Republican colleagues into a corner, and now has little room to maneuver, lest he provoke the ire of the House Freedom Caucus.

McCarthy is giving us two terrible options: Either default on the debt or default on our country, with steep, severe, devastating cuts to things like law enforcement, veterans, families, teachers, kids, even cancer research. The only real option that does not hurt the American people is a clean, bipartisan bill to avert default.

As Americans look at the "Default on America Act," which the House just passed, they will discover that it reads less like a plan for averting default and more like a House Freedom Caucus manifesto.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S1445

The “Default on America Act” would tear at the fabric of American society, imposing dramatic cuts to our public security, cutting law enforcement dramatically at a time when we need help from them; the cruel abandonment of veterans when we should be defending our veterans; terrible job losses at a time when this last Congress, under Democratic control, started bringing jobs back from overseas to America, on chip fab, on manufacturing, on batteries, and so many other things; blocking access to affordable healthcare—over 21 million Americans could lose the healthcare gains that we have made over the last while—and brutal attacks on working families across the board.

In fact, nothing about the “Default on America Act” has been on the level.

Let me quote something that Speaker MCCARTHY said right after becoming Speaker. This is a quote from KEVIN MCCARTHY:

I want to give all Americans a personal invitation, you are welcome to see this body at work. No longer will the doors be closed, but the debates will be open . . . from the committee rooms to this floor, we commit to pursue the truth passionately and embrace debate.

Well, let’s go over that one. No more closed doors? Give me a break. The “Default on America” bill was written entirely behind closed doors, without a shred of transparency. This bill, which so dramatically and deeply and harmfully hurts America, was done entirely behind closed doors.

Debates will be in the open? How many committee debates did the House GOP hold on their “Default on America Act”? How many expert witnesses were invited? How many amendments from the Democratic side were allowed to be presented?

Again, the truth is, “Default on America” is an extremist bill that would never have a shot at passing muster with the American public on its own. As such, everything about this bill was rushed, was secret, was the antithesis of open and transparent. McCarthy’s words ring hollow. The American people deserve better.

Now, if Republicans refuse to level with the American people about their bill, Senate Democrats are more than happy to do it. We will show the American people how the “Default on America Act” will decimate Federal law enforcement in this country, erasing nearly 30,000 law enforcement jobs and leaving border security hanging out to dry. We will show how the “Default on America Act” is a direct assault on families. It slashes childcare, cuts Pell Grant funding, and even takes aim at programs as popular and beneficial as Meals on Wheels.

I mean, do Republicans seriously think that is the way to avoid default, by depriving our country from the critical resources to feed hungry Americans?

And we will show the American people how the “Default on America” is

chock-full of totally irrelevant, hard-right goodies that would deregulate fossil fuels, empower the biggest corporations, give tax giveaways to the ultrarich, and impose cruel and unpopular attacks on working families.

We will take the first step to expose these atrocities on Thursday, when the Senate Budget Committee holds hearings on how the “Default on America Act” will weaken our economy and slash hundreds of thousands of jobs. It will be the very first legislative hearing in either House that looks at what “Default on America” does, and there will be more hearings to follow.

If Republicans want to sell their awful agenda to the American people, they are welcome to do so in debates about the budget and the appropriations process. That is where these debates have always happened, not in the middle of a default crisis that now stares us in the face.

As Democrats expose the “Default on America” bill for what it is, our position remains the same, both parties should do what we have done in the past, the last three times default faced us: Both parties should pass a clean, bipartisan bill to avoid default together, before—before—we hit the critical June 1 deadline.

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Mr. President, now, on Senate business, today will be another busy day on the Senate floor, as we continue confirming more highly qualified judicial nominees to serve on the Federal bench.

Yesterday, we confirmed an outstanding circuit judge to a lifetime appointment for the Ninth Circuit. Today, we will continue to build on our efforts to restore balance to the Federal bench by holding votes on three more outstanding nominees.

The Senate will hold two votes this morning to advance two district court judges, and, later this afternoon, we will have three votes on President Biden’s highly qualified judicial nominees.

And members should be aware that I filed cloture last night on two additional judges, and that moving their nominations forward will be a top priority for the Senate this week.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

U.S. SUPREME COURT

Mr. MCCONNELL. Mr. President, today, Democrats on the Judiciary Committee are holding a hearing that is ostensibly about Supreme Court ethics reform. Really, it is just another chapter in Washington Democrats’ three-decade-long campaign to undermine the Federal Judiciary at any cost.

There were the absurd smear campaigns aimed at jurists like Robert Bork and Janice Rogers Brown. There were the uncorroborated accusations held back with last-minute surprises against the nominations of Justice Thomas and Justice Kavanaugh. There was the silly attempt at a boycott by Democrats on the committee who didn’t want to engage with Justice Barrett.

Washington Democrats apparently find a textualist Court that upholds our written Constitution to be a mighty unappealing proposition. They made that clear for 30-plus years.

And in the last few years, the hostility has reached reckless new highs: a sitting Senator stirring up crowds from the steps of the Court, naming Justices who would pay the price; unhinged activists marching on Justices’ family homes; publishing the locations of their children’s schools; and fueling a frenzy that had one unstable person literally—literally—plotting to assassinate a member of the Court; and Attorney General Garland simply refusing to enforce clear Federal law and stop illegal mob protests at judges’ homes.

Now we have the next raft of silly personal attacks. This time, the left and some of their media allies want the American people to gasp in horror—in horror—that one Supreme Court Justice vacations with his friends, that another one sold his house when he moved, and that Chief Justice Roberts’ wife has a career outside the home.

The Democrats even tried to pressure Chief Justice Roberts to trade the Supreme Court for their kangaroo court and show up in person today to hear them grandstand, a totally inappropriate request, as the Chief’s polite and fact-based reply made clear.

For goodness’ sake, we now have Senate Democrats openly threatening to defund the Court’s budget by the exact amount they need for security to protect the Justices and their families if the Justices don’t reorganize internal affairs the way some Democrats want.

Every 5 minutes, the Democratic Party wants to give lectures about upholding our institutions and protecting democracy. But just as often, they find a way to undertake a reckless attack against the courts and the rule of law.

So look, I am proud of how our Nation’s highest Court has weathered these latest baseless attempts to attack its authority. I believe in the integrity and honesty of all nine Justices—all nine of them. They should pay the partisan grandstanding no mind at all.

UKRAINE

Mr. McCONNELL. Mr. President, now on entirely different matter, there was a remarkable exchange yesterday when a Russian reporter tried to put false words in Speaker MCCARTHY's mouth about alleged Republican opposition to helping Ukraine defeat Russian aggression.

Well, the Speaker put him in his place and shut him down. He reminded everyone of his ongoing support of aid to Ukraine and of Republicans' commitment to help our friends win. Republicans are the party of American strength, at home and abroad. And that includes standing up to would-be tyrants who are invading sovereign countries, killing innocent people, and putting the core national interests of the United States at risk.

Equipping Ukraine to defend itself is a direct investment in America's own national security—our national security. As brave Ukrainians degrade the Russian military on the frontlines, a major threat to Western security and economic prosperity gets weaker.

In the meantime, our own defense capabilities are actually getting stronger. A large part of the security assistance appropriated for Ukraine actually funds the production of new cutting-edge capabilities for the U.S. military and supports good-paying jobs for skilled American workers right here at home.

Unfortunately, it is the administration whose policies have been slow and halting. Since the beginning of Russia's escalation, the Biden administration had lagged several steps behind the pace of relevance in delivering decisive aid to Ukraine. Every approval of new assistance has required agonizing deliberations and prodding from congressional Republicans and Democrats alike. This was the case with the Stinger and Javelin systems the Ukrainians needed to drive back Russian convoys and Polish fighter jets that stood waiting on the tarmac, with the HIMARS and Harpoons and PATRIOT systems they needed to put the invaders on the back foot and the Abrams tanks they needed to support a counteroffensive and now with the cluster munitions, longer range fires, and fourth-generation fighter jets our friends need to actually turn the tide. At every single mile marker—every one—the Biden administration has dithered—dithered—unnecessarily.

It is time for the President to get serious about victory and invest in American strength.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

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

Thereupon, the Senate proceeded to consider the nomination.

DEBT CEILING

Mr. THUNE. Mr. President, it is about time. Ninety days after his last meeting with Speaker MCCARTHY and after weeks of pointblank refusal to engage in discussion, President Biden finally agreed to meet with the Speaker about debt ceiling legislation.

I will say it again. It is about time. If the administration's estimate is correct, the United States is mere weeks away from reaching the limit of its borrowing capacity—which means, of course, that the President has to reach an agreement with the Republican-led House of Representatives on a debt ceiling bill, but the President has been completely AWOL on this issue.

While I am very pleased that the President's Treasury Secretary has apparently managed to convey the urgency of the situation to the President and that the President is actually going to sit down with Speaker MCCARTHY, it remains to be seen how seriously the President will take negotiations.

He certainly hasn't been taking this issue seriously so far.

House Republicans, on the other hand, have been taking this issue seriously. They have offered legislation to raise the debt ceiling, paired with spending reforms to slow the rate at which we are accumulating debt. But up until 18 hours ago, the President was refusing to engage on the issue at all.

The day Republicans passed their debt ceiling legislation last week, the President was asked if he would sit down with Speaker MCCARTHY to negotiate on the debt limit. His reply: I am happy to meet with the Speaker but not on the debt limit. The debt limit isn't negotiable.

In other words, it is my way or the highway. You either accept my position on the debt limit—a debt ceiling increase with no spending reforms—or I will let our Nation default.

If that is not an unserious position, I don't know what is.

The fact is, in recent history, increases in the debt limit have almost

always been the result of negotiations, and 7 of the last 10—7 of the last 10—debt limit increases have included some mix of policy or budgetary changes rather than simply a straight increase. No matter how much President Biden would like his word on the debt ceiling to be law, the fact of the matter is that in our system of government the President does not have absolute power. And when the American people have sent divided government to Washington, as they did in the last election, then if you can't persuade the other side to see things your way, you have to negotiate. You have to compromise.

President Biden understood this at one time. Back in 2011, here is what then-Vice President Biden had to say about lawmakers who didn't want to negotiate on a debt ceiling increase:

How can you explain the fact that grown men and women are unwilling to budge up till now, and still some of them are still unwilling to budge, by taking an absolute position: "My way or no way." That's not governing. That's no way to govern. You can't govern that way.

That from President, then-Vice President, Biden back in 2011.

Then-Vice President Biden was right, and I am very much hoping that he will remember those words now and not only sit down with Speaker MCCARTHY but actually commit to reaching a compromise.

I was not encouraged by a reference from the Senate Democratic leader's office to sitting down with congressional leaders to discuss a "clean" debt limit bill. That hardly displays an understanding of the fact that any debt ceiling legislation will require compromise between the White House and House Republicans.

It is also the height of hypocrisy for the Democrat leader to talk about a "clean" debt limit bill when just a few years ago he was using the debt ceiling as leverage to negotiate with President Trump. But, apparently, "one rule for me, another for thee" are the Democrats' watchwords.

Our Nation's debt situation is very serious. Our current national debt is over \$31 trillion—yes, \$31 trillion—and it is projected to grow to more than \$50 trillion over the next decade, at least if the President's budget were to be adopted. That is an unfathomable amount of money, and more to the point, it is an entirely dangerous amount of money.

Our national debt has already exceeded the size of our economy, which is a very dangerous marker to hit. Under our current trajectory, by 2033, debt held by the public will be at the highest level relative to GDP—relative to the size of our economy—literally, in history, exceeding even post-World War II levels.

In fact, according to the nonpartisan Committee for a Responsible Federal Budget, 50 cents of every dollar our country borrows in the next 10 years will go just toward paying interest on our national debt.

Debt at that level threatens economic growth. It sucks money away from essential government spending on things like Social Security and Medicare and our national defense, and it leaves us excessively dependent on other countries, sometimes hostile countries, that hold our Nation's debt. And for all of those reasons and more, it threatens our national security.

House Republicans are absolutely right to take this opportunity to insist on some attempt to at least slow our rate of spending, and the American people would seem to agree. A recent poll found that 65 percent of Americans—including—including 58 percent of Democrats, believe that the "debt ceiling debate is a good time to force tough issues, like cutting future spending to reduce the deficit." That is the way the question was worded in the poll.

Let me just repeat that.

Sixty-five percent of Americans, including fifty-eight percent of Democrats, believe that the "debt ceiling debate is a good time to force tough issues, like cutting future spending to reduce the deficit." Let's hope that Democrats are paying attention.

The ball is in the President's court. House Republicans have been at the table for a while now. They have offered ideas. They have put forward and passed legislation. Now it is up to President Biden. He can either get serious about this fundamental responsibility, engage in real negotiations with Speaker McCARTHY, and arrive at a genuine compromise on debt ceiling legislation or he can continue to refuse to meaningfully engage on this issue and ensure that his Presidency will be remembered not just for a massive inflation crisis but for a Democratic default on the debt. The choice is his.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Mr. President, I ask unanimous consent that I be able to complete my full statement prior to the vote.

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

NOMINATIONS OF MICHAEL FARBIARZ AND ROBERT KIRSCH

Mr. MENENDEZ. Mr. President, I come to the floor today to support two remarkable, dedicated, and exceptionally qualified nominees to serve on the U.S. District Court of New Jersey: Mr. Michael Farbiarz and Mr. Robert Kirsch. Both nominees represent the best that our State has to offer. Both have served with distinction in various roles. Both deserve to be swiftly confirmed to the district court.

Consider the distinguished public service career of Mr. Farbiarz. A resi-

dent of Glen Ridge, NJ, he has served as an assistant U.S. attorney, as cochief of the Terrorism and International Narcotics Unit, and general counsel of the New York-New Jersey Port Authority. His relentless work ethic in every role has made him a shining star in New Jersey's legal community—a representation that is not given but earned.

And whether serving in the leadership roles that he has had, enforcing our laws as a Federal prosecutor, or providing legal counsel to those who serve on the Port Authority commission, his breadth and depth of legal experience prepare him well to continue his service to the Garden State as a fair and effective Federal judge.

Like Mr. Farbiarz, Robert Kirsch is a dedicated public servant who has been capably serving on the Superior Court of New Jersey for over a decade. A native of South Orange, he was sponsored for his position by then-State Senator TOM KEAN, Jr., a Republican, and was appointed by Governor Corzine, a Democrat.

Throughout his tenure, Judge Kirsch has consistently earned bipartisan support in his long and impressive career in public service. He holds a wealth of experience both as a jurist and a former Federal prosecutor, and while presiding over a busy docket of criminal cases, Judge Kirsch has consistently chosen to do what is right, not what comes easy.

Outside of the courtroom, Robert Kirsch is a devoted advocate for public safety and the well-being of his community. In particular, he has led a passionate effort to improve New Jersey's juvenile justice system, earning him numerous awards and widespread recognition. This commitment to fairness and impartiality—values he has demonstrated throughout his career—will surely be an asset while serving on the Federal bench.

I submit to my colleagues that Mr. Farbiarz and Judge Kirsch are two phenomenal nominees to fill New Jersey's final judicial vacancies. They have earned "well qualified" ratings from the American Bar Association. They have letters of support from both the New Jersey State Bar Association and the Association of the Federal Bar of New Jersey.

In short, they are the final pieces of the puzzle as I, alongside Senator BOOKER and the Biden administration, have worked to fill not one, not two, but eight vacancies that were existing. There was a judicial emergency on the District Court of New Jersey. At the beginning of the last Congress, the number of vacancies was so dire that it was deemed a "judicial emergency." In one of the busiest courts in America, work ground to a halt as a result, creating a backlog that delayed justice for victims of crime and plaintiffs in court.

We had our work cut out for us, but by putting our heads down and our noses to the grindstone, Senator BOOK-

ER and I can now proudly say we have shepherded eight well-qualified nominees through the process. These are individuals who believe in precedent; who are not judicial activists; who are, in essence, in the mainstream of the law. All that remains is for this body and our colleagues to join us in confirming these final two nominees to their roles.

It will be a great day for the State of New Jersey and for our country as we vote to elevate Michael Farbiarz and Robert Kirsch to the Federal bench. We thank them both for their incredibly dedicated service, and I certainly look forward to thanking my colleagues for their dutiful consideration of these two nominees on the floor.

With that, Mr. President, I yield the floor.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 121, Michael Farbiarz, of New Jersey, to be United States District Judge for the District of New Jersey.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

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

The question is, Is it the sense of the Senate that debate on the nomination of Michael Farbiarz, of New Jersey, to be United States District Judge for the District of New Jersey, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The yeas and nays resulted—yeas 65, nays 34, as follows:

[Rollcall Vote No. 102 Ex.]

YEAS—65

Baldwin	Fetterman	Menendez
Bennet	Gillibrand	Merkley
Blumenthal	Graham	Moran
Booker	Grassley	Mullin
Boozman	Hassan	Murkowski
Brown	Heinrich	Murphy
Budd	Hickenlooper	Murray
Cantwell	Hirono	Ossoff
Cardin	Kaine	Padilla
Carper	Kelly	Peters
Casey	Kennedy	Reed
Collins	King	Romney
Coons	Klobuchar	Rosen
Cortez Masto	Lujan	Rounds
Cotton	Manchin	Sanders
Duckworth	Markey	Schatz
Durbin	McConnell	Schumer

Shaheen
Sinema
Smith
Stabenow
Tester

Tillis
Van Hollen
Warner
Warnock
Warren

Welch
Whitehouse
Wyden
Young

Merkley
Murkowski
Murphy
Murray
Ossoff
Padilla
Peters
Reed
Rosen

Rounds
Rubio
Sanders
Schatz
Schumer
Shaheen
Sinema
Smith
Stabenow

Tester
Tillis
Van Hollen
Warner
Warnock
Warren
Welch
Whitehouse
Wyden

NAYS—34

Barrasso
Blackburn
Braun
Britt
Capito
Cassidy
Cornyn
Cramer
Crapo
Cruz
Daines
Ernst

Fischer
Hagerty
Hawley
Hoeven
Hyde-Smith
Johnson
Lankford
Lee
Lummis
Marshall
Paul
Ricketts

Risch
Rubio
Schmitt
Scott (FL)
Scott (SC)
Sullivan
Thune
Tuberville
Vance
Wicker

Barrasso
Blackburn
Boozman
Braun
Britt
Budd
Capito
Cassidy
Cornyn
Cotton
Cramer
Crapo
Cruz
Daines

NAYS—42

Ernst
Fischer
Grassley
Hagerty
Hawley
Hoeven
Hyde-Smith
Johnson
Kennedy
Lankford
Lee
Lummis
Marshall
Moran

Mullin
Paul
Ricketts
Risch
Romney
Schmitt
Scott (FL)
Scott (SC)
Sullivan
Thune
Tuberville
Vance
Wicker
Young

NOT VOTING—1

Feinstein

The PRESIDING OFFICER (Mr. HICKENLOOPER). The yeas are 65, the nays are 34.

The motion is agreed to.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 122, Robert Kirsch, of New Jersey, to be United States District Judge for the District of New Jersey.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

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

The question is, Is it the sense of the Senate that debate on the nomination of Robert Kirsch, of New Jersey, to be United States District Judge for the District of New Jersey, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The yeas and nays resulted—yeas 57, nays 42, as follows:

[Rollcall Vote No. 103 Ex.]

YEAS—57

Baldwin
Bennet
Blumenthal
Booker
Brown
Cantwell
Cardin
Carper
Casey
Collins

Cooms
Cortez Masto
Duckworth
Durbin
Fetterman
Gillibrand
Graham
Hassan
Heinrich
Hickenlooper

Hirono
Kaine
Kelly
King
Klobuchar
Luján
Manchin
Markey
McConnell
Menendez

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 57, the nays are 42.

The motion was agreed to.

NOT VOTING—1

Feinstein

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

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

NOMINATION OF MICHAEL ETAN FARBIARZ

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Michael Etan Farbiarz to the U.S. District Court for the District of New Jersey.

Born in New York, NY, Mr. Farbiarz received his A.B. from Harvard University in 1995. After graduation, he studied as a Fiske Scholar at Trinity College, Cambridge University, from 1995 to 1996 before earning his J.D. from Yale Law School in 1999. He then clerked for Judge Michael B. Mukasey on the U.S. District Court for the Southern District of New York from 1999 to 2000 and Judge Jose Cabranes on the U.S. Court of Appeals for the Second Circuit from 2000 to 2001.

Mr. Farbiarz began his legal career in 2001 as an associate at a law firm in New York City, where he worked for 3 years and tried two cases. In 2004, he joined the U.S. Attorney's Office for the Southern District of New York—SDNY—as an assistant U.S. Attorney. Over the course of a decade, Mr. Farbiarz led more than 100 investigations, tried 7 cases, and argued 13 appeals before the Second Circuit. Within 5 years, he rose to serve as the deputy chief of the Terrorism and National Security Unit for 1 year and was further elevated to serve as the cochief of the Terrorism and International Narcotics Unit for 4 years.

After leaving the SDNY, Mr. Farbiarz became a senior fellow at New York University Law School from 2014 to 2016 and worked as an adjunct instructor at Columbia Law School in 2014.

Most recently, Mr. Farbiarz has served as the general counsel of the Port Authority of New York and New Jersey since 2016.

The American Bar Association has unanimously rated Mr. Farbiarz “well qualified” to serve on the District of New Jersey. Senators MENENDEZ and BOOKER strongly support his nomination as well.

I will be supporting this outstanding nominee, and I urge all of my colleagues to do the same.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

There being no objection, the Senate, at 1:25 p.m., recessed subject to the call of the Chair and reassembled at 2:38 p.m. when called to order by the Presiding Officer (Mr. LUJÁN).

EXECUTIVE CALENDAR—Continued

VOTE ON FARBIARZ NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Farbiarz nomination?

Mr. BROWN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 65, nays 34, as follows:

[Rollcall Vote No. 104 Ex.]

YEAS—65

Baldwin
Bennet
Blumenthal
Booker
Boozman
Brown
Budd
Cantwell
Cardin
Carper
Casey
Collins
Coons
Cortez Masto
Cotton
Duckworth
Durbin
Fetterman
Gillibrand
Graham
Grassley
Hassan

Heinrich
Hickenlooper
Hirono
Kaine
Kelly
Kennedy
King
Klobuchar
Lee
Luján
Manchin
Markey
McConnell
Menendez
Merkley
Moran
Murphy
Murray
Ossoff
Padilla
Peters

Reed
Romney
Rosen
Rounds
Sanders
Schatz
Schumer
Shaheen
Sinema
Smith
Stabenow
Tester
Tillis
Van Hollen
Warner
Warnock
Warren
Welch
Whitehouse
Wyden
Young

NAYS—34

Barrasso
Blackburn
Braun
Britt
Capito
Cassidy
Cornyn
Cramer
Crapo
Cruz
Daines
Ernst

Fischer
Hagerty
Hawley
Hoeven
Hyde-Smith
Johnson
Lankford
Lummis
Marshall
Mullin
Paul
Ricketts

Risch
Rubio
Schmitt
Scott (FL)
Scott (SC)
Sullivan
Thune
Tuberville
Vance
Wicker

NOT VOTING—1

Feinstein

The nomination was confirmed.

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

The PRESIDING OFFICER. The Senator from Louisiana.

NUCLEAR REVITALIZATION

Mr. KENNEDY. Mr. President, today I would like to talk about nuclear revitalization for a few minutes.

I want to make two overarching points. First, no sane person wants a nuclear war. No sane person wants a nuclear war. But, No. 2, peace through weakness never works—never. When the United States built much of its nuclear stockpile, the Cold War was raging, and the Soviet Union was our only major adversary with a sophisticated nuclear stockpile. We remember those days. Our nuclear power deterred Soviet aggression and made sure the Cold War never escalated.

But today, fast forward, we no longer face just one threat. Russia still maintains the world's largest nuclear arsenal, but China's nuclear stockpile is growing rapidly. North Korea, as we know, continues to threaten our allies with its collection of nuclear weapons. And thanks to the disastrous nuclear deal with Iran, Iran is marching ever closer to developing a nuclear weapon of its own.

So here is where the United States finds itself today. The United States must now counter nuclear superpowers in both China and Russia while also deterring the itchy trigger fingers of unstable dictators like Kim Jong Un and the Ayatollah in Iran.

We should be innovating and preparing our nuclear arsenal for this new global dynamic. But, instead, our nuclear stockpile remains stuck in the Cold War, and that is just a fact. Put simply: America's nuclear stockpile is old, and it is shrinking. And while modernizing our nuclear arsenal should be a top priority, our effort to restart nuclear weapon production has been riddled with delays and poor planning and we do not have time to waste.

The United States has not built a single nuclear warhead since the close of the Cold War. Let me say that again. The United States has not built a single nuclear warhead since the close of the Cold War. Instead, we have focused on what we call Life Extension Programs to keep our old weapons operational by refurbishing them. Those that aren't refurbished are destroyed.

From 1994 until 2020, the United States dismantled 11,683 total nuclear warheads. And this total does not include the 2,000 other warheads that have been retired while awaiting their own demolition as well. Most of our nuclear warheads are decades old. The facilities where we built and store these are even older. As recently as 2019, the

computer system controlling our nuclear weapons ran on floppy disks. I kid you not.

Today, we are so far behind in our nuclear revitalization that we cannot even produce plutonium pits. Plutonium pits are an essential component of every nuclear weapon. Plutonium pits sit at the center of a warhead. They are not all that different from pits in a peach. The pit is essential because it triggers the nuclear explosion. Plutonium pits do not last forever. They can only sit inside a weapon for roughly 100 years before we must replace them. The clock is ticking on our Cold War-era weapons.

During the Cold War, the United States produced more than 1,000 plutonium pits per year. And without plutonium pits, you can't have a nuclear weapon. But the United States has not regularly manufactured plutonium pits since 1989. In fact, the United States has not produced a single warhead-ready plutonium pit since 2012. As you would imagine, our nuclear engineers cannot just stop by the hardware store to pick these up. It doesn't work that way. Pit production is a very complex, a very expensive, and a very time-consuming process.

But our adversaries haven't stopped. Our adversaries certainly haven't stopped. China, Russia, North Korea, Pakistan all continue to produce plutonium pits to ready their arsenals. Yet the U.S.A. fell asleep at the wheel and let our plutonium pit production die off almost entirely.

Keeping our nuclear arsenal in shape is sort of like keeping your body in shape. If you stop exercising all together, it will be very painful when you start it again. The United States is learning this the hard way.

In 2014, the Department of Energy and the Department of Defense determined that it would need at least 4,000 new plutonium pits—4,000, not 40, not 400, 4,000 new plutonium pits—to replace the aging pits in our current weapons as part of our larger refurbishment strategy. New pits are also needed for any new weapons that we choose to build.

Department officials determined that the United States would need to produce a minimum of 80 plutonium pits per year by 2030 to be able to reach our national security goals by 2080. To meet this goal, Congress passed a bill, and in that bill, we instructed the National Nuclear Security Administration—we call it the NNSA—to resume plutonium pit production in two separate facilities in 2015. Congress tasked the Los Alamos National Laboratory in New Mexico with a goal of 30 pits per year, and we tasked the Savannah River Site in North Carolina with the remaining 50 to achieve the 80-plutonium-pits-per-year capacity.

But that hasn't happened. I meant it when I said we fell asleep. That hasn't happened. Pit production has been postponed and postponed and postponed.

Most recently, NNSA Administrator Jill Hruby estimated the United States will hit its production goal sometime in 2036, 6 years later than projected. The delays are so significant—so significant—that in 2021, the commander of the U.S. Strategic Command testified before Congress that no amount of funding—no amount of money—would have been enough to get the NNSA to its production capacity goal by 2030. That is what happens when you fall asleep. That is what happens when you stop exercising.

These new pits are not just nice to have; they are essential for developing new weapons to deter aggression from hostile nations. Consider what our military calls the W87-1 Modification Program. Under this program, the United States is developing—or trying to develop—a new warhead that would ride atop the next generation of ICBMs. And an ICBM, of course, is an intercontinental ballistic missile.

But these new weapons cannot run on old plutonium pits; they require a new design. The delayed pit production means that these warheads and our ability to deter China's growing arsenal is delayed as well.

Now, I understand that plutonium pit production is not simple. And like many other workplaces in our wonderful country, supply chain issues and a shortage of qualified workers created unexpected problems for our capacity goals. I get that. But there is a difference—there is a stark difference—between encountering unexpected challenges and simply failing to prepare, and investigations show the NNSA has not taken its preparation seriously enough.

The Government Accountability Office, one of our watchdogs, determined that the NNSA lacked both a comprehensive schedule and a cost estimate for its plutonium projects. Importantly, the NNSA also lacked an integrative master schedule that can be used to coordinate everything from production to staff. Administration officials recently announced better, more concrete schedules and cost estimates, but that cannot make up for the valuable time we have already wasted. It can't. And concerning, the NNSA remains on the Government Accountability Office's list of organizations that are at high risk for "fraud, waste, abuse and mismanagement" because of its practices.

It gives me no joy to point these things out.

Modernizing our nuclear stockpile is essential for maintaining our national security and affirming our position as a global leader. Our weapons don't only protect Americans—we know that. They protect our allies. As part of our extended deterrent strategy, we have agreed to help defend our allies who don't have nuclear weapons of their own, in large part to deter them from getting nuclear weapons.

But our allies aren't stupid. They see our antiquated stockpile, and they

wonder if we can follow through on our promise to protect them if they themselves do not acquire nuclear weapons. Take our friends in South Korea. They announced their doubts earlier this year. South Korea has considered developing its own weapons because its leaders do not know if America's arsenal is ready to answer the call if, God forbid, South Korea ever faces an imminent nuclear threat.

Now, our friends in South Korea—and they are dear friends—they are not going to say that in stark terms, but we know from our diplomatic relations that is how they feel. The good news is that after some recent negotiations, our friends in South Korea—our ally, South Korea—reaffirmed its commitment to work with the United States.

But this situation, I bring it up because it showcases the severity of our problem. The people of South Korea are our friends. They are our allies. They embrace democracy as we do. But if they are doubting our capabilities, our adversaries are, too. You can bet on that. Look no further than China.

Now I don't hate China. I don't hate the Chinese people. They are wonderful human beings with souls like all of us, and they have the right to freedom and self-determination. I don't want a Cold War with China. I don't want a hot war with China. But according to the Pentagon, China already has more intercontinental ballistic missiles than the United States.

In 2001, China had 400 nuclear warheads. At the rate it is growing, by 2035, China will have 1,500—far outpacing—far outpacing—the Pentagon's initial projections.

China is also rapidly innovating. The Chinese military has been testing nuclear-capable hypersonic missiles. These nuclear-capable hypersonic missiles can fly five times the speed of sound. That is roughly 3,800 miles an hour. A few weapons that China is also testing could leave its intended target only minutes to respond.

The United States of America cannot continue inching along while China quadruples its arsenal with newer and faster nuclear weapons.

The days when we could neglect our nuclear stockpile without risking our national security are over. Our ability to deter unstable nuclear powers and maintain a peaceful world relies on our ability to continue innovating in ways only freedom-loving Americans can. But these vital projects rely on our plutonium pit production, and failing to produce pits at full capacity is just not acceptable.

As the ranking member on the Appropriations Subcommittee on Energy and Water Development, I know we will continue our focus on this issue. As we modernize, we must modernize our nuclear stockpile for the peace and safety of generations to come, and I urge my colleagues to make it a priority as well.

We cannot fix this problem overnight. We didn't develop this problem

overnight. But if we continue to work in a bipartisan fashion, we can restore our stockpile.

We must restore our stockpile. It is time for the United States to get serious about revitalizing its nuclear arsenal so that we can continue to have the most reliable and sophisticated defense systems on the planet.

Why is that important? Let me end as I began: because peace through weakness never works. Peace through weakness never works. Never.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NATIONAL DEBT

Mr. GRASSLEY. Mr. President, I come to the floor today referring to a speech that Senator Biden gave on this Senate floor 39 years ago today. The scene was this: It developed over several months of that year before May 2, 1984.

I had this idea which would be considered crazy today, that we need to get control of the budget by just freezing everything across the board. And I recruited Nancy Kassebaum, a Senator from Kansas, and Senator Biden to help in that effort.

Senator Biden gave the longest speech that day on justifying it, and most of his comments at that time were trying to justify that you could actually freeze the defense budget, and also it included the freeze on the COLAs for Social Security.

But Senator Biden spent most of his speech fighting off giants of the military industrial complex at that time, by the names of Senator Goldwater, Senator Towers, and Senator Stevens of Alaska. So that is the background of what I am talking about today.

So on this day, 39 years ago, then-Senator Biden spoke on the Senate floor saying that he was “outraged”—that is his words—that our national debt would soon be near \$2 trillion. He urged fellow Senators to “do something . . . before the debt limit increase comes up.” The “something” that he advocated for was a Federal spending freeze.

Today, our national debt stands at \$31.5 trillion compared to that \$2 trillion in 1984. But in a few years, public debt as a share of our economy is expected to exceed record levels set in the wake of World War II. However, instead of urging immediate action this year, President Biden wants to kick the can down the road. I think, today, we would all consider that to be irresponsible and unacceptable.

In contrast, House Republicans are tackling our debt crisis head-on. Legislation the House passed last week would rein in excessive government spending, lift the debt ceiling, and im-

pose meaningful fiscal controls moving forward. President Biden and Senate Democrats must get off the sidelines and negotiate. We can't continue to live high on the hog at the expense of future generations.

To put our current national debt in perspective, a gross Federal debt of \$31.5 trillion equates to \$95,000 for each man, woman, and child living in the United States today. By comparison, the average cost of a 4-year public college degree in 2023 is about \$90,000. Both are more than we should be asking young people to bear. Looked at in terms of the American taxpayers, our government debt comes to a staggering \$247,000 per tax filer, and I think the number of tax filers would be close to 160 million or just a few more. That is \$52,000 more than the average home value in my State of Iowa.

Our growing national debt is unsustainable. In its most recent budget outlook, the Congressional Budget Office estimates interest on the debt will be near \$1 trillion in 2028—an amount exceeding what our Nation is expected to spend that year on national defense. Absent action, interest costs will continue to mount at an alarming rate. Looking well into the future, by 2044, interest will exceed \$2.9 trillion, surpassing what we are projected to spend on Medicare. By 2050, interest will become our Nation's single largest expense, even surpassing Social Security.

Interest costs of this size would have been unfathomable to my then-Senate colleague Joe Biden. Remember how he said he was outraged that the national debt would reach \$2 trillion? While Senator Biden was expressing outrage over a \$2 trillion national debt, he was also lamenting the prospects of \$219 billion in annual interest costs. Yet, today, President Biden barely bats an eyelash at interest projected to blow past \$1 trillion, on a path to \$3 trillion.

At the same time our interest costs are set to soar, several major Federal programs are barreling toward insolvency. According to the trustees of Social Security and Medicare, in the report they introduced this spring, Social Security's primary trust fund will become insolvent in 2033, while Medicare's trust fund will go broke in 2031.

Contrary to what some Democrats claim, doing nothing to address these programs is not an option. The Social Security and Medicare Board of Trustees, which consists solely of President Biden's administration officials, has made it clear that congressional inaction means automatic benefit cuts within the next 10 years. Yet President Biden has accused any Republican who mentions the words “Social Security” of wanting to gut the program, although nothing could be further from the truth.

In 1984, Senator Joe Biden sang a much different tune. He understood that a dire fiscal situation required bold action from this Congress. The Federal spending freeze he advocated

for applied across the board. It would have frozen spending on Social Security, Medicare, defense, and much more.

Nothing any Republican has proposed today comes close to the broad-based spending cuts advocated by then-Senator Biden. What Republicans have put forward likely wouldn't go far enough for the 1984 Joe Biden. Today, our debt, our deficits, and our interest costs are all on a far bleaker path than they were in 1984. Yet President Biden refuses to entertain even modest spending cuts. That should be unacceptable and is unacceptable to most Americans.

We can't continue to ignore our current fiscal trajectory. We must get our fiscal house in order. Failure to act puts children born today in a position that they will never be able to recover from financially. This Congress must come together to fix our broken budget system and return to regular order. As the ranking member of the Senate's Budget Committee, I stand ready to work with my colleagues on the other side of the aisle to put us on a more sustainable path.

Unfortunately, the White House doesn't seem to want to address the issues we are facing. The President's budget request continues our Nation on a path to fiscal ruin. Under the administration's budget proposals, public debt as a share of our economy will set a new record in 2027.

We owe it to the Nation's young people to leave them a country that is on solid financial ground. We cannot ask the generation of tomorrow to pay for the gluttony of today.

Here are the words of then-Senator Biden in 1984: "I, myself, am outraged . . . I hope that all those other Senators who share my outrage will also share my determination to do something" about our unsustainable debt.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

300-YEAR ANNIVERSARY OF THE ILLINOIS NATIONAL GUARD

Mr. DURBIN. Mr. President, "Always ready, always there." That is the motto of the Illinois National Guard. And for 300 years, in times of war and peace, it has lived up to that promise.

As the Illinois National Guard celebrates its 300th anniversary, we thank our citizen soldiers for their service and their sacrifice.

If you want to see the selfless character of the Illinois National Guard, just take a look around the Senate because you will spot my colleague Senator TAMMY DUCKWORTH, former Lt. Col. TAMMY DUCKWORTH of the Illinois Air National Guard.

Senator DUCKWORTH almost gave her life when the Black Hawk helicopter she was copiloting was hit by an RPG in Iraq. But it didn't diminish her will to serve our State and our Nation, and I am lucky to have her as my colleague.

The Illinois National Guard traces its history of service to May 9, 1723, when a local militia completed its first exercise in Kaskaskia, IL. Back then, Illinois was still a French territory. Since then, the citizen soldiers of the Illinois National Guard have protected our State and Nation at home and abroad.

When the Mississippi River overflows its banks or when we are faced with other natural disasters, it is the Guard that we call. And its members have served with honor and distinction throughout its history.

During the American Revolution, Illinois' militia members fought under the heroic command of Col. George Rogers Clark to oust the British from Illinois.

Illinois' most famous member of the National Guard was a man named Abraham Lincoln, who served during the Black Hawk war in the 1830s.

During the Mexican-American War, a young Army officer served as assistant quartermaster in the 21st Illinois Infantry Regiment. He went on to lead the Union forces to victory in the Civil War. His name was Ulysses S. Grant.

Later, Illinois' 370th Infantry Regiment earned the distinction of being the only Army unit commanded mainly by African-American officers in World War I, and members of the Illinois Army National Guard served bravely in World War II, the Korean war, Vietnam war, Operation Desert Storm, Iraq, and Afghanistan.

More recently, Illinois National Guard members were activated during the COVID-19 pandemic as the world grappled with that virus; and after the U.S. Capitol was attacked on January 6, National Guard members were dispatched to help restore order.

In the most challenging times, the Illinois National Guard continues to be "Always ready, always there." I am confident they will be for many years to come.

This month, their sacrifices are remembered throughout our State; and on behalf of a grateful State and Nation, I want to commend Maj. Gen. Rich Neely, the adjutant general of the Illinois National Guard, and all the men and women of the Illinois National Guard on the occasion of this momentous anniversary.

WOMEN'S HEALTH PROTECTION ACT

Mr. President, we have sure learned a lot since the Dobbs decision was handed down.

Roe v. Wade was controversial, but after 15 years, we had reached something of a balance in terms of what was allowed and what wasn't allowed on a national basis. Then came the Dobbs decision and the repeal—overruling—of Roe v. Wade, and for the first time in the history of the United States, a con-

stitutional right which women had enjoyed for 50 years was removed from the law. It never has happened before.

The American people have united together in support of the belief that reproductive rights are a fundamental right and that extremist politicians have no business dictating the healthcare decisions of women and their doctors.

Just a few days ago, Republican lawmakers in two States failed to pass restrictive abortion laws, and they were not blue States—far from it: South Carolina and Nebraska. Cheers actually erupted outside the Nebraska Legislature when the proposed abortion ban failed.

To some, the failure of these abortion bans in Republican-controlled States may be surprising, but if you have been paying attention over the last year since the Dobbs decision was handed down, it is no surprise. In the months since that decision, at least a dozen States have enacted near-total bans on abortion, and the number of horror stories that are emerging from those States is staggering—stories of rape victims as young as 10 years of age being denied healthcare because of restrictive State laws governing abortion; an 11-year-old victim of sex trafficking also denied an abortion under one of these State laws; stories of women being forced to flee their home States to access basic reproductive care service; stories of pregnant women suffering miscarriages, being turned away by doctors until their lives are at risk because these abortion bans are so vague and so poorly written that healthcare providers are afraid to provide lifesaving care until the women are in an extreme situation. And the laws surrounding abortion—and miscarriage management—seem to be changing almost on a weekly basis. So much confusion and chaos.

Now, one of the most striking features of the Dobbs decision itself was the almost complete absence of discussion of one subject. The subject: women. In a 79-page ruling, women received a few paragraphs from Justice Alito on the Supreme Court. This author of the majority opinion defended his disregard for women's lives by arguing it is "hard for anyone"—Justice Alito said, "and in particular, for a court—to assess . . . the effect of the abortion right on society and . . . on the lives of women."

That is from the man who wrote the decision, the Dobbs decision that repealed Roe v. Wade. He said it was kind of difficult to assess the impact it would have on the lives of women. He was sure right about that.

Mr. President, perhaps the Court's conservative majority should have paid closer attention to the briefs filed by medical professionals like the American College of Obstetricians and Gynecologists and the American Medical Association, who gave Justice Alito and the majority on the Supreme Court fair warning about what was going to

happen—an immediate healthcare crisis across America. Sadly, their prediction turned out to be true.

Now, last week, as the Presiding Officer will remember, in the Judiciary Committee, we had a historic hearing about the horrific consequences of the Dobbs decision. One of our witnesses, I still remember to this day. It was one of the most compelling pieces of testimony I have ever seen. Her name is Amanda Zurawski. She gave one of the most heartbreaking presentations I had ever heard.

Amanda lives in Texas, you see, one of the first States with a near-total ban on abortion that took effect after Dobbs. She endured 18 months of fertility treatments in a desperate attempt so that she and her husband could become pregnant. When she finally did, her husband was over the moon, so excited and so happy. They named their soon-to-be little girl Willow.

Last August, in the second trimester of her pregnancy, Amanda didn't feel right. She called her doctor, who told her to come in as quickly as possible. After the exam, Amanda and her husband received a heartbreaking diagnosis: Her cervix had dilated prematurely; the loss of her baby was inevitable.

Amanda asked what could be done, what was the right thing to do for the "respectful passing" of her baby and to protect herself so that maybe there would be another attempt and she could become pregnant again.

To her shock, her doctors in Texas told her that there was nothing they could do because of the State's new anti-abortion law—laws that threaten doctors with fines up to \$100,000 and up to 99 years in prison and losing their medical license.

Amanda's doctors tried to find another hospital nearby that could possibly help her. Those hospitals all had the same response: Because of Texas's new anti-abortion law, they refused to do anything to provide care for Amanda.

She told our committee:

People have asked why we didn't get on a plane or in our car to go to a state where the laws aren't so restrictive. But we live in the middle of Texas, and the nearest "sanctuary" state is at least an 8-hour drive. Developing sepsis—which can kill quickly—in a car in the middle of the West Texas desert or 30,000 feet above the ground is a death sentence, and it's not a choice we should have had to even consider. So all we could do was wait.

She waited 3 agonizing days, developing a raging fever and dangerously low blood pressure. Sepsis had set in. Her husband rushed her to the hospital. Several hours later, her daughter arrived as predicted: stillborn. Amanda spent the next 3 days in intensive care in the hospital fighting for her own life. She has spent the last 8 months battling trauma and depression from this experience, as well as the medical fallout from delayed treatment, including complications which may make it difficult for her ever to bear a child.

That is the new law in Texas. It almost killed her.

During last week's hearing, we also heard from Dr. Nisha Verma. She is an OB/GYN. She has chosen to stay in practice in Georgia despite knowing that "Georgia's laws threatened to make [her] a criminal for providing lifesaving care to her patients."

Dr. Verma told our committee:

Imagine looking someone in the eye and saying: "I have all the skills and the tools to care for you, but our state's politicians have told me I can't [lift a finger]."

She reminded us that the United States already has the highest maternal mortality rate of any wealthy nation. Restrictive abortion laws, she said, are making pregnancy even more dangerous for American women.

Regrettably, some of our Republican colleagues tried to make last week's hearing about something they called "late-term abortions" and "partial-birth abortions," both medically inaccurate terms. In their fearmongering, what they neglected to note is that abortions after 21 weeks of pregnancy account for less than 1 percent of abortions in America, according to the Centers for Disease Control.

They also failed to acknowledge that in the very rare instance when abortion happens late in pregnancy, it is generally because a woman's life is in danger or a fatal fetal anomaly has been discovered—or because a woman wasn't able to get the abortion earlier due to restrictive State laws.

And as Dr. Verma correctly noted, hypotheticals of patients seeking an abortion until the moment of birth "does not reflect the reality of abortion . . . It simply doesn't happen," this doctor said.

For nearly 50 years, abortion opponents said their only goal was to return the right to decide abortion laws to the States. It is now clear that that was not true; dismantling *Roe v. Wade* was always the first step.

The real goal is to systematically strip away access to abortion nationwide, and that is exactly what they are trying to do. For example, many congressional Republicans submitted a brief urging one Federal judge in Texas to issue a nationwide injunction blocking the use of a medication abortion pill, mifepristone, a drug the FDA approved more than 20 years ago, found to be safe and effective—safer than Tylenol.

Congress needs to stop this chaos. The bill, Women's Health Protection Act, will restore the protection of abortion access across the country, consistent with *Roe v. Wade*.

That testimony about what that young mother went through in Texas was an eye-opener. I couldn't help but think of my own daughter and my family and what I would have done if she was in a situation where she faced death and had to be sicker for the doctors to finally act and save her life.

She waited 3 days in that intensive care unit to finally survive and go on

with her life, but her life may never be the same. I pray that she will have an opportunity to have another child someday.

But it gets down to the bottom line, Mr. President—and I think you understand as well as I do. I am an attorney; I am not a doctor. And if I am asked to make a decision about something as complicated as what to do with a 10-year-old who happens to have been a victim of rape and pregnant, I am going to think twice and ask people who know what to do for a living, medically trained people, who can make the right decision for the people who are involved in that process.

To sit here in State after State and have these decisions being made—for instance, to say you can't have an abortion anytime after 6 weeks of a pregnancy—I know enough about that experience from my own family experience that many women will never know the answer to that question in the first 6 weeks, and yet the law is being written by politicians and legislators who think they know better. Many of them couldn't consider passing any courses in medical school, but they are going to write the medical law now. In fact, insert into the examination room and emergency room State-elected officials who are going to be hovering over those doctors and threatening them with hundred-thousand-dollar fines and 99 years in prison if they guess wrong.

What have we come to in this country? I think the American people understand how desperate we are at this point with the chaos that we face. I can only hope that the election will make a difference. I think it will. I really sense that there is a realignment in this country. The women, in particular, but many families are deciding that the Republicans have just gone too far with the Dobbs decision. And what is happening across this country is not only chaotic, it is immoral. It is immoral to have a young woman like Amanda face death when she was trying to do everything possible to have a baby and be a mother and then have the terrible diagnosis which told her her child was not going to live. That is where we are today.

I hope that the Senate Judiciary Committee can continue to bring this item before the American people so they can hear clearly what we face after the Dobbs decision by the Supreme Court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NATIONAL SECURITY

Mr. MORAN. Mr. President, years ago, we realized the government's failure to keep up with the amount of classified information is outdated; it is insufficient; and it is costly.

It is important to improve our broken classification system to reduce costs, eliminate years of backlog, and create a more efficient system. But I now recognize there is another reason to do this beyond just the efficiency of good government. We now know, also, it is making our country more vulnerable.

The disclosure of classified information threatens our country's security, diminishes the safety of our military, and damages our relationships with our allies.

We are so overwhelmed protecting outdated documents that we have failed to meet the basic purpose of our classification system: protect classified information from bad actors.

In the past year, our Nation experienced a number of harmful incidents relating to how classified information has been handled. Last year, we learned that classified information was improperly in the possession of the President, the former President, and the former Vice President.

Last month, our Nation became aware of a number of documents allegedly leaked by a 21-year-old Air National Guardsman trying to impress his video game buddies.

Regarding the latest leaks and the constant reporting streaming from them, I am mystified that such a person could have such broad access to some of our Nation's most sensitive information.

The alleged leaker had a known history of threatening violence and a record that did not permit him to obtain a gun. How could he be trusted with a top security clearance?

To protect the security of the United States, it is necessary for Congress to understand how these episodes happened, ascertain the damage that has been inflicted, and work to reduce the likelihood of them ever happening again.

We must also overhaul how records are handled and who has access to them. I want to highlight the enormous amount of classified information that is already in the government's possession. In this digital era, the Federal Government is classifying more information than our current analog declassification efforts can meet.

We are increasingly finding that information which should no longer be classified, including historical records subject to mandatory declassification, remain classified because the system is just simply overwhelmed.

This comes at a cost of good governance: American taxpayers spend \$18 billion a year—\$18 billion a year—on this broken system, and it prevents transparency, costly and not good government, citizens without information.

When there are no compelling national security reasons to justify

records remaining classified, public trust in government is undermined.

Senator WYDEN, the Senator from Oregon, and I have attempted to address this growing problem by introducing the Declassification Reform Act in the previous two Congresses.

Following the recommendations of the Public Interest Declassification Board, we sought to designate the Director of National Intelligence as the official responsible to oversee an intelligence community-wide reform so that we don't fall further and further and further behind.

The intelligence community recognizes the urgency of reforming the classification system. However, it remains a question of who is in charge of this process. An executive agent is necessary. The Declassification Reform Act establishes a working fund for Agencies to utilize.

Our legislation doesn't resolve every problem associated with how government classifies and declassifies information. Too much information is classified, and administrations from both parties have allowed political considerations to interfere in the declassification process. But when records no longer require classification, neither disagreements about national security nor politics are to blame. It is an out-of-date system that is in need of leadership—leadership to reform it.

A modernized declassification system will help eliminate years of backlog and create more efficiency and greater transparency.

Modernizing our system would also apply to the process of tracking records that are supposed to remain classified so that we can better keep them secure, which is now the top priority for why we must immediately address this issue.

We live in a very dangerous world. And information that is classified and should be classified should not be shared with others. And yet we saw that happen just last month. Sensitive information that must remain classified must be protected from carelessness or maliciousness. Yet the records that no longer need to remain classified should be made available in a timely fashion.

I serve on the Senate Intelligence Committee. I look forward to introducing legislation with Senator WARNER as chairman, Senator CORNYN and Senator WYDEN, other members of that committee, to introduce legislation in the coming days to further address this issue.

I also welcome the opportunity to work with my colleagues, both on the committee and in this Chamber, to advance this debate and reach solutions to improve an out-of-date declassification system and better protect our national security, the challenges we face in this country and around the world. Now is not the time for us to look the other way. We can do better, and we need to head down that path quickly.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

SOLAR TARIFFS

Mr. BROWN. Mr. President, I rise in support of the CRA that we will be voting on soon. This vote presents a pretty simple choice: Do you stand with American manufacturers and American workers or do you stand with China and do you stand with our continuing to lose our industrial base?

I fought my whole career for fair trade. One of my first and proudest votes was against the North American Free Trade Agreement, as a Member of the House. We saw what that agreement did to Vermont, did to Ohio, and did to Kansas—and Senator MORAN just spoke. We saw what NAFTA did.

These trade fights are not a new fight. Some years ago—about 20 years ago—when I was a Member of the House, I wrote a book called "Myths of Free Trade." The book wasn't exactly a bestseller. I can live with that. But telling the truth on trade has not been popular in this town—by Presidents of both parties, majorities in Congress, and corporate leaders and CEOs who were lobbying Congress.

Essentially, these trade agreements sold out American workers. These trade agreements were signed or, at least, negotiated by American Presidents and voted for by far too many Members of Congress, lobbied by the most powerful interest groups in Washington.

I remember that during NAFTA—there were two things during NAFTA, particularly. One was that someone said that there were more corporate jets at National Airport than they had ever seen, because CEOs were all flying in to push for NAFTA—to get us to vote for NAFTA—because it was more money in their pockets because it was fewer dollars in workers' pockets. The other thing I remember was one of the—this was a two-party thing. Democrats were pretty bad. Republicans were actually slightly worse. But both parties were guilty, and Presidents from both parties—from Trump and all the way back to Clinton, since I came here.

One of the Democratic leaders on this issue in the House said to me: You know, I hate these congressional recesses because when our Members go home and go to county fairs and start meeting with people, they decide that they don't think NAFTA is such a great idea.

So every time we went home, this guy, who was a Member of Congress who was pushing for NAFTA, had more work to do because the more the public heard from workers—the more that Congressman heard from workers and

from the public—the less they liked this agreement. Workers from Ohio and around the country watched the people who are supposed to represent them and stand up for them sell out to corporations again and again.

Let me tell you a real quick story. I grew up in Mansfield, OH, an industrial city at the time that was roughly halfway between Cleveland and Columbus. I worked on a family farm nearby through most of my teen years. But I remember walking the halls at a school called Johnny Appleseed Junior High. In Johnny Appleseed Junior High, I walked the halls with the sons and daughters of electrical workers at Westinghouse, autoworkers at General Motors, rubberworkers at Mansfield Tire, and machinists at Tappan Stove; and with the sons and daughters of trades people, laborers, electricians, insulators, sheet metal workers, plumbers, pipefitters, and operating engineers.

Those kids had a chance in life. Those kids had a pretty good solid middle-class life because their parents carried a union card. They had that advantage. We were a country where management would sit down with workers, and they would negotiate. Management would do well, not the kind of \$10 million-a-year CEO salaries as today, but they would do well. But workers would do well and be able to buy a car and a decent home and send their kids to Mansfield OSU or North Central Technical College or whatever.

By the time I got to Mansfield High School, you could see those jobs starting to be lost. By the time, years later, when I represented Mansfield in the legislature, so many of those jobs were gone because those companies were using words like—first, they moved south for cheap labor. Then they moved to Mexico. Then they moved to China.

Those companies were moving their production overseas in the name of “efficiency.” Efficiency is always business school speak for lower wages: We want more efficiency. Actually, we really want lower wages, but we can’t say that in public.

Corporations searched the globe for cheap labor. First, they shut down production in Mansfield, OH, and Toledo and Dayton. Then they moved to Alabama and Mississippi. Wages were low, and the unions were not particularly active there because the governments in those States kept them out, and the businesses kept them out. Then those wages weren’t cheap enough, and that is when they started going overseas.

They lobbied for tax breaks and bad trade deals always in search of lower wages. And, you know, Wall Street would reward them over and over.

Norfolk Southern I pay attention to because of their irresponsibility and greed and what they did to a community in my State. Every time they lay off workers—Norfolk Southern laid off a third of its workforce in the past 2 years. Every time they lay off workers,

their quarterly earnings report gets a little better, and their profits get a little better.

What does Wall Street do? Wall Street rewards them with a higher stock price. Then what happens is those CEOs and top executives are able to cash in, in a bigger and bigger way, with stock buybacks and other ways.

So look at where we have ended up because of this corporate-dominated, corporate-ridden trade policy. An Ohioan invented the light bulb. Today, 99 percent of LED bulbs are made in China. On the west coast, an American invented the semiconductor. Today, 90 percent of them are made overseas. We cannot and will not make that mistake again with the technologies that power our economy over the next century.

We have heard a lot of talk in the Senate over the past year about supporting manufacturing and innovation so we can better compete with China. Senator CORNYN is on the floor. He and Senator CASEY are working on a really important bill on corporate outsourcing that I hope we pass, and it will absolutely matter. It is why, in the end, we passed the CHIPS Act, to bring semiconductor production back home where it belongs.

We passed a bipartisan infrastructure bill. I worked with Senator Portman, the other Senator from Ohio, on that and on a number of other bills that rebuild our bridges and roads.

We passed the Inflation Reduction Act to make sure we lead the world in new renewable energy technologies, like solar.

But, now, suspending those solar tariffs is antithetical to the good work we did. We take four steps forward and, today, move three steps backward. That is not the progress we need.

President Biden has talked about how we are essentially—and I have been talking to him about this, and he has been repeating it—that we are burying the term “Rust Belt” in my part of the country. You can’t say you want American manufacturing to lead the world and then allow Chinese companies, subsidized always by their government, to skirt the rules and dump solar panels in the United States.

We have in my State—I believe it is still—the largest solar manufacturing company in America. First Solar employs 2,000 workers in Northwest Ohio. These workers are ready to lead the world in this industry. They just need a level playing field.

We know China cheats. The Chinese Government, as they have for generations—unfortunately, American politicians helped them do it, and American corporations helped them do it, and we build up the Chinese military that now we are concerned with.

China illegally subsidizes industry, from steel to solar. They have been doing it for years. They are always coming up with new ways to cheat. It is sort of a Whac-A-Mole problem, where we stop this cheating, and then it goes somewhere else. We stop that, and it goes somewhere else.

We put tariffs on their illegally dumped products, and they move some aspect of production to other nearby countries to get around those rules. They move to Cambodia, Malaysia, Taiwan, Vietnam, and wherever they can find to cheat and to ignore the rules.

Blame them—and I certainly do—but we have allowed it. We have allowed it because American politicians, Presidents of both parties, and far too many people in this Chamber—I would certainly say the Presiding Officer is an exception to that—far too many people in this body have gone along with it as corporate America has lobbied and lobbied and lobbied aggressively.

This isn’t just a guess. The administration’s own Commerce Department conducted an independent investigation. They released preliminary results in December. And surprise, surprise, they found that, yes, four leading Chinese solar cell manufacturers are dodging U.S. tariffs by routing some of their operations through Southeast Asia.

We can’t let them keep doing it.

That is what this vote today is about. It has real consequences for our leadership in my State in manufacturing and for American leadership in one of the leading energy industries of the future.

To my colleagues who say we must allow these Chinese imports for the time being in order to fight climate change, I disagree. Nobody in this body is more concerned and more active in terms of understanding environmental issues. As a senior in high school, I started the first Earth Day in Richland County in 1970. My commitment is absolute.

But when people say this is about climate change, surely, it isn’t. It is about ceding our leadership to other countries, and it will not result in long-term success.

American workers must know we have their backs. They need to know they aren’t a little side issue: We are for workers, except when we are doing this; we are for workers, except when we are doing that.

If you believe in the dignity of work, if you put workers at the center of our economic policy, it makes things better. We have seen how dangerous it is when we cede American leadership to other countries in key industries like semiconductors. Now we play catch up.

American workers have proven they can make these solar panels. It is not a hypothetical. Americans are manufacturing solar panels that can power our economy right now, today. They need a level playing field.

How are businesses going to expand and scale up production if they are constantly dealing with a flood—I mean a flood, one after another after another wave—of illegally subsidized imports? It comes down, as the Presiding Officer knows, to whose side are you on? Do you stand with workers in Ohio or stand with the Chinese Communist Party? Do you stand with the American solar industry or do you stand

with the solar industry in a country that cheats time after time?

It is that simple. If you love this country, you fight for the people who make it work.

I ask my colleagues to join me in standing up for workers in Ohio and around the country.

TRIBUTE TO ANNA GOKALDAS

Mr. President, I rise today to recognize and honor a longtime member of my staff, Anna Gokaldas.

Anna has been with our office almost a decade—working on veterans affairs, foreign policy, and defense—making a difference for so many Ohioans and so many of our veterans.

Anna's last day with our office is a couple of days from now. She moves on for a new opportunity at Millennium Challenge, where she will be working on something she cares so passionately about: to reduce poverty around the world.

They are lucky to have her. Her dedication to public service and public good is unwavering.

One of her greatest successes happened last summer when we passed the PACT Act, comprehensive expansion of benefits for veterans who faced toxic exposure in our country's history. Because of Anna and the veterans and advocates she worked with, the PACT Act is law today, named after an Ohioan, Heath Robinson. Thousands of veterans have access to the healthcare they deserve.

Because of her work and because this place did it right, this bill passed in August. I remember the President signing it. By January, several hundred thousand veterans—tens of thousands in my State of Ohio—were already getting additional care from the VA because they had one of these 23 illnesses from exposure to these football-field-size burn pits in Iraq and in Afghanistan, especially.

That exposure can cause any of these 23 illnesses. If you are diagnosed with one of those illnesses, you immediately get care from the Dayton VA or in Cleveland or in Cincinnati or in Chillicothe or at the Columbus or Mansfield CBOC.

It is one example of why Anna is so effective. Veterans brought this issue to her and my staff. She took their concerns seriously. She approached every conversation with care. She went to work. We worked with Members of both parties to find a solution, especially Senator TESTER and Senator MORAN. Anna never gave up. We got it done.

Among staff, Anna is known for problem-solving skills and her ability to connect with Ohio veterans.

When the VA recommended closing the Chillicothe VA, Anna fought to ensure it stayed open so veterans in Southwest Ohio could continue to receive care. Anna helped plan roundtables and coordinated with the VA. She got me to spend a lot of time in Chillicothe, talking to Jessica Fee, the head of the union there and others. Together, we got it done.

Every year, Anna guided our office through the NDAA process—the bill that funds national defense—with special attention to military bases in Mansfield, Youngstown, Toledo, and Springfield, and special attention to the Wright-Patterson Air Force Base in Dayton.

She has long fought for better mental health services and suicide prevention. She made veterans' issues—that is an area that is, very often, an overlooked priority for the Senate. And one of the reasons that I sit on the Veterans' Affairs Committee and the Ag Committee is because these two committees are the least partisan committees in the Senate. You can always reach across the aisle in those two committees—with Senator THUNE on agricultural issues, with Senator TILLIS on veterans' issues, and others. We get things done, and you know how important that is.

On the foreign policy side, Anna always stood up for human rights and democracy and justice around the world. She fought for global health, leading our office's efforts on tuberculosis, which still kills more than a million people a year around the world. We know how to deal with it. We made progress, just not enough.

Anna's legacy in our office extends far past her countless legislative wins, making all of this work better.

She has pushed every member of our staff to do their best work for the people with whom we serve. Her determination, dedication, and commitment to public service have made a difference for so many.

On behalf of everyone in my office and the committee and all those who have had the honor of working alongside of Anna Gokaldas, we will miss you, and we thank you for your service.

The PRESIDING OFFICER. The Senator from Texas.

THE JUDICIARY

Mr. CORNYN. Mr. President, as we all have observed in recent years, we have witnessed a deeply concerning string of attacks, verbal and otherwise, against Federal judges. I am not talking about fiery speeches or statements by activists and organizations that happen to disagree with a particular ruling. That is their right under the First Amendment to the Constitution. What I am talking about are physical threats, including those from elected officials who want to control another branch of government and because they don't like the decisions that the judiciary is handing down in a given case.

A few years ago, five of our Democratic colleagues filed a friend of the Court brief in the Supreme Court on a case involving gun rights. These Senators made a not-so-subtle threat to the Justices that unless the Court ruled in a certain way, the entire institution could be, quote, "restructured." Some might call that coercion or intimidation.

Last year, one of our Democratic colleagues took another jab, calling the

Supreme Court's conservative majority "stolen," "illegitimate," and "far right."

But without a doubt, one of the most shocking and reckless examples of what I am talking about occurred 4 years ago with New York's senior Senator, now the majority leader of the United States Senate. As the Supreme Court considered an abortion case, the Democratic leader went to the steps of the Supreme Court and threatened two Supreme Court Justices by name if they did not rule a certain way. He said:

I want to tell you, Gorsuch; I want to tell you, Kavanaugh: You have released the whirlwind, and you will pay the price. You won't know what hit you if you go forward with these awful decisions.

Now, it might be more understandable if these words were said by some person on the street who didn't have the sort of education and background and responsibilities of the majority leader of the United States Senate, but coming from the leader of this institution, those words were shocking and reckless and even dangerous.

I hope it doesn't come as a surprise to the majority leader that when he talks, people listen. That is true for Senators in this Chamber. I know sometimes we think nobody is listening to what we say, but when we say something like that, people do listen. I have no doubt that some heard Senator SCHUMER issue unveiled threats against Supreme Court Justices, and they viewed that as permission to take action on their part—for example, the individual who was prepared to assassinate Justice Kavanaugh. No doubt this person of unstable mental mind heard some of the rhetoric and was moved to action. Thank goodness for the law enforcement officials who were able to interdict him.

Last summer, as the Supreme Court considered another case involving abortion rights, an organization released the home addresses of the Supreme Court Justices, some of whom still have young, school-age children at home. They encouraged protesters to show up at the Justices' homes to harass and intimidate them, which just so happens to be a Federal crime. It was a disgusting breach of privacy and a massive security risk for these members of the Court and their families.

It was sadly met with nothing more than a shrug by some of our Democratic colleagues. The Senate majority leader said he is comfortable with protests happening outside of the Justices' homes, even though it is a Federal crime.

The White House confirmed that President Biden believes this is a constitutional right, to protest, even though it is a Federal crime. President Biden and Attorney General Garland have not seen fit to bring any charges against these protesters for their attempts to intimidate members of the Supreme Court at their homes at all times of the day and night. In fact,

some sources indicate that the Garland Department of Justice was discouraging U.S. marshals, who were ostensibly there to protect the Justices and their families, discouraging them from actually making arrests.

For the Justices and their families, this was not a peaceful exercise of these protesters' First Amendment rights; these were moments of complete fear.

A few weeks ago, Justice Alito—one of those members of the Court—spoke to the Wall Street Journal about this period of intimidation, saying that Justices who were believed to be in the majority were what he called “targets of assassination,” no doubt referring to what happened or what nearly happened to Justice Kavanaugh. He said: “It was rational for people to believe that they might be able to stop the Supreme Court decision in *Dobbs*—that is the abortion decision involving the Mississippi law. He said: “It was rational for people to believe that they might be able to stop the decision in *Dobbs* by killing one of us.” As we know, there was an incredibly close call.

When the man who said he intended to kill Justice Kavanaugh was arrested, he had a Glock 17 semiautomatic pistol. He had ammunition. He had a knife. He had a hammer, crowbar, and zip ties. He told authorities that his plan was to break into the house, kill Justice Kavanaugh, and then commit suicide. Thank God he was caught before anyone was harmed.

This should serve as a clear warning that it is time to lower the temperature. When angry mobs gather on the Justices' front lawns and members of the High Court feel like there is a bounty on their heads, something needs to change. But instead of backing off, some of our colleagues appear to be doubling down.

Earlier this year, the senior Senator from Oregon delivered an incredibly dangerous speech here on the floor of the Senate advocating that the Biden administration actually ignore a potential court order that he disagreed with. This was a senior Member of the legislature, the Senate of the United States—the world's greatest deliberative body—instructing the executive branch to disregard an expected order from a sitting Federal judge. That is, in effect, ripping the Constitution into shreds and throwing it out the window. The remedy for a decision that a judge hands down that you disagree with is to appeal that decision. That is the remedy.

But now some of our colleagues have escalated their threats beyond mere rhetoric. Fifteen of our Democratic colleagues recently wrote a letter to the chairman and ranking member of the Appropriations subcommittee that is responsible for funding the Supreme Court. They recommended cutting the Supreme Court's budget if it fails to meet their demands to implement a preferred code of ethics. In short, they

wanted to use the power of the purse to, frankly, coerce a coequal and separate branch of government. The Founders must have been rolling over in their graves.

The threat doesn't just raise separation of powers concerns; it also raises serious security risks. It has been less than a year since Justices watched mobs of angry protesters assemble on their front lawns and an assassination attempt on Justice Kavanaugh was narrowly averted.

In light of those security threats, the Senate unanimously passed a bill that I introduced, along with Senator COONS of Delaware, to extend security protection to the Justices' families. We unanimously passed that.

How quickly some of our colleagues seem to have forgotten the dangers that Supreme Court Justices face every day. Threatening to defund the Supreme Court and its police protection in an enhanced threat environment is incredibly irresponsible.

Sadly, the attacks on America's independent judiciary, our crown jewels, doesn't end there. Last week, the majority leader sent a letter to the chief judge for the Northern District of Texas to try to intimidate him into doing what the majority leader wants. The Senator from New York, Senator SCHUMER, is unhappy with the way some of those judges have ruled in recent cases in the Northern District of Texas, so he believes he should determine how cases are assigned in the Northern District of Texas.

This new approach certainly is more nuanced than going to the steps of the Supreme Court to issue direct threats that “you won't know what hit you,” but his demand is the same: Do what I want or there will be consequences.

Of course, this was made without any consideration for what is best for the functioning of the courts, access to justice for private litigants and indigent defendants, and the importance, again, of protecting the independence of the judiciary.

Years ago, Justice Scalia wrote that it is one thing to have a parchment Constitution, one that offers all sorts of protection. He said that, in fact, the former Soviet Union had one of the best Constitutions on paper of any country in the world. But the difference between the Soviet Union and the United States of America is that we have an independent judiciary, a coequal branch of government.

I am reminded of something Chief Justice John Roberts said a few years ago about our independent judiciary. He said:

We do not have Obama judges or Trump judges, Bush judges or Clinton judges. What we have is an extraordinary group of dedicated judges doing their level best to do equal right to those appearing before them.

I agree with the Chief Justice, but apparently the majority leader does not agree. He wants the chief judge for the Northern District of Texas to somehow reassign cases in a way to

make sure that Biden judges or Obama judges get those cases and certainly not Trump judges or Bush judges. This turns the whole idea of an apolitical judiciary on its head, and it undercuts the legitimacy, in the eyes of most people, of what that separate branch of government is doing.

We need an independent branch of government to enforce the Constitution and to say, as Chief Justice Marshall said in *Marbury v. Madison*—I think it was 1804—that it is emphatically the duty of the Supreme Court to say what the law is, and they do that by interpreting the Constitution.

The majority leader has even threatened congressional action if the chief judge fails to meet his demands. But I would encourage the chief judge of the Northern District to do what Chief Justice Roberts did when he was invited to attend the circus that was the Senate Judiciary Committee hearing this morning; that is, respectfully decline.

We are not here to bully any judge into doing what the majority leader wants or what any of us want, which would ultimately undermine the legitimacy of the court because they don't like some of the rulings. Again, the remedy for a ruling and a decision you don't like is an appeal. It happens every day across the country.

Our Founders deliberately designed the Federal Government with three separate but coequal branches. Through this system of checks and balances, they sought to prevent any one branch from forcing another to bend to its will.

Unfortunately, many in today's Democratic Party are trying to blur the line between the legislative and judicial branches and act as if the judges are supposed to be partisan players. It doesn't matter what case is before a court or what the ruling ultimately is. Elected officials must lead by example and support the independence of the judiciary and, certainly, not actively attempt to undermine and subvert the legitimacy of the courts.

I can't count the number of times I have disagreed with a court ruling, but I have never suggested that the judge or judges deciding the cases were illegitimate. I have never threatened judges with violence if they reach a decision I don't like, and I certainly have never advocated for defunding the judiciary if a judge fails to deliver my preferred outcome.

As Justice Scalia said, an independent judiciary is the crown jewel of our Constitution and is absolutely essential to our democracy.

And, while judges' decisions may not always be popular, they should be given due respect. The defamation and intimidation of Federal judges is dangerous both to the judges themselves and to the health of our constitutional democracy.

It is time to lower the temperature and show respect for our Constitution, which means to show respect for the independence of the Federal judiciary.

I yield the floor.

NOMINATION OF ROBERT KIRSCH

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Robert Kirsch to the U.S. District Court for the District of New Jersey.

A graduate of Emory University and Fordham University School of Law, Judge Kirsch clerked for U.S. District Judge William J. Zloch on the Southern District of Florida before devoting his entire legal career to public service.

Judge Kirsch was selected for the prestigious U.S. Attorney General's Honors Program, in which he served as a trial attorney in the civil division.

Thereafter, Judge Kirsch spent over a decade as an Assistant U.S. Attorney in the U.S. Attorney's Office for the District of New Jersey, defending the United States in civil actions and prosecuting a range of criminal cases including financial and corporate fraud, as well as drug trafficking, weapons offenses, and bank robbery.

Since 2010, Judge Kirsch has had a distinguished career as a judge on the New Jersey Superior Court, serving as a criminal division judge, a civil division judge, and a family division judge.

The American Bar Association rated Judge Kirsch as unanimously "well qualified." In addition, he has the strong support of his home State Senators—Mr. MENENDEZ and Mr. BOOKER—as well as the New Jersey legal community.

Judge Kirsch's significant courtroom experience, as both a longtime litigator and on the bench, makes him well-positioned to serve on the District of New Jersey with distinction. I urge my colleagues to support Judge Kirsch's nomination.

VOTE ON KIRSCH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Kirsch nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 57, nays 42, as follows:

[Rollcall Vote No. 105 Ex.]

YEAS—57

Baldwin	Fetterman	McConnell
Bennet	Gillibrand	Menendez
Blumenthal	Graham	Merkley
Booker	Hassan	Murkowski
Brown	Heinrich	Murphy
Cantwell	Hickenlooper	Murray
Cardin	Hirono	Ossoff
Carper	Kaine	Padilla
Casey	Kelly	Peters
Collins	King	Reed
Coons	Klobuchar	Rosen
Cortez Masto	Lujan	Rounds
Duckworth	Manchin	Rubio
Durbin	Markey	Sanders

Schatz	Stabenow	Warnock
Schumer	Tester	Warren
Shaheen	Tillis	Welch
Sinema	Van Hollen	Whitehouse
Smith	Warner	Wyden

NAYS—42

Barrasso	Ernst	Mullin
Blackburn	Fischer	Paul
Boozman	Grassley	Ricketts
Braun	Hagerty	Risch
Britt	Hawley	Romney
Budd	Hoeben	Schmitt
Capito	Hyde-Smith	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tuberville
Crapo	Lummis	Vance
Cruz	Marshall	Wicker
Daines	Moran	Young

NOT VOTING—1

Feinstein

The nomination was confirmed.

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

CLOTURE MOTION

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 123, Orelia Eleta Merchant, of New York, to be United States District Judge for the Eastern District of New York.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

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

The question is, Is it the sense of the Senate that debate on the nomination of Orelia Eleta Merchant, of New York, to be United States District Judge for the Eastern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The yeas and nays resulted—yeas 51, nays 48, as follows:

[Rollcall Vote No. 106 Ex.]

YEAS—51

Baldwin	Cardin	Durbin
Bennet	Carper	Fetterman
Blumenthal	Casey	Gillibrand
Booker	Coons	Graham
Brown	Cortez Masto	Hassan
Cantwell	Duckworth	Heinrich

Hickenlooper	Murphy	Sinema
Hirono	Murray	Smith
Kaine	Ossoff	Stabenow
Kelly	Padilla	Tester
King	Peters	Van Hollen
Klobuchar	Reed	Warner
Lujan	Rosen	Warnock
Manchin	Sanders	Warren
Markey	Schatz	Welch
Menendez	Schumer	Whitehouse
Merkley	Shaheen	Wyden

NAYS—48

Barrasso	Fischer	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeben	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Marshall	Tillis
Crapo	McConnell	Tuberville
Cruz	Moran	Vance
Daines	Mullin	Wicker
Ernst	Murkowski	Young

NOT VOTING—1

Feinstein

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 51, the nays are 48.

The motion is agreed to.

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The bill clerk read the nomination of Orelia Eleta Merchant, of New York, to be United States District Judge for the Eastern District of New York.

The ACTING PRESIDENT pro tempore. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FRANCISCO MAESTAS v. GEORGE H. SHONE AND THE BOARD OF EDUCATION

Mr. BENNET. Mr. President, I rise today to recognize an important part of Colorado history and of our Nation's history, the case of Francisco Maestas et al. v. George H. Shone et al. (1914)—"Maestas"—one of the Nation's oldest school desegregation cases.

In 1848, at the end of the Mexican-American War, the Treaty of Guadalupe Hidalgo ceded most of present-day Colorado from Mexico to the United States. The resulting influx of Mexican settlers brought major economic, industrial, political, linguistic, and cultural challenges to the region, including questions regarding public education.

In the early 1910s, railroad foreman Francisco Maestas and other Mexican American parents sought to place their children into the public school on the “White side” of town in Alamosa, CO. After the school district repeatedly denied to enroll their children, Maestas and other parents formed the “Spanish-American Union” and brought together 180 parents on a petition to challenge Alamosa’s school segregation. Their petition was denied, as was their attempt to seek assistance from the Colorado State superintendent. Following these denials, the community staged a boycott for 3 months to protest these injustices, to no avail.

Colorado’s Constitution has long prohibited public schools from classifying and distinguishing school children based on color and race, but as the Maestas case demonstrates, school districts sometimes fell short of ensuring equity before the law. Faced with these repeated denials, the community continued to organize with the help of the Society for the Mutual Protection of Workers—SPMDTU—one of America’s oldest mutual aid societies, and Father E.J. Montel, a Catholic priest, who helped them raise funds to hire legal representation and file a lawsuit against the Alamosa Board of Education.

The school district contended that since it viewed Mexican American students as part “of the Caucasian race,” it was not discriminating based on race but rather addressing its Spanish-speaking students’ needs. However, the school district was disproven of its assertion when students answered questions in English while on the stand.

In March of 1914, the district court ruled in favor of Francisco Maestas, stating that “the only way to destroy this feeling of discontent and bitterness which has recently grown up, is to allow all children so prepared, to attend the school nearest them”—an early and important step toward desegregation and a victory for Colorado’s Mexican American community.

In recent years, bipartisan leaders in Colorado have worked to ensure this landmark case gets the recognition it deserves. After the Colorado Legislature and the State board of education recognized the case as a significant Colorado court decision, it is now taught as part of the revised social studies curriculum for all Colorado high school students. Now, schoolchildren across Colorado will learn about Colorado’s early steps toward ensuring equity in education for students from all backgrounds.

TRIBUTE TO LINDA ROBERTSON

Mr. BROWN. Mr. President, I rise today to pay tribute to Linda Robertson in honor of her storied career in public service, including as a key member of the Federal Reserve’s staff for over 13 years. Her career has touched many of the most important economic events of the past 40 years.

Originally from Oklahoma, Linda first came to Washington to work for Congressman Jim Jones. She quickly made her mark working on taxation and finance matters both in his office and for the Committee on Ways and Means. It was in this job that she had a front row seat to the 1986 tax reform effort made famous by books like “Showdown at Gucci Gulch.” While continuing her work in Congress during the day, she attended classes at night to earn her master of laws in taxation.

Based on her exceptional congressional experience and knowledge of policy, Linda was later nominated and confirmed to serve as Assistant Secretary for Legislative Affairs and Public Liaison at the U.S. Department of the Treasury. Following her service at the Treasury Department, she worked as the top public advocate for Johns Hopkins University and Johns Hopkins Medicine.

Linda returned to public service in August 2009 as an assistant to the Federal Reserve Board and head of its congressional liaison office. She began this position at a time of immense challenge for the country and as Congress and our regulatory Agencies worked to stabilize the financial system following the great recession of 2008.

From the global financial crisis through the pandemic, Linda has served as a trusted advisor to the Federal Reserve Board and has played an invaluable role in keeping Congress and the public apprised of the Federal Reserve’s work to fulfill its mandates on behalf of the American people. Federal Reserve Board Chairs Bernanke, Yellen, and Powell all benefited from Linda’s experience and dedication to public service.

Linda also returned to Treasury in 2021 to advise Secretary Yellen as she became the first woman to serve as Treasury Secretary. Linda’s work was vital last year when we confirmed President Biden’s slate of Federal Reserve Board nominees. With her countless hours of hard work, we were able to confirm a full Federal Reserve Board, something that had not been done in nearly a decade.

Linda’s lasting legacy also includes those that she worked with and mentored throughout her career. Those that had the privilege of learning from her wisdom have gone on to fill positions throughout Washington. One of Linda’s former interns from her time at the Treasury Department is my scheduler, Diana Baron, also from Oklahoma, who has been with me on my staff for nearly 25 years. I am sure many of my colleagues have similar stories.

Her commitment to public service, formidable talent, and immense knowledge will be missed by those at the Federal Reserve and many of us on Capitol Hill, particularly those of us on the Banking, Housing, and Urban Affairs Committee. I wish Linda much success in her next chapter which—

without hearings to prep for or bills to review—I expect will include ample time spent with family and friends.

ADDITIONAL STATEMENTS

TRIBUTE TO THOMAS HAGEN

• Mr. CASEY. Mr. President, today, I rise to honor the lifetime accomplishments of Thomas B. Hagen, a remarkable leader, a pillar of his hometown of Erie, PA, and a man whose commitment to public service is unparalleled.

Tom Hagen is a Navy man, an officer with more than 30 years of service to his country, and while he retired long ago, he has continued to live up to the Navy’s belief of “Not self, but Country.”

You can see Tom’s Navy background in one of his other passions, historical preservation. His support enabled the Smithsonian Institution’s National Museum of American History to exhibit the USS *Gunboat Philadelphia* and his efforts enabled the Commonwealth of Pennsylvania to reconstruct Commodore Oliver Hazard Perry’s War of 1812 vessel, the *Flagship Niagara*. Thanks to his efforts on behalf of these and many other projects, Tom has helped to ensure that many historical sites across our country will be available for future generations to enjoy.

Tom is also deeply committed to the economic vitality of his hometown of Erie and has spearheaded efforts to ensure that Erie is a thriving community that serves all of its residents equitably. His support for economic development through the Erie Innovation District has instilled hope in many for the growth and success of northwestern Pennsylvania. His support for the “Empower Erie” initiative led to the creation of the Erie County Community College that provides a pathway for Erie County residents to more accessible education and greater employment opportunities. Tom has also played a key role in the purchase and rehabilitation of countless buildings in Erie, not only revitalizing the economy, but also creating employment.

Tom is equally committed to providing opportunities for those struggling to better their lives. In 2015, he established the Susan Hirt Hagen fund to identify promising ideas to address persistent poverty, improve educational achievement, and halt economic decline. He has sought to help the vulnerable in times of crisis through his support for nonprofits like SafeNet, helping them take in more victims of abuse.

Erie has had few better friends than Tom Hagen. He is not just a friend to the city; he is the quintessential servant leader who steps in to fill a need wherever one may be, doing so with humility and always seeking to elevate others before himself. The care, commitment, and support he has shown to this city and this region are remarkable.

From his service as a captain in the U.S. Navy, his tenure as Pennsylvania's last secretary of commerce and first secretary of community and economic development, to his chairmanship of the board of Erie Insurance Group companies, Tom has a long and distinguished career serving his country, his State, and his community.

It is an honor to call him a friend and to recognize him for his outstanding service to his community and to the country.●

RECOGNIZING RAMSEY'S MARKET

● Ms. ERNST. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Ramsey's Market of Lenox, IA, as the Senate Small Business of the Week.

The company was founded by Theo and Bonnie Ramsey in 2015 after learning that the local grocery store in Lenox was up for sale. As veterans of the U.S. Air Force, service is key for the Ramsey family, so the pair jumped at the opportunity to fill a critical community need. When a local grocery store goes out of business, residents sometimes have extensive drives just to buy the basic food items. Over the years, Ramsey's Market has been able to expand to include a food locker delivery service, an adjoining Ace Hardware store with a bar inside, and even a second location in Manning, IA.

Another unique aspect of the store is live music. Theo and Bonnie met during their time in the U.S. Air Force Band of the Golden West, where they both were singers. It is very normal for local musicians to perform in the grocery store while customers shop. The staff behind the deli counter, and even Bonnie can often be found singing to customers.

Ramsey's Market has been recognized for their hard work, earning the Iowa Farm Bureau's Renew Rural Iowa Entrepreneur Award in 2018 for their unique shopping experience and their impact on the Lenox community. They have even been recognized for their success by America's Small Business Development Center, Iowa. In January 2022, I had the opportunity to visit the store and see the local impact the business has on Taylor County.

Ramsey's Market's commitment to providing quality groceries in a fun environment is clear. I want to congratulate the Ramsey family, and the entire team at Ramsey's Market, for their continued dedication to finding a solution to the food deserts in Iowa and serving their community. I look forward to seeing their continued growth and success in Iowa.●

TRIBUTE TO CAPTAIN GWEN NIEMI

● Mr. KELLY. Mr. President, today I wish to honor Captain Gwen Niemi for

her service in the Women's Army Auxiliary Corp—WAC—during World War II, from 1942 to 1946. Ms. Niemi was among the first 200 women to become officers in the WAC.

Captain Niemi was born on February 2, 1920, in Lancaster, PA. Ms. Niemi obtained her degree in physical education from West Chester State College. Following the attack on Pearl Harbor, Gwen attended the first WAC training course in Des Moines, IA, graduating from WAC training as a second lieutenant in 1942.

Her first assignment was training recruits at the WAC Training School in Daytona Beach, FL, and was responsible for instructing almost 500 trainees. Gwen next commanded a WAC Company of 180 personnel at Tyndall Field located outside of Panama City, FL. While on assignment at Tyndall Field, Ms. Niemi was temporarily assigned to duty at the San Antonio Aviation Cadet Center. She was promoted to the rank of captain and transferred to Eastern Flying Training Command at Maxwell Field, AL, where she served as a career field manager and evaluator for the WAC Program.

Upon her discharge from the WAC with the rank of captain, Ms. Niemi moved to Tucson, AZ, where she became a teacher in the physical education department at the University of Arizona. Ms. Niemi took 5 years off from teaching, having two children, and then returned to teaching physical education and English and reading at Tucson School District No. 1, now known as TUSD.

Please join me in celebrating Captain Gwen Niemi for being a patriot and a true trailblazer, for her brave service during World War II, and for going on to be an educator at the University of Arizona and at Tucson School District No. 1.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Kelly, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1395. A bill to temporarily suspend the debt limit through December 31, 2024.

H.R. 2811. An act to provide for a responsible increase to the debt ceiling, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1123. A communication from the General Counsel, Office on Violence Against Women, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Special Tribal Criminal Jurisdiction Reimbursement" (RIN1105-AB69) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Indian Affairs.

EC-1124. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals that the Department of Defense requests be enacted during the first session of the 118th Congress; to the Select Committee on Intelligence.

EC-1125. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals that the Department of Defense requests be enacted during the first session of the 118th Congress; to the Committee on Small Business and Entrepreneurship.

EC-1126. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals that the Department of Defense requests be enacted during the first session of the 118th Congress; to the Committee on Veterans' Affairs.

EC-1127. A communication from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Copayment Exemption for Indian Veterans" (RIN2900-AR48) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Veterans' Affairs.

EC-1128. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, National Highway Traffic Safety Administration, Department of Transportation, received in the Office of the President of the Senate on April 25, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1129. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, National Highway Traffic Safety Administration, Department of Transportation, received in the Office of the President of the Senate on April 25, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1130. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Dennison, Ohio)" (MB Docket No. 22-337) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1131. A communication from the Program Analyst, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Extension of Transition Period for Exclusive Use of the Wireless Hearing Aid Compatibility Technical Standard" (WT Docket No. 20-3) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1132. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Snowflake, Arizona, et al.)” (MB Docket No. 21-502) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1133. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals that the Department of Defense requests be enacted during the first session of the 118th Congress; to the Committee on Commerce, Science, and Transportation.

EC-1134. A communication from the Director of National Marine Sanctuaries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Amendments to National Marine Sanctuary Regulations” (RIN0648-BV85) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1135. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Supplemental Nutrition Assistance Program: Non-Discretionary Quality Control Provisions of Title IV of the Agricultural Improvement Act of 2018” (RIN0584-AE64) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1136. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2023-2024 Marketing Year” (Docket No. AMS-SC-22-0070) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1137. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Kiwifruit Grown in California; Increased Assessment Rate” (Docket No. AMS-SC-22-0058) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1138. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Oxirane, 2-Methyl-, Polymer with Oxirane, Ether with 1,2,3-Propanetriol (3:1); Tolerance Exemption” (FRL No. 10846-01-OCSP) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1139. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “a-D-Glucopyranoside, B-D-Fructofuranosyl, Polymer with Methyloxirane and Oxirane; Tolerance Exemption” (FRL No. 10848-01-OCSP) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1140. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Oxirane,

2-Methyl-, Polymer with Oxirane, Ether with D-Glucitol (6:1); Tolerance Exemption” (FRL No. 10869-01-OCSP) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1141. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Starch, 1-Octenylbutanedioate, Aluminum salt; Dextrin, Hydrogen 1-Octenylbutanedioate; and Amylopectin, 2-Hydroxypropyl ether, Acid-; Exemption from the Requirement of a Tolerance” (FRL No. 10877-01-OCSP) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1142. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Fluazifop-P-butyl; Pesticide Tolerances” (FRL No. 10884-01-OCSP) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1143. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Poly (oxy-1,2-ethanediyl), a,a'-[[[4-[2-(4-methyl-2-benzothiazolyl)diazenyl]phenyl]imino]di-2,1-ethanediyl]bis[w-hydroxy- in Pesticide Formulations; Tolerance Exemption” (FRL No. 10910-01-OCSP) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1144. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals that the Department of Defense requests be enacted during the first session of the 118th Congress; to the Committee on Armed Services.

EC-1145. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 12978 with respect to significant foreign narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC-1146. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, received in the Office of the President of the Senate on April 25, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1147. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled “Enterprise Duty To Serve Underserved Markets—Colonia Census Tract Amendments” (RIN2590-AB22) received in the Office of the President of the Senate on April 25, 2023; to the Committee on Banking, Housing, and Urban Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-16. A joint memorial adopted by the Legislature of the State of Idaho opposing

the EPA-proposed rules that circumvent science and invalidate Idaho's water quality standards based on the flawed and elusive premise of 19th century water quality standards for Idaho waters in 2023; to the Committee on Environment and Public Works.

HOUSE JOINT MEMORIAL NO. 4

Whereas, Idaho submitted new and revised Human Health Water Quality Criteria (HHWQC) rules (docket number 58-0102-1201) to the United States Environmental Protection Agency (EPA) on December 16, 2016, after years of extensive engagement with stakeholders, data collection, and final approval of the Idaho Legislature; and

Whereas, on April 4, 2019, the EPA approved Idaho's new HHWQC for toxics and other water quality standards criteria; and

Whereas, Idaho is the only state in the union to complete a comprehensive longitudinal study funded by the state to determine the actual fish consumption rate (FCR) of its citizens, which was conducted by Boise State University; and

Whereas, Idaho acted in accordance with the United States Clean Water Act in utilizing the best available scientific data to apply a FCR within the water quality formula to establish its HHWQC as part of its overall water quality standards (WQS); and

Whereas, the EPA recently published new proposed nationwide regulations (at 87 Fed Reg. 74361 (December 5, 2022)) that would effectively establish an unrealistic and unattainable WQS for state waters that are not based on actual FCR but on Indian treaties approved in the 19th century; and

Whereas, the federal regulation notice completely ignores the requirement of Executive Order 13132 for Federalism implications, instead stating that the rule will not have substantial direct effects on the states, on the relationship between the federal government and the states, or on the distribution of power and responsibilities among levels of government; and

Whereas, the federal regulation notice economic analysis states that there will potentially be only incremental administrative burdens and costs, but it does not establish any requirements for regulated entities. However, it could lead to additional compliance costs with new permit limits, which the EPA is unable to provide cost estimates for; and

Whereas, it is clear that the EPA-proposed rules will circumvent and undo the scientifically established WQS in Idaho, require the establishment of unattainable standards in an effort to take control of Idaho's waters in violation of the Clean Water Act's directive that states retain primary responsibility to control pollution and develop land and water resources for state waters, and violate the long-established principle of federalism. Now, therefore, be it

Resolved, By the members of the First Regular Session of the Sixty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the people of the State of Idaho oppose the EPA-proposed rules that circumvent science and invalidate Idaho's WQS based on the flawed and elusive premise of 19th century water quality standards for Idaho waters in 2023. Idaho will defend its scientifically based standards in court if necessary; and be it further

Resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, to the congressional delegation representing the State of Idaho in the Congress of the United States, to the Governor of the State of Idaho, and to the Attorney General of the State of Idaho.

POM-17. A resolution adopted by the House of Representatives of the State of North Carolina urging the United States Congress to work more closely with Japan on trade issues and foreign investment, expressing support to the United States Congress for the United States-Japan alliance and remorse the slaying of former Japanese Prime Minister Abe Shinzo, celebrating one hundred thirty years of friendship between North Carolina and Japan, and reaffirming the bonds of friendship and cooperation between the state of North Carolina and state of Japan in the Reiwa era; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 352

Whereas, North Carolina and Japan have enjoyed 130 years of friendly relations since Japan sent its first student nationals, Mogi Shinzaburo, to attend the University of North Carolina at Chapel Hill in 1893, and Sugishita Teisaku, to attend North Carolina State University (then "North Carolina State College") in 1894; and

Whereas, Japan is North Carolina's second-largest foreign investor, with nearly \$5 billion invested by Japanese companies in North Carolina's economy to date and nearly \$7 billion in investment announced since 2018; and

Whereas, more large companies investing in North Carolina come from Japan than any other foreign nation; and

Whereas, Japan employs over 24,000 North Carolina workers, or roughly 10% of all North Carolina workers employed by foreign companies, with over 5,000 additional jobs announced by Japanese companies since 2018; and

Whereas, trade with Japan annually accounts for nearly \$4 billion in economic activity for the State of North Carolina; and

Whereas, Japan and the United States have been close allies since 1952, safeguarding peace in the Pacific; and

Whereas, the post-war order of which both the United States and Japan have been resolute defenders and beneficiaries, an order which rests soundly on democracy and friendly trade, faces subversion by rogue actors and disaffected nations; and

Whereas, Japan is a vibrant, wealthy democracy and a model for democracies throughout Asia; and

Whereas, Abe Shinzō was a stalwart friend of the United States, an adamant supporter of the US-Japan alliance, and a leading voice for stability and cooperation in the Indo-Pacific region; and

Whereas, Abe Shinzō was the longest-serving prime minister in Japan's history, who worked alongside four Presidents of the United States—George Bush, Barack Obama, Donald Trump, and then-Vice President Joe Biden—on trade relations, peace, and security in Asia; and

Whereas, Abe Shinzō was assassinated in Japan on July 8, 2022, while campaigning in the oldest democracy in Asia; and

Whereas, the use of violence, whether by foreign nations or rogue actors, to attack democratically elected officials and disrupt international peace is profoundly evil; and

Whereas, North Carolina remains committed to its friendship with Japan and to the US-Japan alliance and peaceful trade between the nations; Now, therefore,

Be it resolved by the House of Representatives:

Section 1. The House of Representatives recognizes the historic significance of the friendship and alliance between the United States and Japan.

Section 2. The House of Representatives commends the people of Japan for their incredible achievements over 75 years of peaceful friendship with the United States, in

building the oldest democratic system in Asia and the second-largest democratic economy in the world, and for serving as a valuable pillar of stability in Asia and for world peace.

Section 3. The House of Representatives applauds Japan for its continued commitment as a friend and economic partner to the State of North Carolina.

Section 4. The House of Representatives expresses profound grief over the death of former Prime Minister of Japan, Abe Shinzō, and condemns his killing as an attack on Japan's democracy and on its unparalleled friendship with the United States.

Section 5. The House of Representatives affirms the continuing friendship and cooperation between Japan and the State of North Carolina and expresses heartfelt optimism for deeper ties between the people of Japan and the people of North Carolina.

Section 6. The House of Representatives urges Congress to work more closely with the nation of Japan on mutually beneficial trade relations to encourage the reciprocal flow of foreign direct investment and participation of Japanese and American companies in the economy of both the United States and Japan, respectively.

Section 7. The House of Representatives expresses to Congress its full support of the 70 year old alliance between the United States of America and Japan, which has served as a pillar of stability and security in the Indo-Pacific throughout the Cold War to the current day.

Section 8. The House of Representatives urges Congress to recognize the strategic importance of the Indo-Pacific region to the economies of the United States and North Carolina and the necessity of a Free and Open Indo-Pacific to safeguard the sanctity of friendly trade and international law.

Section 9. The Principal Clerk shall transfer a printed copy of this resolution to a committee designated by the North Carolina Legislative Caucus on Economic Development and Foreign Trade to be hand-delivered to a representative of Japan in a ceremony in Raleigh.

Section 10. If the committee referenced in Section 9 of this act is unable to hand-deliver this resolution in the manner described above by March 31, 2023, the Principal Clerk shall transmit a copy of this resolution to the Embassy of Japan in Washington, D.C., and the Consulate-General of Japan in Atlanta, Georgia.

Section 11. The Principal Clerk shall transmit copies of this resolution to each member of North Carolina's Congressional Delegation, to the Clerk of the United States House of Representatives and the Secretary of the United States Senate, and to the President of the United States.

Section 12. This resolution is effective upon adoption.

POM-18. A joint memorial adopted by the Legislature of the State of Idaho calling on the United States Congress to restrict the jurisdiction of the federal courts from hearing cases regarding state legislative authority to legislate on the abortion issue; to the Committee on the Judiciary.

HOUSE JOINT MEMORIAL NO. 2

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Sixty-seventh Idaho Legislature, do hereby respectfully represent that:

Whereas, in 1973 the United States Supreme Court decided the case *Roe v. Wade*, 410 U.S. 113 (1973), wherein the United States Supreme Court found in the Constitution a "right to privacy" that the Court alleged gave women a constitutional right to abortion; and

Whereas, since the *Roe v. Wade* decision of 1973, "*Roe* certainly did not succeed in ending the division on the issue of abortion. On the contrary, *Roe* 'inflamed' a national issue that has remained bitterly divisive for the past half century." *Dobbs v. Jackson Women's Health Organization*, 597 U.S. ___, 68 (2022); and

Whereas, the *Roe v. Wade* decision "short-circuited the democratic process by closing it to the large number of Americans who dissented in any respect from *Roe*. '*Roe* fanned into life an issue that has inflamed our national politics . . . ' Together, *Roe* and *Casey* represent an error that cannot be allowed to stand." *Dobbs*, at 44; and

Whereas, on June 24, 2022, the United States Supreme Court decided the case of *Dobbs v. Jackson Women's Health Organization* where the Court said in part that "procuring an abortion is not a fundamental constitutional right because such a right has no basis in the Constitution's text or in our Nation's history. It follows that the States may regulate abortion for legitimate reasons, and when such regulations are challenged under the Constitution, courts cannot 'substitute their social and economic beliefs for the judgment of legislative bodies.'" *Dobbs*, at 77; and

Whereas, the Supreme Court also found in *Dobbs*, "The Constitution does not prohibit the citizens of each State from regulating or prohibiting abortion. *Roe* and *Casey* arrogated that authority. We now overrule those decisions and return that authority of the people and their elected Representatives." *Dobbs*, at 79; and

Whereas, the Supreme Court also stated in *Dobbs*, "Our decision returns the issue of abortion to those legislative bodies, and it allows women on both sides of the abortion issue to seek to affect the legislative process by influencing public opinion, lobbying legislators, voting, and running for office." *Dobbs*, at 65; and

Whereas, the inferior federal courts are the creation of Congress, and the Constitution gives Congress the power to limit the jurisdiction of the lower federal courts, "Congress may confer jurisdiction upon such courts as it creates. Only the jurisdiction of the Supreme Court is derived directly from the Constitution. Every other court created by the general government derives its jurisdiction wholly from the authority of Congress. That body may give, withhold or restrict such jurisdiction at its discretion." *Kline v. Burke Construction Co.*, 260 U.S. 226, 234 (1922); and

Whereas, there have been cases filed, and there are expected to be additional cases filed, in federal courts concerning the *Dobbs* decision that have the effect of delaying the implementation of the Supreme Court's *Dobbs* ruling. Post *Dobbs*, abortion is now a state matter for the states to decide and regulate; now, therefore, be it

Resolved, By the members of the First Regular Session of the Sixty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho, both the House of Representatives and the Senate, call on Congress to restrict the jurisdiction of the federal courts from hearing cases regarding state legislative authority to legislate on the abortion issue; and be it further

Resolved, That the *Dobbs* decision settled the issue that abortion cases appropriately belong in the courts of the several states; be it further

Resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress and to the congressional

delegation representing the State of Idaho in the Congress of the United States.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COONS (for himself and Mr. RUBIO):

S. 1396. A bill to improve commercialization activities in the SBIR and STTR programs, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. COLLINS (for herself, Mr. TESTER, Mrs. CAPITO, and Ms. BALDWIN):

S. 1397. A bill to modify the Federal TRIO programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BUDD (for himself, Mr. LEE, Mr. BRAUN, Mr. HAGERTY, Mrs. FISCHER, Mr. MARSHALL, and Mrs. BLACKBURN):

S. 1398. A bill to prohibit agencies of the government from soliciting or entering into agreements with nongovernmental organizations to conduct voter registration or voter mobilization activities on the property or website of the agency or from using Federal funds to carry out activities directed under Executive Order 14019, and for other purposes; to the Committee on Rules and Administration.

By Mr. MANCHIN:

S. 1399. A bill to provide for American energy security by improving the permitting process; to the Committee on Energy and Natural Resources.

By Mr. BRAUN (for himself, Mr. BENNETT, and Mr. MARSHALL):

S. 1400. A bill to amend the Food Security Act of 1985 to modify the delivery of technical assistance, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. OSSOFF (for himself, Mr. BRAUN, and Mr. DURBIN):

S. 1401. A bill to establish an inspections regime for the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

By Ms. ROSEN (for herself and Mr. TILLIS):

S. 1402. A bill to require the Administrator of the Small Business Administration, in consultation with the Under Secretary of Commerce for Minority Business Development, to establish a grant program to create or expand programs at minority-serving institutions and historically Black colleges and universities that promote minority business ownership and entrepreneurship, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MULLIN (for himself and Ms. ROSEN):

S. 1403. A bill to amend the Public Health Service Act to establish a grant program to award grants to accredited public institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUJAN (for himself and Mr. HEINRICH):

S. 1404. A bill to provide for the withdrawal and protection of certain Federal land in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEE (for himself and Mr. ROMNEY):

S. 1405. A bill to provide for the exchange of certain Federal land and State land in the State of Utah; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself, Mr. COTTON, Mr. CRUZ, Mr. RICKETTS, and Mr. CORNYN):

S. 1406. A bill to amend title 18, United States Code, to provide a certification process for the issuance of nondisclosure requirements accompanying certain administrative subpoenas, to provide for judicial review of such nondisclosure requirements, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN (for himself, Ms. MURKOWSKI, and Ms. HIRONO):

S. 1407. A bill to amend the Small Business Act to eliminate certain requirements relating to the award of construction subcontracts within the county or State of performance; to the Committee on Small Business and Entrepreneurship.

By Mr. BOOKER (for himself, Mrs. GILLIBRAND, and Mr. DURBIN):

S. 1408. A bill to amend title 9, United States Code, with respect to arbitration of disputes involving race discrimination; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Mrs. BLACKBURN, Mr. LUJAN, Mrs. CAPITO, Ms. BALDWIN, Mr. CASSIDY, Ms. KLOBUCHAR, Ms. ERNST, Mr. PETERS, Mr. DAINES, Mr. HICKENLOOPER, Mr. RUBIO, Mr. WARNER, Mr. SULLIVAN, Mr. COONS, Mr. YOUNG, Mr. SCHATZ, Mr. GRASSLEY, Mr. MURPHY, Mr. GRAHAM, Mr. WELCH, Mr. MARSHALL, Ms. HASSAN, Mrs. HYDE-SMITH, Mr. DURBIN, Mr. MULLIN, Mr. CASEY, Mr. RISCH, Mr. WHITEHOUSE, Mrs. BRITT, Mr. SCOTT of Florida, Ms. LUMMIS, and Mr. CORNYN):

S. 1409. A bill to protect the safety of children on the internet; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. RISCH, Mr. SCHUMER, Mr. MCCONNELL, Mr. CARDIN, Mr. ROMNEY, Mr. COONS, Mr. YOUNG, Mr. KAINE, Mr. SULLIVAN, Mr. MERKLEY, Mr. RUBIO, Ms. DUCKWORTH, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mrs. BLACKBURN, Mr. SCHATZ, Mr. BRAUN, Mr. BOOKER, Mr. BARRASSO, Mr. VAN HOLLEN, Mr. RICKETTS, Mr. MURPHY, Mr. HAGERTY, Mr. GRAHAM, Ms. ROSEN, Mr. SCOTT of Florida, and Ms. KLOBUCHAR):

S. Res. 188. A resolution celebrating the 75th anniversary of the founding of the State of Israel, and for other purposes; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself and Mr. MURPHY):

S. Res. 189. A resolution commending and congratulating the Quinnipiac University men's hockey team for winning the 2023 National Collegiate Athletic Association Division I Men's Hockey National Championship; considered and agreed to.

By Mr. YOUNG (for himself and Ms. HASSAN):

S. Res. 190. A resolution commemorating and supporting the goals of "World Quantum Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 26

At the request of Mr. HAGERTY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 26, a bill to amend the Internal Revenue Code of 1986 to repeal the amendments made to reporting of third party network transactions by the American Rescue Plan Act of 2021.

S. 106

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 106, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, and for other purposes.

S. 127

At the request of Ms. CANTWELL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 127, a bill to prevent unfair and deceptive acts or practices and the dissemination of false information related to pharmacy benefit management services for prescription drugs, and for other purposes.

S. 150

At the request of Mr. CORNYN, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Vermont (Mr. WELCH) were added as cosponsors of S. 150, a bill to amend the Federal Trade Commission Act to prohibit product hopping, and for other purposes.

S. 185

At the request of Mr. ROUNDS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 185, a bill to amend title 38, United States Code, to improve the program for direct housing loans made to Native American veterans, and for other purposes.

S. 234

At the request of Mr. CARDIN, the names of the Senator from Vermont (Mr. WELCH) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 234, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 305

At the request of Mr. BLUMENTHAL, the names of the Senator from Mississippi (Mr. WICKER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Colorado (Mr. BENNETT) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 305, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the United States Marine Corps, and to support programs at the Marine Corps Heritage Center.

S. 786

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 786, a bill to amend the Internal Revenue Code of 1986 to treat certain

amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 866

At the request of Ms. HASSAN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 866, a bill to amend the Internal Revenue Code of 1986 to enhance tax benefits for research activities.

S. 893

At the request of Mr. GRAHAM, the name of the Senator from Utah (Mr. ROMNEY) was added as a cosponsor of S. 893, a bill to amend title 49, United States Code, to raise the retirement age for pilots engaged in commercial aviation operations, and for other purposes.

S. 908

At the request of Mr. BARRASSO, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 908, a bill to oppose the provision of assistance to the People's Republic of China by the multilateral development banks.

S. 1014

At the request of Mrs. GILLIBRAND, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1014, a bill to require the Secretary of Agriculture to initiate hearings to review Federal milk marketing orders relating to pricing of Class I skim milk, and for other purposes.

S. 1026

At the request of Mr. MARKEY, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 1026, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 1070

At the request of Mr. CASEY, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 1070, a bill to address the needs of individuals with disabilities within the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

S. 1171

At the request of Mr. MERKLEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1171, a bill to amend chapter 131 of title 5, United States Code, to prevent Members of Congress and their spouses and dependent children from trading stocks and owning stocks, and for other purposes.

S. 1178

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1178, a bill to amend the Internal Revenue Code of 1986 to reinstate estate and generation-skipping taxes, and for other purposes.

S. 1185

At the request of Mr. DAINES, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1185, a bill to prohibit the Secretary of the Interior and the Secretary of Agriculture from prohibiting the use of lead ammunition or tackle on certain Federal land or water under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture, and for other purposes.

S. 1246

At the request of Ms. KLOBUCHAR, the names of the Senator from Colorado (Mr. BENNET), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Pennsylvania (Mr. FETTERMAN) were added as cosponsors of S. 1246, a bill to amend title XVIII of the Social Security Act to strengthen the drug pricing reforms in the Inflation Reduction Act.

S. 1271

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 1271, a bill to impose sanctions with respect to trafficking of illicit fentanyl and its precursors by transnational criminal organizations, including cartels, and for other purposes.

S. 1304

At the request of Mr. SCOTT of Florida, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1304, a bill to require the Comptroller General of the United States to conduct a study on the carbon footprint and environmental impacts of electric vehicles, and for other purposes.

S. 1339

At the request of Mr. SANDERS, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 1339, a bill to provide for increased oversight of entities that provide pharmacy benefit management services on behalf of group health plans and health insurance coverage.

S. 1350

At the request of Mr. MERKLEY, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 1350, a bill to require the Federal Trade Commission to issue regulations requiring certain products to have "Do Not Flush" labeling, and for other purposes.

S. 1354

At the request of Mrs. MURRAY, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 1354, a bill to increase the quality and supply of child care and lower child care costs for families.

S. 1376

At the request of Mr. BLUMENTHAL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1376, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1380

At the request of Mr. BROWN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 1380, a bill to amend the Cooperative Forestry Assistance Act of 1978 to provide States and communities with additional assistance to plant and maintain trees, and for other purposes.

S. 1384

At the request of Mrs. GILLIBRAND, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 1384, a bill to promote and protect from discrimination living organ donors.

S.J. RES. 15

At the request of Mr. SCOTT of Florida, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from West Virginia (Mrs. CAPRTO) were added as cosponsors of S.J. Res. 15, a joint resolution disapproving the rule submitted by the Department of Commerce relating to "Procedures Covering Suspension of Liquidation, Duties and Estimated Duties in Accord With Presidential Proclamation 10414".

S.J. RES. 24

At the request of Mr. MULLIN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S.J. Res. 24, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to "Endangered and Threatened Wildlife and Plants; Endangered Species Status for Northern Long-Eared Bat".

S. CON. RES. 7

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution condemning Russia's unjust and arbitrary detention of Russian opposition leader Vladimir Kara-Murza who has stood up in defense of democracy, the rule of law, and free and fair elections in Russia.

S. RES. 53

At the request of Mrs. HYDE-SMITH, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. Res. 53, a resolution establishing a Women's Bill of Rights to reaffirm legal protections afforded to women under Federal law.

S. RES. 99

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 99, a resolution supporting the goals of International Women's Day.

S. RES. 104

At the request of Ms. CORTEZ MASTO, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 104, a resolution recognizing the heritage, culture, and contributions of Latinas in the United States.

S. RES. 158

At the request of Mr. PETERS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 158, a resolution condemning the deportation of children from Ukraine to the Russian Federation and the forcible transfer of children within territories of Ukraine that are temporarily occupied by Russian forces.

S. RES. 185

At the request of Mr. REED, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. Res. 185, a resolution designating April 2023 as "Financial Literacy Month".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. TESTER, Mrs. CAPITO, and Ms. BALDWIN):

S. 1397. A bill to modify the Federal TRIO programs; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Madam President, I rise today to introduce the Educational Opportunity and Success Act, which would reauthorize and strengthen the Federal TRIO Programs. I want to thank Senators TESTER, CAPITO, and BALDWIN for being original cosponsors. Senator TESTER and I are coauthors of the Congressional TRIO Caucus.

I have been a longtime champion of TRIO, which helps students get the supports they need to prepare for, succeed in, and graduate from college. Prior to my election to the Senate, I worked at Husson University in Bangor, many of whose students are the first in their families to go to college, and I saw firsthand the importance of programs like TRIO.

Maine's 30 TRIO Programs serve more than 7,500 students throughout the State and are focused on increasing educational opportunities for first-generation and low-income students, as well as students with disabilities. I have been inspired by the stories of TRIO students from all across Maine and have seen how TRIO opens doors to the opportunities that come with pursuing and completing postsecondary education.

For example, Myles Ouellette, who currently resides in Van Buren, ME, credits TRIO not only with helping him to complete postsecondary education but also with saving his life. Myles participated in Upward Bound and Educational Talent Search at Van Buren High School. He enlisted in the Army after high school and developed an addiction to painkillers following an injury. After being released from prison, he enrolled in the University of Maine at Augusta, where he participated in the TRIO Student Support Services Program. With help and support from this program, Myles earned a bachelor's degree in applied science. He then went on to complete an MBA in healthcare management from Husson

University. According to Myles, Maine TRIO helped him find his life's purpose and empowered him to reach his full potential.

Congress created the TRIO Programs because it recognized that low-income, first-generation college students often face significant obstacles in accessing and completing higher education. Our bipartisan bill would reauthorize these programs, modestly increase grant sizes, and make it easier for administrators to reach students who would benefit from TRIO. It updates the way that programs are evaluated and streamlines the application process. In addition, the bill would increase stipends for students participating in TRIO Programs and create a new stipend for veterans participating in the Veterans Upward Bound Program.

The Educational Opportunity and Success Act would also institute a commonsense process for correcting TRIO applications with minor errors and prevent the Department of Education from rejecting applications simply on the basis of formatting criteria. In 2017, the Department initially rejected dozens of Upward Bound applications based on arbitrary, nonsubstantive formatting criteria, such as line-spacing and font size irregularities. One of these applications was from the University of Maine at Presque Isle, which had used one-and-a-half spacing instead of double spacing in text appearing in graphics on 2 of its application's 65 pages.

The Department's bureaucratic decision would have denied 960 disadvantaged Maine high school students the chance to fulfill their academic potential. After months of advocacy, I worked with the Department and my Appropriations colleagues to reverse this ill-conceived policy, and the University of Maine at Presque Isle received a well-deserved TRIO grant to serve those students.

TRIO Programs have changed the lives of first-generation students in Maine and across the country. The Educational Opportunity and Success Act would improve these important programs and help ensure they are reaching the students who need them most. I urge my colleagues to support this bipartisan bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 188—CELEBRATING THE 75TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL, AND FOR OTHER PURPOSES

Mr. MENENDEZ (for himself, Mr. RISCH, Mr. SCHUMER, Mr. MCCONNELL, Mr. CARDIN, Mr. ROMNEY, Mr. COONS, Mr. YOUNG, Mr. Kaine, Mr. SULLIVAN, Mr. MERKLEY, Mr. RUBIO, Ms. DUCKWORTH, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mrs. BLACKBURN, Mr. SCHATZ, Mr. BRAUN, Mr. BOOKER, Mr. BARRASSO, Mr. VAN HOLLEN, Mr.

RICKETTS, Mr. MURPHY, Mr. HAGERTY, Mr. GRAHAM, Ms. ROSEN, Mr. SCOTT of Florida, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 188

Whereas May 14, 2023, marks the 75th anniversary of the establishment of the State of Israel;

Whereas May 11, 2023, marks the 74th anniversary of Israel's membership in the United Nations;

Whereas, on September 21, 1922, President Warren G. Harding signed House Joint Resolution 322, after unanimous support from the House of Representatives and the Senate, endorsing the Balfour Declaration establishing a national home for the Jewish people;

Whereas, on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel;

Whereas, on May 14, 1948, President Harry S. Truman, on behalf of the United States, was the first foreign leader to recognize the Jewish government of the State of Israel;

Whereas the establishment of the State of Israel realized the right of the Jewish people to self-determination and is an outgrowth of the existence of the historic and ancestral kingdom of Israel established in the land of Israel 3,000 years ago with Jerusalem as its capital;

Whereas the establishment of the modern State of Israel as a homeland for the Jews followed the slaughter of more than 6,000,000 Jews during the Holocaust;

Whereas the Declaration of the Establishment of the State of Israel, proclaimed on May 14, 1948, states, in part, "THE STATE OF ISRAEL will be open for Jewish immigration and for the Ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations.";

Whereas, to preserve these values and the institutions of Israeli democracy, Israel has enacted and amended the Basic Laws of Israel, which provide the foundation of Israel's democratic system;

Whereas Israel is home to a vibrant Arab community, comprising an estimated 20 percent of Israel's population and possessing equal rights under Israeli law;

Whereas the people of Israel have established a pluralistic democratic political system, including freedom of speech, a free press, free, fair, and open elections, the rule of law, and other democratic principles and practices;

Whereas Israel—

(1) offers invaluable contributions to the international community, including humanitarian aid, entrepreneurship, cybersecurity, military weaponry, counterterrorism, airport security, agriculture, water management, arid-zone farming, medical advances, natural gas, and other technologies; and

(2) will promote a positive vision for emerging technologies that is anchored by democratic values;

Whereas robust bilateral ties with Israel—

(1) contribute to the security interests of the United States;

(2) produce security, economic, and cultural benefits in the region;

(3) increase regional integration and stability; and

(4) build confidence with respect to peace negotiations;

Whereas Israel—

(1) maintains diplomatic relations with 166 of the 193 member states of the United Nations; and

(2) retains 80 resident embassies, 21 consulates general, and 7 special missions globally;

Whereas Israel maintains free trade agreements with the United States, members of the European Union, members of the European Free Trade Association, Canada, Mexico, Ukraine, Jordan, the United Arab Emirates, and other nation states;

Whereas, in 1987, the United States Government designated Israel as a major non-NATO ally;

Whereas, in 2014, the United States Government designated Israel as a major strategic partner;

Whereas, on March 26, 1979, the Arab Republic of Egypt signed a peace treaty with Israel, becoming the first Arab country to establish full, normalized, diplomatic relations with the State of Israel;

Whereas, on October 26, 1994, the Hashemite Kingdom of Jordan signed a peace treaty with Israel, becoming the second Arab country to normalize ties with Israel;

Whereas security coordination between the State of Israel and the Palestinian National Authority promotes stability and is critical to deescalating tensions;

Whereas the United States has actively supported and played a significant role in the efforts to bring about Israeli-Palestinian peace, consistent with the long-standing United States commitment to a sustainable, viable, two-state solution negotiated directly between the parties, resulting in an end to the conflict and two states for two peoples based on mutual recognition, dignity, and peaceful neighborly relations;

Whereas, on September 15, 2020, the United States, the State of Israel, the United Arab Emirates, and the Kingdom of Bahrain signed the Abraham Accords, consisting of agreements to establish full relations between Israel and the United Arab Emirates and between Israel and the Kingdom of Bahrain;

Whereas the landmark Abraham Accords were quickly followed by agreements to normalize relations between Israel and Sudan on October 23, 2020, and between Israel and Morocco on December 10, 2020;

Whereas Congress underscored in the Israel Relations Normalization Act of 2022 (division Z of Public Law 117-103) that the Abraham Accords, and related agreements and frameworks, “have the potential to fundamentally transform the security, diplomatic, and economic environment in the Middle East and North Africa and advance vital United States national security interests”;

Whereas the United States continues to build upon the foundations and success of the Abraham Accords by urging further normalization with Israel and by deepening regional integration and cooperation, including between Israel and Bahrain, Egypt, Jordan, Morocco, and the United Arab Emirates, most recently, through holding the Negev Summit on March 27 and 28, 2022, in Sde Boker, Israel, and the establishment of the Negev Forum on June 27, 2022, in Manama, Bahrain;

Whereas, on June 27, 2022, the Negev Forum Steering Committee announced the establishment of—

(1) 6 working groups that foster the integration of clean energy, food and water security, education and coexistence, health, regional security, and tourism; and

(2) “initiatives that strengthen the Palestinian economy and improve the quality of life of Palestinians”;

Whereas the joint security cooperation between the United States and Israel in many fields, including intelligence sharing, air defense technology, joint comprehensive military exercises, and cybersecurity, has proven invaluable in strengthening the national security of the United States and Israel;

Whereas Israel faces growing threats to its security, including—

(1) Iran’s advancing nuclear program and support for global terrorism;

(2) terrorist threats from Hamas, Palestinian Islamic Jihad, and Hizballah; and

(3) other terrorist threats;

Whereas the United States and Israel have signed three 10-year bilateral security cooperation and assistance memoranda of understanding in which the United States committed to provide Israel with security assistance valued at—

(1) \$26,700,000,000 during the 10-year period ending on September 30, 2008;

(2) \$30,000,000,000 during the 10-year period ending on September 30, 2018; and

(3) \$38,000,000,000 during the 10-year period ending on September 30, 2028;

Whereas Congress has appropriated amounts in accordance with such memoranda of understanding, reflecting the two countries’ shared priorities in the region and the strength of United States support for maintaining Israel’s qualitative military edge;

Whereas Congress passed the Nita M. Lowey Middle East Partnership for Peace Act of 2020 (title VIII of division K of Public Law 116-260), which supports economic development and peacebuilding efforts between Israelis and Palestinians;

Whereas antisemitism continues to rise globally, reaching an alarming all-time high during 2021 with 2,717 incidents in the United States and an estimated 1,090,000,000 people worldwide harboring antisemitic attitudes, making self-determination and a safe haven for the Jewish people even more necessary;

Whereas Israel has absorbed millions of Jews from countries throughout the world and fully integrated them into Israeli society;

Whereas, the United States and Israel have maintained a special relationship for 75 years based on mutually shared democratic values, common strategic interests, and moral bonds of friendship and mutual respect between their countries and people;

Whereas Israel’s involvement as an active member of the community of nations benefits Israel, the United States, and all governments that share common values and promote democratic stability throughout the world; and

Whereas the United States will continue to advocate for equitable treatment of Israel in international fora in the face of antisemitic bias: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic significance of, and joins the Israeli people in their celebration of, the 75th anniversary of the founding of the State of Israel;

(2) reaffirms—

(A) the longstanding and indelible partnership between the United States and Israel;

(B) the unshakeable commitment of the United States to the security of the State of Israel; and

(C) the right of Israel to exist in peace, prosperity, and security alongside its neighbors;

(3) reiterates its support for a comprehensive and lasting peace between Israelis and Palestinians, in which both enjoy peace, security, and prosperity;

(4) encourages the diplomatic recognition of the State of Israel and robust engagement with Israel from all governments around the world;

(5) reiterates its support for the Abraham Accords, the Negev Forum, and all other ongoing efforts to formalize and strengthen relations between Israel and its Arab neighbors in pursuit of a more integrated and peaceful region;

(6) reaffirms its continuing support for Israel as a Jewish and democratic state that is committed—

(A) to defending the security, freedom and equality of all its inhabitants, regardless of religion, race, or sex; and

(B) to guaranteeing freedom of religion, conscience, language, education, and culture;

(7) reaffirms that the United States will continue to fight against antisemitism globally and against the efforts to delegitimize Israel in international fora;

(8) commends the people of Israel for their remarkable achievements in building a pluralistic democratic society in the Middle East; and

(9) extends the warmest congratulations and best wishes to the State of Israel and her people for a peaceful, prosperous, and successful future.

SENATE RESOLUTION 189—COM- MENDING AND CONGRATU- LATING THE QUINNIPAC UNI- VERSITY MEN’S HOCKEY TEAM FOR WINNING THE 2023 NA- TIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN’S HOCKEY NATIONAL CHAMPION- SHIP

Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted the following resolution; which was considered and agreed to:

S. RES. 189

Whereas, on Saturday, April 8, 2023, the Quinnipiac University men’s hockey team (referred to in this preamble as the “Quinnipiac Bobcats”) won the 2023 National Collegiate Athletic Association (referred to in this preamble as “NCAA”) Men’s Hockey Championship with a 3-2 win over the Minnesota Golden Gophers, at Amalie Arena in Tampa, Florida;

Whereas the 2023 national championship is the first national championship for the Quinnipiac Bobcats;

Whereas the Quinnipiac Bobcats have demonstrated remarkably consistent success in the past decade, and have made the NCAA Championship tournament in 8 of the last 10 seasons;

Whereas Jacob Quillan was named the Most Outstanding Player of the 2023 NCAA Championship tournament, finishing the NCAA Championship tournament with 5 goals and setting a new Quinnipiac University record for most goals scored in a single tournament;

Whereas Rand Pecknold, the head coach of the Quinnipiac Bobcats, has led the team for 29 years and transformed the Quinnipiac Bobcats from a Division II program to a National Division I powerhouse; and

Whereas the National Championship was played in front of 20,000 people in Tampa, Florida, and was the most watched “Frozen Four Final” game in more than 10 years: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Quinnipiac University men’s hockey team for winning the 2023 National Collegiate Athletic Association Division I Men’s Hockey Championship;

(2) congratulates the fans, students, and faculty of Quinnipiac University; and

(3) respectfully requests that the Secretary of the Senate transmits an enrolled copy of this resolution to—

(A) the President of Quinnipiac University, Dr. Judy Olian; and

(B) the head coach of the Quinnipiac University men's hockey team, Rand Pecknold.

SENATE RESOLUTION 190—COMMEMORATING AND SUPPORTING THE GOALS OF "WORLD QUANTUM DAY"

Mr. YOUNG (for himself and Ms. HASSAN) submitted the following resolution; which was considered and agreed to:

S. RES. 190

Whereas quantum physics describes nature at the scale of atoms and subatomic particles;

Whereas "World Quantum Day" is celebrated by scientists in more than 65 countries to promote public understanding of quantum science and technology around the world;

Whereas the United States has recognized quantum information science and technology as a key technology area for economic competition;

Whereas quantum physics helps us to understand and develop technologies critical to everyday life, such as GPS, semiconductors, and lasers;

Whereas quantum information science is a multidisciplinary field, bridging science, technology, engineering, and mathematics (referred to in this preamble as "STEM");

Whereas STEM is a critical part of education for children, and aptitude in STEM is essential for a knowledge-based society and for economic competition;

Whereas the United States needs to reinforce STEM education for all students in order to better prepare children for future careers in emerging technologies, including quantum, to succeed in a 21st-century economy;

Whereas STEM can be a fun and interesting part of education for children, and learning about quantum principles of superposition and entanglement can be an engaging way to teach children and attract the children to study STEM;

Whereas the Planck constant is a fundamental constant governing quantum physics, which is used to define universal measurements such as the kilogram; and

Whereas the rounded first significant digits of the Planck constant are 4.14, and thus April 14 of each year is internationally recognized as "World Quantum Day": Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of "World Quantum Day" to recognize and celebrate the role that quantum physics plays in our daily lives; and

(2) encourages schools and educators to observe the day with appropriate activities that teach students about quantum physics and engage students in the study of science, technology, engineering, and mathematics.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have 12 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Sen-

ate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 9 a.m., to conduct a subcommittee hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet in executive session during the session of the Senate on Tuesday, May 2, 2023, at 10 a.m.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBERSECURITY POLICY

The Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 3 p.m., to conduct a hearing.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

The Subcommittee on Housing, Transportation, and Community Development of the Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 2:45 p.m., to conduct a hybrid hearing.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

The Subcommittee on Readiness and Management Support of the Com-

mittee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 2, 2023, at 4:45 p.m., to conduct a hearing.

COMMENDING AND CONGRATULATING THE QUINNIPIAC UNIVERSITY MEN'S HOCKEY TEAM FOR WINNING THE 2023 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN'S HOCKEY NATIONAL CHAMPIONSHIP

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 189, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 189) commending and congratulating the Quinnipiac University men's hockey team for winning the 2023 National Collegiate Athletic Association Division I Men's Hockey National Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 189) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

COMMEMORATING AND SUPPORTING THE GOALS OF "WORLD QUANTUM DAY"

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 190, which is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 190) commemorating and supporting the goals of "World Quantum Day".

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 190) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, MAY 3, 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, May 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Merchant nomination postcloture; further, that all cloture time on the Merchant nomination be considered expired at 11:30 a.m. and the Senate vote on confirmation of the nomination; that following the cloture vote on the Hsu nomination, notwithstanding rule XXII, the Senate resume legislative session and the Committee on Environment and Public Works be discharged from further consideration of S.J. Res. 9 and the Senate proceed to the en bloc consideration of H.J. Res. 39, which was received from the House, and S.J. Res. 9; that at 6:15 p.m., the joint resolutions be considered read a third time and the Senate vote on the passage of the joint resolutions, in the order previously listed, with 15 minutes for debate, equally divided between the two leaders or their designees, between the votes on the joint resolutions; further, that following disposition of the joint resolutions, the Senate resume executive session and, if cloture has been invoked on the Hsu nomination, vote on confirmation of the nomination; finally, that if any nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. For the information of the Senate, there will be two votes at 11:30 a.m. and four votes at 6:15 p.m.

ORDER FOR ADJOURNMENT

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order following the remarks of Senator WELCH.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

DEBT CEILING

Mr. WELCH. Mr. President, I want to speak about the looming debt crisis, the fact that within 30 days, there is a real and substantial likelihood that America will do something that America has never done; and that is fail to pay its bills in full and on time.

There is a lot of discussion about the debt. It is \$31 trillion. There is very little discussion about what that debt is, who owns that debt, and what the implications are to all of us—the people we represent, our State and local governments, our private institutions, and our economy—if, in fact, we do the unthinkable and default on the debt.

Of that \$31 trillion debt, \$8 trillion is held by governmental entities; that includes the Federal Reserve, two Social Security trust funds, the Medicare insurance trust, and the U.S. military retirement plan. Anything we do to jeopardize the value of those Treasury bills—where 100 cents is what they are worth on the dollar—compromises the security that Americans depend on from those trust funds.

The \$24 trillion in treasuries held by the public includes \$3 trillion held by individuals, by households, by for-profit and not-for-profit entities, and by endowments. If we jeopardize that \$1 for \$1 risk-free asset, it means those individuals who own the Treasury bond as part of their portfolio lose value.

And \$2.8 trillion is held by money market mutual funds. Every one of our constituents knows what those are. Most of our constituents have money deposited in a money market account. They absolutely believe that they are going to get \$1 out for every \$1 they put in. We jeopardize that Treasury bill by defaulting on our debt. They may get 95 cents or 90 cents. That is real havoc and real pain for so many Americans.

And \$2 trillion is held by banks. That is the money that they have to guarantee the deposits. If we think we have an issue with the run on the banks of First Republic and SVB, wait until this happens and there is a run on these banks who, because of inaction that this Congress took, has a vast and cataclysmic reduction in the value of their deposits.

And \$1.5 trillion is held by various State and local governments—that is the town you live in; that is the town I live in—where that is set aside to help their citizens. They lose value on those securities. They can do less for water and sewer, for schools, and roads in their own communities.

And \$1.1 trillion is held by private pension funds; that is, folks who have saved and put into their pension fund for their retirement. If that asset, the Treasury bond, declines in value because of the default, their retirement is in jeopardy.

And \$7 trillion is held by foreign central banks and foreign investors. That helps us because they help us keep our interest rates down, and they do that because the dollar in is a dollar, plus

interest, out. That is jeopardized by this reckless plan to default on our debt as a leverage device to get things totally outside of what that debt is.

No. 1, Treasuries are the bedrock of our financial system because they are viewed as a safe asset, and they have been safe ever since the founding of our country.

Equally important, Treasury bills are considered risk-free. You put that dollar in, you buy a Treasury, you are going to get that dollar back absolutely, plus the interest on the coupon.

Third, Treasuries are the device in our willingness to pay, unquestioned, that has made the dollar the reserve currency of the world. I go back to what I said earlier—\$7 trillion are owned by foreign banks. They put their money here because they have total and complete confidence that it is safe. If we default on our debt, we lose that status, they lose that assurance, and we in this country start paying higher interest rates.

There is real harm to individuals as well, as the economy goes through a cataclysm of the first-time default in the history of the country.

Analysts who have looked at this say a typical worker near retirement—and I am including folks in Vermont—would see a \$20,000 reduction in what they have available for retirement. The average new 30-year mortgage would be increased in cost over the life of its mortgage by \$130,000. Think of what you could do with that to help your child with an education. It would become much harder to borrow.

The national debt—the national debt—would increase by \$850 billion. So the folks who are advocating default as a way of "cutting down spending" are doing the single most destructive thing that they could do that will result in increasing spending. So this notion of defaulting on our debt, we are using that as a tactic to get something completely unrelated to what we all know is the obligation to pay our bills.

A confident country always pays its bills. It is a disaster for the economy and has long-term devastating implications for everyday Americans as well as our reputation and strength as a country.

This is not a custom. It is embedded in our DNA as a country that we pay our bills in full and on time, and it started just after we became an independent country. We were broke.

Alexander Hamilton, as you know, was our first Treasury Secretary. He had to make a decision. We had borrowed a lot of money to prosecute our revolution. Those bonds that represented that borrowed money were worth pennies on the dollar. The question for Alexander Hamilton was, pay pennies on the dollar or pay 100 cents on the dollar. Despite the fact that this was an incredible hardship, Alexander Hamilton and our government then made the decision that those war bonds were going to be repaid in full. The benefit of that to us was that we established, as a country, that we were safe,

we were sound, and we were reliable. And no matter what the circumstances were, if we owed the money, we paid the money that was owed; we paid it in full; and we paid it on time. The benefits to our country and to us as individuals over the generations where we have kept that commitment have been incalculable.

So the notion that we should put that in jeopardy and even threaten not to pay our bills is something that has never, ever happened before in this country and should never happen.

On this question of negotiation, let me ask the question: Why would President Biden—why would any President, Republican or Democrat—negotiate when the effect of that is to threaten the pension deposits of the people we represent? Why would the President—any President—negotiate when the outcome of that negotiation threatens your money market deposits? Why would this President—or any President—negotiate when the outcome of that negotiation would weaken our pension funds, where that negotiation—if it comes out the way the proponents of default as a tactic wish—is going to make it really tough on everyday people: our small businesses, our local governments, and our savings for our kids' education?

We pay our bills in full and on time. That is what the United States of America has always done. That is what the United States of America must always do.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:56 p.m., adjourned until Wednesday, May 3, 2023, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

MILLENNIUM CHALLENGE CORPORATION

STEVEN L. SWIG, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF THREE YEARS, VICE GEORGE M. MARCUS, TERM EXPIRED.

DEPARTMENT OF STATE

EDGARD D. KAGAN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MALAYSIA.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. KENNETH S. WILSBACH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LINDA S. HURRY

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. MIGUEL A. MENDEZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MARLENE K. MARKOTAN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601, AND TITLE 50, U.S.C., SECTION 2511:

To be admiral

VICE ADM. WILLIAM J. HOUSTON

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEREMY P. MALLARI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

EBONY V. LUNA

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

IRVIN A. GEORGE

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR THE PERSONAL RANK OF CAREER AMBASSADOR IN RECOGNITION OF ESPECIALLY DISTINGUISHED SERVICE OVER A SUSTAINED PERIOD:

JOHN R. BASS II, OF VIRGINIA
BRIAN A. NICHOLS, OF CALIFORNIA

CONFIRMATIONS

Executive nominations confirmed by the Senate May 2, 2023:

THE JUDICIARY

MICHAEL FARBIARZ, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

ROBERT KIRSCH, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.