



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 118<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 169

WASHINGTON, TUESDAY, MAY 16, 2023

No. 82

## Senate

The Senate met at 10 a.m., and was called to order by the President pro tempore (Mrs. MURRAY).

### PRAYER

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

Let us pray. Almighty God, You know all about us. You are our Lord. Our goodness is nothing apart from You. Give us Your Holy Spirit to purge us of every wrong thing so that our lives will glorify You.

Today, guide the steps of our lawmakers. Deliver them from those who shoot from the shadows as You rule the nations with Your justice. Lord, examine every heart, both the evil and the good. Empower our Senators to run when they can, to walk when ought, and to wait when they must. Open their minds to discern Your will and inspire them with the willingness to follow where You lead.

We pray in Your matchless Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore 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.

### RESERVATION OF LEADER TIME

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### MEASURE PLACED ON THE CALENDAR—H.R. 2

Mr. SCHUMER. Madam President, before I get into my remarks, just a lit-

tle housekeeping. I understand there is a bill at the desk due for a second reading.

The PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2) to secure the borders of the United States, and for other purposes.

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

The PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

### UNANIMOUS CONSENT AGREEMENT—H.J. RES. 42

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.J. Res. 42 and the Senate proceed to its consideration, as provided for under the previous order.

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

### CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

### LEGISLATIVE SESSION

#### DISAPPROVING THE ACTION OF THE DISTRICT OF COLUMBIA COUNCIL IN APPROVING THE COMPREHENSIVE POLICING AND JUSTICE REFORM AMENDMENT ACT OF 2022

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.J. Res. 42.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 42) disapproving the action of the District of Columbia Council in approving the Comprehensive Policing and Justice Reform Amendment Act of 2022.

Thereupon, the committee was discharged, and the Senate proceeded to consider the joint resolution.

The PRESIDENT pro tempore. The majority leader.

#### DEBT CEILING

Mr. SCHUMER. Madam President, yesterday afternoon, Treasury Secretary Yellen released a letter updating congressional leadership about their latest forecast regarding default. The Treasury's projection remains unchanged: The Federal Government is in danger of failing to pay its bills as soon as June 1.

Since last week's White House meeting, Democratic staff have in good faith held conversations with our Republican counterparts about the Nation's fiscal future.

The talks are separate but simultaneous to our responsibility to avoid default. Democrats will not use the threat of default to get what we want. Nobody should use default as a hostage. Nobody should say: "Unless you do this, then we default" because the consequences of default will be devastating for ordinary Americans.

We talked through the weekend; we talked yesterday; and both sides—the staffs, that is—are talking today as well. And later this afternoon, I will join President Biden, House Leader JEFFRIES, Speaker MCCARTHY, and Leader MCCONNELL at the White House.

Democrats welcome a debate about this year's budget. For decades, both parties have regularly worked out their differences about spending and revenues throughout the appropriations process. That is what is happening right now while we separately but simultaneously work to avoid default.

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



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And, again, let me just repeat this because it is so important as we get closer to June 1. Nobody—nobody—should use default as a hostage. Nobody should say: “Unless you do this, then we default” because the consequences will be devastating for America.

Default would almost certainly create another recession, kill more than 8 million jobs, send costs soaring on everything from mortgages, car payments, student loans, small business loans, and so much more. If you want to own a home one day, default would take that dream and run it through the shredder. If you want to protect your 401(k), default would rob you of your livelihood. If you want to grow your small business or borrow student loans or if you benefit from Social Security or Medicare, a default would be a nightmare scenario.

We all know these things are fast approaching the closer we get to June 1. Congress cannot—under any circumstances—fail its obligation to protect the full faith and credit of the United States. It is one of our highest obligations.

#### NOMINATIONS

Madam President, now on nominations and Senate business, last night we filed cloture on three more outstanding judicial nominees: two district court judges and a circuit court judge. Even as Senate Democrats proceed on our agenda to help working and middle-class families avoid default, we will not relent on filling the vacancies on our Federal judiciary with qualified, mainstream, and diverse judges.

Yesterday, we took a big step forward toward strengthening the bench with the historic confirmation of Bradley Garcia, the first Latino ever to serve on the DC Circuit, the second most important court in the land. And the three judges we filed cloture on last night continue that effort. They are highly qualified and diverse candidates, both demographically and professionally. They will strengthen our Federal judiciary and help the bench better reflect the diversity and dynamism of our country.

Senate Democrats are going to keep working this week to advance these nominees, and I hope both sides can work together to move the process along quickly and in a bipartisan way.

Today, the Senate is also busy off the floor. As we speak, the Senate Banking Committee is holding a very important hearing, hearing testimony from the former CEO and chairman of Silicon Valley Bank and Signature Bank, to examine the failures that led to their collapses. I want to thank Chairman BROWN and all the Members of the committee for holding this important hearing because we need to get to the bottom of what went wrong with SVB and Signature Bank.

The American people must have confidence that Congress can work across the aisle to hold bad actors in banking accountable, and that is why it is es-

sential we hear directly from the CEOs of these failed institutions.

I hope today's hearing brings us one step closer to bipartisan action on commonsense banking oversight legislation that Americans rightfully demand.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WARNOCK). 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 PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### DEBT CEILING

Mr. MCCONNELL. Later today, I will attend a second discussion between President Biden and Speaker MCCARTHY on the Nation's debt limit.

The Speaker presented his case to the President back in February. House Republicans passed legislation to raise the debt ceiling in April, but as of mid-May, the President of the United States has found just two—two—more occasions to sit down and discuss an agreement to preserve the Nation's full faith and credit.

The Biden administration took 3 months to reach a conclusion that just about everyone else recognized from the beginning. I said it myself back in February: that the only way forward is spending negotiations between the President and the Speaker. That is how the American people arranged the current situation, and, by the way, that is how 7 of the last 10—7 of the last 10—debt limit increases have been secured—bipartisan negotiations.

That is how a Republican President and Democratic Speaker avoided crisis 4 years ago. I remember telling President Trump he needed to do something he was not anxious to do, which was to talk to Speaker PELOSI, because the American people had given us divided government. That is how a Democratic President and a Republican Speaker will avoid this crisis as well.

Speaker MCCARTHY is right. The Senate Democrat majority hasn't passed a bill to raise the debt ceiling. The House Republican majority has.

So that is where the solution to this looming crisis will be found.

Last fall, the American people sent a divided government to Washington. They chose to require that President Biden work with House Republicans on the most consequential issues. Now, the President has to make a choice of his own: Pretend the last election didn't happen or sit down with the Speaker and deal responsibly with our Nation's debt.

Time is of the essence—of the essence. So, for the second time, I will be glad to sit in at the White House to support Speaker MCCARTHY and to urge President Biden to start operating in reality.

#### BORDER SECURITY

Now, Mr. President, on an entirely different matter, it has been 5 days since the Biden administration ended title 42 emergency border enforcement authorities—5 days. By all accounts, the situation at our southern border is absolutely catastrophic—absolutely catastrophic—for the brave men and women of Customs and Border Protection and for countless communities across Texas, New Mexico, and Arizona.

As title 42 expired on Thursday, officials in Del Rio, TX—listen to this—reported a 1-day increase in border apprehensions of 75 percent—1 day. In El Paso, one area of downtown is rapidly being overrun by tents and garbage—tents and garbage. One Border Patrol officer reports that every CBP enforcement sector along the southern border is now near 150 percent capacity—150 percent capacity. Sadly, what the country is witnessing right now is a slow-moving car crash.

Republicans have spent years urging President Biden and his party to get serious about securing our southern border. And the American people have known for quite some time that Democrats' approach helped create this humanitarian and security crisis. On President Biden's watch, just last fiscal year, Customs and Border Protection recorded an all-time high for migrant apprehensions: 2.7 million in 1 year. By the Agency's own estimates, another 1.2 million “got-aways” have successfully snuck across the southern border since the President took office.

The Biden administration made no effort to hide how little it cares about cleaning up the mess. Remember, for months on end, the White House Press Secretary assiduously avoided calling the situation at the southern border what it obviously was—a crisis.

Vice President HARRIS, the administration's official “border czar,” has been to the border just once in 2½ years.

When Congress asked the head of the Department of Homeland Security to account for the chaos unfolding on his watch, Secretary Mayorkas characterized functionally open borders as “executing on the plan.”

Apparently, Republicans are the only ones interested in getting the southern border crisis under control.

Later this week, the Senate will vote on a resolution from Senator MARSHALL to remove a major pillar of the Biden administration's open-borders approach. Our colleague's measure takes aim at a rule the administration implemented late last year to severely limit what immigration officials are allowed to consider when determining whether a potential immigrant is likely to become a “public charge” and rely on taxpayer-funded services.

In other words, facing record flows of illegal migration, President Biden's response was to greet people at the border with food stamps and housing vouchers—welcome to America. Sadly,

that is exactly what some of the would-be immigrants arriving at the border have come to expect from Washington Democrats.

One Venezuelan man who made it to El Paso said he was told: "They will feed you, clothe you, help you with your studies, and get a job." That is what this migrant from Venezuela was told.

It is alarming that Washington Democrats must be forced to be good stewards of taxpayer dollars. The Biden administration should not need to be dragged, kicking and screaming, to do right by the hard-working citizens of this country.

So I am grateful to the junior Senator from Kansas for calling the Senate's attention once again to the Biden administration's shameless failure at the southern border, and I will urge each of my colleagues to join me in supporting the resolution later this week.

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

The PRESIDING OFFICER (MR. KELLY). Without objection, it is so ordered.

#### DEBT CEILING

MR. THUNE. Mr. President, talks on the debt ceiling continue, and the Republican and Democratic leaders of the House and Senate are meeting with President Biden again today. I hope that is a positive sign because, if the President's Treasury Secretary is correct, we could be 2 weeks away from the United States beginning to default on its debts, something that would have very serious consequences for our economy and for our Nation's financial standing.

If we are going to get a debt limit increase, the President is going to have to negotiate with Speaker MCCARTHY and House Republicans—really negotiate, Mr. President—which means that President Biden is going to have to accept some real spending reforms because, otherwise, a debt limit increase is not going to make it through the House of Representatives. Those are the just the facts.

Democrats, of course, have been kicking and screaming at the idea of spending reforms. You can witness their frantic campaign to portray the responsible reforms in the House Republicans' bill as extreme. Apparently, suggesting that we should return to 2022 discretionary spending levels for 2024 is an extreme position, despite the fact that we were clearly doing just fine at those levels mere months ago.

The Senate Democratic leader came down to the floor last Thursday and suggested the Republicans were attempting to pair a debt ceiling increase with "unrelated partisan priorities"—"unrelated partisan priorities." Well,

let that just sink in for a minute because, according to the Senate Democratic leader, spending reform is a partisan priority that has nothing to do with increasing our Nation's credit card limit. If a discussion over increasing our Nation's credit card limit isn't a good time to have a discussion about spending, I don't know what is. And if spending reform is just a Republican priority, then there is something seriously wrong with the Democratic Party because, with a national debt like ours, spending reform should be a priority for everyone.

Our national debt currently stands at more than \$31 trillion—\$31 trillion. Our debt has already exceeded the size of our economy. Within a few short years, we are going to be spending more just meeting the interest on our Nation's debt than we will on national defense.

How do Democrats not realize that a national debt of that size has serious consequences? By 2044, we will be spending more on interest than on Medicare. By 2050, we will be spending more on interest than Social Security. That is barely going to leave enough money for the government to meet its most basic obligations, much less invest in all the new or expanded government programs Democrats would like to implement.

Yet Democrats are apparently content to simply ignore this reality. It is like they think that we are going to find a pot of gold at the end of the rainbow to rescue us once we have spent the Federal Government into the ground. But there is no magic pot of gold.

And before Democrats suggest it, let me just say that taxing the rich will not provide enough money to dig us out of the hole that we are in. We have to find a way to rein in Federal spending; otherwise, the size of our national debt is going to crush our economy and seriously limit the Federal Government's ability to meet even its most basic responsibilities, like funding Social Security and national defense.

Democrats would like Americans to believe that the "clean" debt limit bill they are calling for is the standard when it comes to raising our Nation's credit card limit; but, in fact, that is very far from being the case, as the Democratic leader should know from his own experience in using the debt limit as leverage in negotiations.

As Democrats should be well aware, 7 of the last 10 debt limit increases have included some mix of policy or budgetary changes rather than just a clean increase, and, historically, spending reform has frequently gone hand in hand with debt ceiling legislation. Indeed, one expert recently noted in testimony before the Senate Budget Committee that "of the eight largest deficit-reduction laws since 1985, all eight were attached to debt limit bills."

Let me repeat that. And this is from an expert who recently provided testimony before the Senate Budget Committee. This was his quote.

Of the eight largest deficit-reduction laws since 1985, all eight were attached to debt limit bills.

Now, Mr. President, I am getting a little tired of hearing Democrats dance around the facts or suggest that if Republicans just agree to the "clean" debt ceiling increase that Democrats want, Democrats would be ready to talk about spending once we move on to the budget.

Does anybody really seriously believe that if Democrats won't consider spending reforms now that, somehow, they will develop a serious enthusiasm for reining in spending once we get to the budget? Somehow it doesn't seem likely.

Democrats and the President have spent a lot of energy over the past couple of weeks tearing down Republican proposals. If they had spent half that time coming up with spending reforms of their own, we might already have a debt ceiling agreement.

And I hope that the meeting at the White House later today is a sign that the President is actually getting serious about negotiating because, if he isn't, he will have only himself to blame if our Nation defaults on its obligations. Democrats have already spent us into an inflation crisis. Let's hope that they don't push us into a default crisis as well.

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. 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.

#### BRETT BLANTON INVESTIGATION

MR. GRASSLEY. Mr. President, I hope everybody in this body knows that congressional oversight is a very important responsibility of all of us, and it is even a constitutional demand. We must ensure that our government truly does work for, of, and by the people. When fraud, waste, and abuse is discovered, Congress has the responsibility to the American people to make it public because transparency brings accountability.

Today, we have an example of wrongdoing to discuss. It involves the former Architect of the Capitol's blatant misuse of government property. According to the Architect of the Capitol inspector general, during Brett Blanton's time as Architect, he engaged in unnecessary, very expensive, and impermissible conduct. For example, the report found unauthorized vehicle use; misrepresentation as a law enforcement officer; ethics violations; and, lastly, appropriations violations. Specifically, the inspector general found that Blanton should have driven approximately 10,438 miles using government vehicles. Instead, the inspector general said that Blanton racked up 29,291 miles. That is almost 20,000 extra

miles of unauthorized benefit on the taxpayers' dime.

The inspector general's October 6, 2022, report expressly noted that Blanton's actions "have violated every pillar the [Office of the Inspector General] operates under including theft, fraud, waste and abuse against not only the [Architect of the Capitol] but also the taxpayer."

In total, the inspector general identified \$13,926 of inappropriate costs associated with Blanton's use of government vehicles. On February 22 of this year, I sent a letter to Mr. Blanton asking him when he would repay the money he impermissibly cost the taxpayers. As of today—now several months later—he has failed to respond to my inquiry and my staff's attempts to contact him. He has also made no effort to repay the money that he owes the American people. His actions show no respect for the taxpayer.

But that isn't the last word on this sad story. On the same day that I sent a letter to Mr. Blanton, I also sent a letter to Acting Architect of the Capitol Chere Rexroat. I asked her whether she intended to seek repayment from Mr. Blanton. She and her team have worked to recover these payments, and as of April 21, the money Mr. Blanton owed the taxpayers was repaid in full: \$12,517 has been withheld from Mr. Blanton's final annual leave payment and has been returned to the Treasury. The remaining \$1,409 was contributed by an insurance company.

When dealing with trillions of dollars in government spending, a dozen or so thousand can seem like a very insignificant amount. However, this amount would be important to a family struggling to make ends meet in a time of record inflation and price hikes. And the amount is important to me because it is about time that we see civil servants holding someone accountable for wrongdoing.

So, obviously, before giving up the floor today, I want to emphasize that congressional oversight doesn't deal out victories every day. When wrongdoing is exposed and corrected, it should be noted.

So let's give all due credit to the Acting Architect of the Capitol and also to her team for the recoupment of this taxpayer money. It may be a small amount of money, but it is the right action to take. And we ought to compliment it. And I compliment the Acting Architect today.

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.

#### NATIONAL POLICE WEEK

**MR. DURBIN.** Mr. President, it is graduation season in America—a time when many of us in this Senate head

back home, gather with students and families to celebrate amazing accomplishments.

This past Saturday I had the honor of joining students at Loyola University of Chicago Stritch School of Medicine for their commencement ceremony. It was an inspiring and hopeful celebration.

These graduates—doctors—I met this last weekend are heroes in the making. As future practitioners and medical researchers, they will dedicate their lives to healing our communities and families. And we couldn't be prouder of their accomplishments.

Let me also note two things. First, Loyola University Stritch School of Medicine was the first school of medicine in the United States to allow students with DACA status to apply for admission. They didn't set any quotas. But they said to these young people who have received recognition by our government that they can stay legally in the United States. Though they were not born here, they have received recognition by our government and been held back from many of their ambitions.

So when Loyola University of Chicago opened their doors for applications from those DACA students, young people—remarkable young people—from all over the United States applied. So far, 32 graduated before last Saturday and another 6 this past Saturday. Think of that: 38 DACA students who finally got a chance to go to medical school proved themselves worthy, did great, and now headed for their residencies and beyond.

They will become an important part of America's future. And I am so proud of Loyola University of Chicago for its leadership in doing that. I encourage all other schools to offer the same opportunities for these extraordinary DACA students to have a chance to continue to be part of America.

The second person I want to mention is a hero that is of a special nature. She was tragically missing from Loyola's campus this past weekend. Her name is Areanah Preston.

On Sunday, Chicago Police Officer Preston was set to receive her Master of Jurisprudence from Loyola's School of Law. But just days before her graduation ceremony, she was shot and killed outside of her home, right as she was returning home from a late shift on patrol.

Officer Preston was one of the best of Chicago. At only 24 years of age, she had served with the Chicago Police Department for 3 years. And during her time on the force, she worked to build trust between law enforcement and the communities that she served.

Officer Preston was inspired to become a police officer after taking a trip to Europe as part of her undergraduate criminology studies. Her class visited former concentration camps in Germany and Poland, the sites of some of the worst atrocities in human history.

The stories of the Holocaust compelled Areanah Preston to the change

she wanted to see in the world. She wanted to be part of it. In her words:

When I got back [home], I wanted to be an officer. I felt like I could be a person to fight for justice.

And during her time on the force, that is exactly what she did.

On Saturday—the day before Mother's Day—Officer Preston's mother Dionne and her other family members walked on stage at Loyola University's ceremony to accept her diploma.

I want to extend my deepest condolences to each and every one of them. Officer Preston and her family should be together today, celebrating her amazing accomplishments and her courageous service to our city. Instead, they are mourning her loss. She is yet another victim of America's epidemic of gun violence.

Officer Preston's loss is especially poignant this week as we mark the beginning of Police Week. It is a time when law enforcement officers across the country travel here to Washington to meet with lawmakers and honor their peers who lost their lives in the line of duty.

The murder of Officer Preston in Chicago—as well as hundreds of other police officers who have died by gunfire in recent years—is a sobering reminder that no American is immune to the scourge of gun violence in this country.

It was just 1 year ago this weekend when a White supremacist marched into a grocery store in Buffalo, NY, with an AR-15 assault-style rifle and opened fire, killing 10 Black Americans.

The first victim in that shooting was a man named Aaron Salter. At the time of the shooting, Mr. Salter—a former police officer—was working as a security guard at the grocery store.

When the gunman showed up, Mr. Salter did not hesitate to leap into action. He opened fire on the gunman. There was only so much he could do. You see, Mr. Salter was armed with a handgun. The assailant had an AR-15-style rifle and was wearing a tactical vest.

In this case, Mr. Salter was a good guy with a gun, but the bad guy had a bigger gun. Mr. Salter was forced into a position that no police officer, no security guard, should ever find themselves in—being outgunned by a violent criminal. But this happens with alarming frequency. And it is because lawmakers have failed to do enough to stop guns from falling into the wrong hands.

If we truly want to honor the sacrifices of heroes like Mr. Salter and officer Preston, we need to do more than offer our prayers and condolences. We need to take action.

At this point, I want to salute you, Mr. President, because you and your wife and family have worked so hard to make this issue an important part of our agenda in America.

In the years since the mass shooting in Buffalo, we have seen more than 650 mass shootings across America. A mass

shooting takes place when four people are either killed or wounded in one incident. During that period, more than 40,000 of our fellow citizens have died from gunfire, which is now the No. 1 killer of our Nation's children. The No. 1 killer of children under the age of 18 in America is gun violence. That is a fact.

Time and again, we hear lawmakers argue in Washington and other places that guns really aren't the problem, often claiming the real problem is mental illness. Well, here is the truth. Every nation on Earth struggles with mental illness, but America is the only advanced nation that sees more mass shootings than there are days in a year. I want to deal with mental illness honestly, but to say that is the problem alone is to ignore the obvious.

Last year, the Senate Judiciary Committee, which I chair, held a hearing on the crisis of gun violence in America. One of the witnesses we heard was former Phoenix Police Chief Jeri Williams.

During that hearing, Chief Williams told the committee that our Nation's gun laws are failing members of law enforcement like her. Here is what she said:

We are outgunned. We're outmanned. We're out-staffed.

We do need responsible gun legislation . . . there should be a ban on assault weapons and high-capacity magazines in order for us to properly serve and protect our communit[ies].

Chief Williams was right. Smart gun safety laws work. We even have recent proof of it.

Last year, this Senate finally passed the bipartisan Safer Communities Act—the most important gun safety law in nearly 30 years. Thanks to that law, the Justice Department is able to perform enhanced background checks on buyers under the age of 21.

According to the Department of Justice, these enhanced background checks have already prevented more than 160 firearms from falling into potentially dangerous hands.

But that is not enough. We need to do more. Without more robust legislation—like reining in assault weapons—we are not going to make the progress we need in protecting the lives of our families and communities.

Friday afternoon, I had a visit in my Chicago office from four people. One was a mom and three were pediatricians from the Highland Park area north of Chicago. We remember Highland Park because of the last Fourth of July parade where a shooter got on the roof of a building and, in a matter of 60 seconds, fired off 83 rounds into an innocent crowd. And 7 people died, over 50 were injured. One 8-year-old boy was paralyzed for life.

They came to talk to me about the AR-15 assault weapon crisis that we face in America. What they said to me I cannot repeat on the floor of the Senate because they went into graphic, painful detail of what an AR-15 weapon

does to the human body and particularly what it does to children. Those small bodies, those compact little bodies, hit by an AR-15 round, are forever damaged, and some of them are in an impossible situation when it comes to medical care.

They talked about the fact that—and we hear this so often—at the scene of these mass shootings, particularly in schools, they collect DNA evidence from the parents to identify what is left of the body of the children after the assault weapons had been fired into the bodies.

That is just a horrible thing, unimaginable thing, when it comes to imagining your own children or grandchildren and what might happen to them.

This mother came as part of this group, which is known as March Fourth, broke down in tears and told me that every single day now since Highland Park a year ago, she worries about sending her kids to school: Will this be the day that they don't come home?

No family, no parent, no grandparent should ever face that fear as we do in America—uniquely in America—because of the bewildering explanation of our Second Amendment.

Unfortunately, instead, moving forward on sensible gun safety laws, some people in the other party would move backward. Right now, the House MAGA majority is trying to erase a regulation that restricts braces that turn pistols into short-barreled rifles.

That is the same kind of weapon carried by mass shooters in Dayton, OH; Boulder, CO; and recently in Nashville, TN.

These weapons are a danger to law enforcement and ordinary citizens. And now this Republican effort in the House wants to make it easier to access these deadly weapons, not harder.

Does that make any sense at all?

Moreover, at this very moment, MAGA Republicans are threatening to default on America's debt unless we pass Speaker McCARTHY's bill to wipe out 30,000 law enforcement jobs.

Talk about defending the police. The McCarthy approach in making deep budget cuts not only affects the number of law enforcement who are on the beat trying to protect us every single day but also makes a 25-percent cut in medical research in this country, something that is essential for every family's future.

That is right. House Republicans are threatening to trigger an economic crisis unless Democrats support their proposals to defund the police and basically eviscerate medical research in this country. That is coming from the same Republicans who spent years falsely claiming it was the Democrats who wanted to defund the police. Now we have clear evidence otherwise. Here they are supporting budget cuts that would leave law enforcement behind and make communities less safe. This is no way to honor the service and sac-

rifice of police officers across the country who have journeyed to Washington.

If you are going to talk a big game about supporting law enforcement during your political campaign, you have to back up your action when you are elected. Threatening a disastrous debt default unless we make massive budget cuts is no way to protect America.

Let's make sure officers have all the funding and resources they need to keep America safe, and that includes sensible gun safety laws that help keep weapons of war off American streets.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

#### MEMORIAL DAY

Mr. TUBERVILLE. Mr. President, President Ronald Reagan once said:

Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same.

In every generation since the country's founding, brave men and women have stepped forward to defend our great country. Each one of them joined knowing that they might be called upon to sacrifice everything, even their lives. In our history, more than 1 million Americans have paid that last full measure of devotion. It is only right that we return the honor.

The tradition of Memorial Day goes back to the 1860s. It was originally called Decoration Day. Families of the fallen would decorate the graves of their loved ones. In 1888, Congress recognized this tradition and made it a holiday in the District of Columbia. Congress made it a national holiday in 1968.

For Gold Star families, every day is Memorial Day. Alabama is home to more than 6,000 Gold Star family members. These include children who were forced to grow up without knowing their parents, spouses who had "happily ever after" cut short, moms and dads who hugged their children goodbye for the very last time, families with an empty seat at their dinner table.

As we honor their loved ones, we also ought to honor Gold Star families. Today, I would like to do just that. I would like to recognize three of Alabama's fallen heroes and their families.

First, I would like to recognize SGT Ricky Jones of Plantersville, AL. The former star running back of Dallas County High School—also known as MoJoe—is remembered for being a "giving person" who was always there for his family and for his community. Sergeant Jones was known to consistently attend football games to support younger players who aspired to be just like him.

His family always knew they could count on him. After his mother fractured her hip, Sergeant Jones took leave to come home and help with her recovery. His sister Jasmine recalls him standing at the door of her bedroom to tell her goodbye when the time

came for him to return to Afghanistan. She didn't know this would be the last time she would see him. He was killed on Father's Day of 2009, leaving behind a wife and four children.

Because of the impact he left on his community, Dallas County established June 27 as "Ricky DeWayne 'MoJoe' Jones Day." Dallas County High School also retired his No. 3 jersey as a tribute to someone who was a hero to so many on and off the field.

Second, I would also like to recognize SGT Jason Stegall of Trussville, AL. From the age of 10, he knew he wanted to make a difference by joining our military. Even with injuries and several near-death experiences, this desire to serve never wavered. Sergeant Stegall's courage saved countless American lives. On one occasion, he helped stop two suicide bombers from carrying out an attack on a U.S. military base in Iraq. Another time, he led his men away from an ambush, despite being shot just beneath his heart.

Sergeant Stegall earned numerous awards for his heroism, including a Bronze Star and two Purple Hearts.

His wife Ashley said his plan was to stay in the service for a long time because he loved every minute of being in the military. But this plan was cut short. At age 31, Sergeant Stegall passed away from a mission-related illness while serving on Active Duty. Ashley was left to cope with the loss of her teenage sweetheart and having to raise three sons alone, including a 10-month-old named Landon. Ashley keeps Sergeant Stegall's memory alive by reminding her sons about his sacrifice and his belief in our great country of America.

Sergeant Stegall is honored at the Trussville Veterans Memorial in Alabama.

Finally, I want to honor the memory of SGT Ervin Hullett of Lowndes County, AL. On Christmas Day in 1952, Sergeant Hullett's brother Arthur received the news that his 22-year-old brother had been killed in Korea.

Both brothers had lived and suffered under segregation and discrimination because of their race. Yet both loved this country and were proud to wear the uniform. Both brothers rose to the rank of sergeant. Sergeant Arthur Hullett to this day says that he has no regrets about his military service. He also says he is confident that his brother would say the very same thing.

Alabama is deeply grateful for their strong belief that America is worth fighting for and even worth dying for. We will not forget their unwavering devotion to serving the American dream for all of our future generations.

SGT Ervin Hullett's name is etched forever into the wall of the Korean war monument here in Washington, DC.

The Bible says: Greater love has no man than that he would lay down his life for a friend.

We may never have met Sergeant Jones or Sergeant Stegall or Sergeant Hullett or any of the other fallen he-

roes, but their sacrifice is an example to all.

As we look toward Memorial Day, I hope we will remember this is not just another long weekend; it is a time to reflect on the sacrifices made by all of our courageous heroes who didn't want freedom to die on their watch. May we live to ensure their efforts aren't in vain.

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. MARSHALL. 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 POLICE WEEK

Mr. MARSHALL. Mr. President, on National Police Week, we celebrate our law enforcement officers, but it is also important to pause and honor those who gave their lives in the line of duty and to pause and remember the families they left behind.

Last year, I stood in this Chamber as we unanimously adopted the National Police Week resolution and honored the 576 law enforcement officers killed in the line of duty in 2021. Today, I take this moment to honor the 246 brave men and women who were killed in the line of duty in 2022. In order to rightfully honor these men and women who lost their lives, we must continue to demand policies that will make our communities safer and, by extension, our officers in the line of duty safer.

This topic is incredibly personal to me. My father was a chief of police in our hometown of El Dorado, KS, for 30 years. Here is a picture I share of my father in 1965, a proud new police officer with our family dog and police officer dog, Rinny.

On more than one occasion, my dad put his life on the line to protect our community, and on many other days, he would tell stories of the bravery and courage of his officers when responding to an emergency. These were all my friends, but they were heroes in my eyes, as well, and always will be remembered as such.

But, today, I am sad to report that our men and women in law enforcement feel demoralized. They are constantly put in a no-win situation, and their own city governments are setting them up to fail. In short, like my dad told me recently on a fishing trip, law enforcement officers know this White House and many mayors and city councils do not have their backs. They feel abandoned, and they feel like they get no respect, even to the point of being wrongfully shamed.

These brave men and women need our support now more than ever. Democrat-run cities have demonized law enforcement, making it harder for our men and women in uniform to do their jobs. And, sadly, their dangerous rhetoric and policies are emboldening

criminals at the expense of our officers.

You don't have to look any further than our own Nation's Capital. In November of last year, here in Washington, the DC Council voted to dramatically reform the city's criminal code to favor the rights of the offender during a crime wave across the District. The legislation eliminated mandatory minimum sentences for most crimes and lowered the maximum penalties for crimes such as carjacking and robbery.

The reforms to the city's criminal code came as the city's crime crisis hit a fever pitch.

Listen to this. Our Nation's Capital had 203 homicides in 2022—our Nation's capital, 203 homicides. Carjackings have tripled since 2019. This year, so far, violent crime is up by double digits. Last year, a physician was murdered after he tried to prevent a carjacker from stealing his car. A city council candidate had his car stolen at gunpoint. More recently, a Senate staffer was brutally attacked and stabbed in the head in broad daylight.

I remain fearful for my staff as they walk from their homes to the Capitol. Just recently, I gathered with a group of Senators to discuss policy, but the topic of discussion soon became the safety of our employees and what we could do to help ensure their safety.

With the culture of lawlessness on the streets being embraced by the DC City Council, at a time of low morale and increased crime, it is no wonder why the city has lost over 1,200 officers over the last 2 years, a number that is growing each day.

We need to stop here and talk about the culture of lawlessness started by this White House. It started during his campaign with a summer of applauding violent riots and vandalism.

After being sworn in, the administration purposefully and shamelessly opened our borders, and, even now, this administration turns their heads to violent criminals and terrorists crossing our borders. And with the Democrats embracing cashless bail in Joe Biden's America, we are now not only a country without borders but also a lawless society, where criminals roam the streets and fentanyl poisons our children.

This Nation must change its course before it is too late. To preserve this union, we need law and order. Our Republic will not survive without it.

H.J. RES. 42

I rise today in support of Senator VANCE's motion to nullify the DC Council's Comprehensive Policing and Justice Reform Amendment Act of 2022. By passing this resolution, we can now join our House colleagues in firmly rejecting the council's antipolice, pro-criminal laws and reaffirm our support for our heroic law enforcement officers.

I urge all of my Senate colleagues and the White House to choose people over politics by joining our efforts to

improve public safety in Washington, DC.

With its passage, we can send a clear message to 1600 Pennsylvania Avenue: We in the Senate will not stand by while our law enforcement officers are vilified and cut off at the knees when trying to do their job.

And with its passage, it will make Washington, DC, a safer place for the millions of visitors who pilgrimage to this great Capital to petition their elected Members of Congress, to regale in our history, and to celebrate our freedom.

This is a bill that makes DC safer, but it also sends a message to the entire country—a message that we want safe streets, we want safe communities, we want safe schools, and we want to do it in a bipartisan way.

Let's signal to every county, every city, and every State that Washington, DC, will no longer be soft on crime and cater to criminals.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BUDD. Mr. President, I rise today to support Senator VANCE's resolution of disapproval for the District of Columbia's anti-police law.

When lives are on the line, when seconds count, members of law enforcement are there putting their lives on the line to protect and serve their communities.

Backing the blue is especially important now, as rogue prosecutors and activist judges undercut those who are out there fighting crime. We see big cities implement policies that make the already difficult job of crime-fighting that much harder. Consequently, crime in our country has risen. Our streets are less safe. Our citizens' safety is under constant threat.

A prime example of this overreach is right here in Washington, DC. Last year, the DC City Council passed a so-called comprehensive policing and justice reform package. The package contains provision after provision that hamstring the police in this city. It limits the tactics they can use to control unruly crowds and riots, and it buries them in paperwork before they can even execute a constitutional search. It strips cops of the power to review body cam evidence, and it allows for their names to be released to the media before an investigation can even begin.

And what has happened since this act went into effect? Well, in the first full year that this law was in effect, DC's homicide rate reached nearly a 20-year high. In just the first 4 months of 2023, there have been over 250 carjackings and an increase in robberies throughout the city.

DC's chief of police recently reported that the average homicide suspect is arrested 11 times before committing murder. Now, it is striking that DC is making it harder to arrest these criminals before they commit such heinous acts. And, at the same time, the Dis-

trict's police union has reported that the department "has lost over 1,200 police officers while only replacing 700." The force is poised to be at its lowest number of officers since the 1970s.

Congress has the authority and the responsibility to ensure public safety in the District; and, furthermore, the symbol of our Nation's Capital under siege from crime is one our country cannot and should not tolerate. As politicians in this city push anti-police laws, it is incumbent upon our country's national leaders to stand up to these legislative attacks on law enforcement.

Now is the time for elected officials to express their full and complete support for the police. We need to fund them; we need to back them; and we need to push back against false narratives.

Strong nations support law enforcement because these are the men and women who stand on that thin blue line between safety and chaos. For the sake of law and order in our Nation's Capital, I stand in support of Senator VANCE's resolution.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Texas.

#### DEBT CEILING

Mr. CORNYN. Mr. President, last week, President Biden met with top congressional leaders to talk about the debt ceiling. This meeting came 4 months after the United States hit the debt limit and just a few weeks before a potential default.

Considering the high stakes in this looming debt crisis, it is remarkable that it took this long for the President to sit down with the four leaders and to talk about how to solve this problem together. A debt default, of course, would set off an unprecedented economic crisis and inflict real pain on families all across the country.

We all know our economy is just trying to get back on its feet after COVID. Our banking system has endured three high-profile collapses, and inflation continues to wreak havoc on family budgets. If the United States defaults on its debt, those challenges will only intensify. And that is an understatement. Social Security and Medicare benefits could be delayed. Members of the military and Border Patrol would be left without a paycheck. We would see our economy reeling—skyrocketing mortgage rates, sinking stock prices, and instability across our economy.

Given the already fragile state of the economy, default is the very last thing we need. Fortunately, that is a point of agreement between the parties. I haven't heard anybody say it would be a good idea for us to default.

But the \$31.7 trillion question is, What does the path forward look like?

As the American people know, the Republican position is not shrouded in mystery. My Republican colleagues and I have said over and over that a clean debt ceiling increase is not an op-

tion. It simply doesn't have the votes to pass the House or the Senate, making it a nonstarter. So we should move on.

In order to have a chance of passing both Chambers of Congress, a debt ceiling increase must come with some spending reforms. You would think President Biden, after all of his years serving in the Senate, now as President of the United States, would understand that \$31.7 trillion in debt is unsustainable. That is just common sense. But the President has dragged his feet for the last 4 months, saying he would not negotiate—until now. It looks like he, grudgingly, is acknowledging that he has to negotiate, which he knew or should have known all along.

Thanks to the leadership of Speaker MCCARTHY, the House of Representatives passed a bill last month to avert the debt crisis. I think President Biden actually thought that the Speaker of the House would be unsuccessful in passing any increase in the debt ceiling, so he was happy to sit back, hoping that they would fail and then they would come running to him and agree to his demands. But by passing the House bill, they put the ball in President Biden's court and put the onus on him to drop his "no negotiations, no reforms" position, which was absolutely ridiculous in the first place.

For months, the President has said he won't negotiate. He ruled out negotiations over any spending reforms, even though he signed into law trillions of dollars in new debt which has caused us to come to this juncture in the first place. He said he expects Congress to raise the debt ceiling with no conditions attached and let the runaway spending spree continue.

I have said it before, and I will say it again: If you maxed out your credit card, your credit union or your bank is going to say: Well, if you want an increase in your spending limit, you are going to have to talk to us about how you are going to pay this money back.

Those are the sorts of conversations that would occur in our daily lives, and those are the sorts of conversations that the President should have started to have 4 months ago.

Before the President's meeting with congressional leaders last week, his advisers parroted saying his "no negotiations, no reforms" message. The White House insisted time and time again that the President wouldn't drop his demand for a clean debt ceiling increase.

Now we have seen a massive shift in the President's rhetoric. I am actually grateful that he's made that shift in his rhetoric because his earlier position was completely irresponsible and unsustainable. But, now, over the weekend, the President was asked about the status of conversations with Republicans about the debt ceiling. He said:

It is never good to characterize a negotiation in the middle of a negotiation.



So there he goes using the “N” word, “negotiation,” when he said he wouldn’t negotiate.

And while he offered no insight into the discussions themselves, the fact that he described them as negotiations actually marks a major turning point. After insisting for months that he wouldn’t negotiate, the President has finally caved in, as we knew he ultimately would. He has finally accepted the inevitable reality that a bipartisan compromise is the only way to avoid a debt crisis. But that has been obvious from day one.

We have a Democrat majority in the Senate, a Republican majority in the House, and a Democrat in the White House. We know that in order to pass a bill, all three branches—two branches of Congress and the executive branch—would have to agree on something. So by definition, it has to be bipartisan. That is the baseline for success in divided government.

It really is baffling why it took so long for the President to come to terms with this reality, particularly given his long experience as a Member of this body, the U.S. Senate. But I am glad he got off the sidelines, finally, and now is at the negotiating table with Speaker MCCARTHY.

Reportedly, White House and congressional aides worked over the weekend trying to identify the framework for a deal; and the President, as I said, will meet with congressional leaders again today.

The White House is projecting a great deal of optimism, and I hope that is warranted. I mean, I hope that means they will come with a serious offer. But we still have a long way to go because once a deal is reached, there is still going to be a lot of work that needs to be done.

First, the agreement needs to be translated into legislative language. Once the bill is completed, Members need time to review it, then the bill has to pass both Chambers of Congress. This is a process that can occur over several days or much longer. But remember, Secretary Yellen said the United States can default as early as June 1, which is 16 days away.

With this as a backdrop, President Biden is planning to hop on a plane to Japan tomorrow. We are 2 weeks away from a potential economic disaster—largely of the President’s own making for taking his ridiculous “no negotiation” stance for the last 4 months—but we are 2 weeks away from potential economic disaster, bipartisan discussions have begun, and the President is still planning to go overseas.

The President spent months refusing to negotiate. He said he wouldn’t even entertain the idea of negotiations to avoid a debt crisis. Now the President is at the negotiating table. This isn’t a time to get up, walk away, and jump on Air Force One and go overseas. You can’t fly half way around the globe just as negotiations are gaining momentum, because as he accurately said, the

United States cannot default on its debts over the next 2 weeks. So it is crunch time. It is time to roll up their sleeves, get to work, and to work this out.

Speaker MCCARTHY and the House of Representatives have been ready to negotiate since the beginning, but the President wasted months that could have been spent on hashing out a bipartisan compromise to avoid a debt crisis. And he knew it from the very beginning that, ultimately, he would have to negotiate. So now is the time for the President to take this crisis seriously and to own his responsibility to negotiate a successful outcome.

I yield the floor.

I suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO MIKE MCKIERNAN

Mr. MERKLEY. Mr. President, I rise today to honor a departing member of my team. This is the first time in 7 years that I am delivering a farewell speech regarding one of my team members that wasn’t written by my speechwriter, Mike McKiernan, because Mike is the departing team member we are honoring today.

In June of 2016, he left a glamorous job at the Motion Picture Association of America to join my office. He was excited to return to Congress ahead of what many anticipated would be the incoming Hillary Clinton administration. Well, as we all know, history doesn’t always work out along the path that one anticipates. It worked out a little differently.

Six months later, President Trump was sworn into office, and Mike found himself in the middle of many intensive issues, writing speech after speech regarding the new administration’s policies—often opposing those policies—and the administration’s nominees—often nominees who didn’t seem to have the qualifications necessary for the roles they were nominated to.

Then not far into 2017, we arrived at a watershed moment of Trump’s first year in office: Trump’s determination to complete the theft of a Supreme Court seat through his nomination of Neil Gorsuch. It was Mike McKiernan who compiled a whole set of big three-ring binders with details of Supreme Court history, the influence of powerful special interests on the Court, and, of course, every detail, large and small, about Judge Gorsuch’s record, enabling me to hold the floor for over 15 hours, attempting to focus America’s attention on the grave injustice that for the first time in American history, a Supreme Court seat had been stolen from one administration and passed on to the next with no hearing or consideration of the nominee from the previous President.

It was a long night—a long night for Mike McKiernan, a long night for me—but an important effort to highlight something very important about the politicization and polarization of one of our three key institutions, the Supreme Court of the United States.

If you asked members of my staff for a couple of words or a phrase to describe Mike, you might hear the words “steady presence.” Throughout the years, he has brought a cool, calm, and collected aura, even during moments of considerable stress.

Being a speechwriter might seem like a quiet, intellectual job, but here in the Senate, chaos finds us all—many moments of frantically making last-minute edits, last-minute edits on a script for a speech or a conversation over Zoom, conversations recorded as a video greeting to an organization operating back in Oregon, or crafting comments with only an hour or two of notice to make, to block, or to request a unanimous consent request on an amendment or on a bill.

There was, for every speechwriter and for Mike, the near daily challenge of finding just the right story or just the right analogy or just the right poem to illuminate a commentary over a policy, as, indeed, Mike delivered just the perfect poem on butterflies last year for my closing remarks at the Monarch Summit.

It was Mike who crafted my 2017 quiz show series that I conducted here on the floor of the Senate featuring weekly climate facts, trying to find a new way to engage Americans about the challenges facing us with the evolving impact on our forests and our fishing and our farms and so many aspects of our environment. Our quiz show did not become the smash hit on YouTube that we had hoped for, but at least the Senate pages perhaps learned a thing or two from the quiz shows, and we had fun doing them. Our climate work also led to other fun moments, like hosting Bill Nye the Science Guy in my office and doing a joint video on climate science.

Mike always had the extremity challenge of deciphering my handwriting—handwriting I can’t decipher after I have been away from it for even a few moments. I have no idea what I wrote, but I am sure it was excellent—figure it out.

Mike, I think we are sending you away with a certificate in advanced handwriting decoding.

Along with the fun and good humor that Mike brought to the team, he also brought deep care and purpose to some of the most challenging moments we have handled as an office. He found great meaning in bringing, in his words, “to life as accurately and impactfully as possible” the stories of those who are oppressed and suffering.

When the previous administration tried to take DACA status away from Dreamers, Mike helped me share the stories of young Americans who have known no other home.



When President Trump sent Federal agents to attack Portlanders on the streets in the summer of 2020, Mike helped me to share the experience of those whose civil liberties had been shattered and to hold the administration accountable.

When President Trump implemented his horrific tactic of tearing children out of the arms of their parents at the border, Mike was instrumental in sharing the stories of those families with the world—stories of little children with hopes and dreams who simply wanted to play, to learn, to be loved, and be able to go to school; parents who would do anything to protect their children from violence and oppression and build for those little ones a safer future.

Mike, we will miss your wordsmithing. We will miss your adorable photos and hilarious stories of your two young children, Clara and Braden, and we really require you to keep sharing them as you go forward. Most of all, we will miss your kind, compassionate, mission-driven spirit that embodies what it means to be on our team. You are leaving big shoes to fill, but we are thrilled that you will be staying in the extended Team Merkley family, going to join our former deputy chief of staff J.P. Piorkowski in the Director's Office at the Peace Corps.

One thing our world needs more of is peace and the cross-cultural understanding that comes from Americans going out around the globe to help communities thrive.

I know that in your next chapter and whatever else you do throughout your career, you will never stop working to build a better world, and what better mission could there be for one's life than building a better world?

I wish you all the best. And thank you so much for being a member of the team.

#### RECESS

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

Thereupon, the Senate, at 12:27 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

#### DISAPPROVING THE ACTION OF THE DISTRICT OF COLUMBIA COUNCIL IN APPROVING THE COMPREHENSIVE POLICING AND JUSTICE REFORM AMENDMENT ACT OF 2022—Continued

Mr. ROUNDS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### ORDER OF PROCEDURE

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that following disposition of the joint resolution, the Senate proceed to executive session to consider Executive Calendar No. 175, Jeremy C. Daniel, of Illinois, to be United States District Judge for the Northern District of Illinois; further, that the Senate recess from 4 p.m. to 5:30 p.m. for the all-Senators briefing.

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

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

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

#### H.J. RES. 42

Mr. VANCE. Mr. President, I speak today on behalf of millions of Americans who come to Washington, DC, and want this to be a safe city where they can enjoy it, where they can view the beautiful monuments, and where they can actually live in this city comfortably and in safety.

I speak for the staff members who have seen this city deteriorate over the last decade, and I speak for the many people who have no connection to this city but want it to be a beautiful and safe place to live and work because this is where the people's business is ultimately done.

A very simple problem that we have is the DC violent crime rate and the nonviolent crime rate have gone up way too quickly, in part because the DC Council has passed a number of statutes and a number of laws that make it harder for police officers to do their job.

I will not go through the laundry list of the act that we are dealing with here today and the number of ways in which it makes police less safe in doing their job and makes it more difficult for them to do their jobs in the first place, but a few things in particular jump out. First of all, the law that we are trying to undo bans or severely restricts ordinary law enforcement practices, including the use of riot gear to disperse violent crowds; it makes it harder for police to actually give chase to violent offenders; and it also forces police to go through these ridiculous exhaustion requirements before they can use lethal force to protect themselves and people around them.

This is why a number of DC police officers and organizations don't agree with this act. It is why they think that it makes them less safe, and it is why we have to go in a different direction in this community.

I will close by saying that whether you are a Democrat or a Republican—whatever your politics are—we should be proud of this incredibly beautiful city. The people sent us here to do a

job; they sent us here to do that job proudly; and it is hard to do it if we are surrounded by crime and we are surrounded by lawlessness.

I want this to be the kind of place where Ohioans can come and visit, where they can walk the streets with their children without fear of their personal safety; and, unfortunately, DC is going in the wrong direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I ask unanimous consent that the scheduled vote commence immediately.

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

#### VOTE ON H.J. RES. 42

Under the previous order, the joint resolution is considered read a third time.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. VANCE. 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 legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: The Senator from Wyoming (Mr. BARRASSO).

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 126 Leg.]

#### YEAS—56

Blackburn	Hagerty	Risch
Boozman	Hassan	Romney
Braun	Hawley	Rosen
Britt	Hoeven	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	King	Scott (SC)
Cornyn	Lankford	Shaheen
Cortez Masto	Lee	Sinema
Cotton	Lummis	Sullivan
Cramer	Manchin	Tester
Crapo	Marshall	Thune
Cruz	McConnell	Tillis
Daines	Moran	Tuberville
Ernst	Mullin	Vance
Fischer	Murkowski	Wicker
Graham	Paul	Young
Grassley	Ricketts	

#### NAYS—43

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Sanders
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Smith
Cantwell	Klobuchar	Stabenow
Cardin	Luján	Van Hollen
Carper	Markey	Warner
Casey	Menendez	Warnock
Coons	Merkley	Warren
Duckworth	Murphy	Welch
Durbin	Murray	Whitehouse
Feinstein	Ossoff	Wyden
Fetterman	Padilla	
Gillibrand	Peters	

#### NOT VOTING—1

Barrasso

The joint resolution (H.J. Res. 42) was passed.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. WELCH). Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Jeremy C. Daniel, of Illinois, to be United States District Judge for the Northern District of Illinois.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The Senator from Kansas.

## NATIONAL POLICE WEEK

Mr. MORAN. Mr. President, this week our Nation observes National Police Week. That observation began in 1962, when President Kennedy claimed the first Police Week as a time dedicated to pay tribute to our law enforcement officers who died in the line of duty.

President Kennedy's proclamation stated that, during this week, "all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens."

This afternoon I rise with my colleagues to honor the dedication and sacrifice of our law enforcement officers.

Over the course of this week, we pay tribute to 443 officers who gave their lives in the line of duty in 2022.

Saturday night, just a few days ago, hundreds of police officers, family members, and others, gathered for the annual candlelight vigil honoring our fallen officers. Among those memorialized this week are four brave Kansas officers.

Deputy Sheriff Sidnee Carter, with the Sedgwick County Sheriff's Office, was tragically killed in an automobile crash while responding to a night disturbance call.

We also lost Sheriff Robert Craft from Marion County, Officer David Ingle from the Iola Police Department, and Sergeant Stacy Murrow from the Linn County Sheriff's Department—all Kansans.

In fact, all Americans are grateful to those officers for their service and honor them in making the ultimate sacrifice for the benefit of others, for the benefit of the people they knew in their community, but also for the benefit of people they never met.

While the purpose of Police Week is to honor the men and women who made the ultimate sacrifice in the line of duty, we also should remember how those police officers' lives as husbands and wives and mothers and fathers—as members of their communities—they

were people who happened to wear a uniform, who happened to take up a career to serve others, to protect and defend.

From educating kids in school about the dangers of substance abuse or providing driver safety education, coordinating neighborhood watch associations, and speaking at business luncheons, schools and community townhall meetings, law enforcement strive to make our community a safe place to live and raise a family and to work to foster a more safe and secure environment; in a sense, to provide justice.

During this National Police Week and throughout the year, we should remember that law enforcement needs our support. We should provide them the resources they need to do their jobs. We must also give them the tools they need to build and strengthen the bonds of trust with those they serve and our best efforts to address the underlying challenges that face our communities and individuals in their lives.

I serve as the lead Republican on the Senate Appropriations Subcommittee with appropriations jurisdiction over the Department of Justice. I am committed to making certain our law enforcement officers have the resources and support they need to do their job effectively and safely.

We honor the service and sacrifice of our Nation's fallen law enforcement officers, remember those who departed, and acknowledge and express our gratitude for the sacrifices all law enforcement officers make every day they wear the badge.

During this week—and, really, every other week of the year—we should, and we do, honor those we have lost and remember the families they left behind. We ask God to comfort them in their time of grief and be a source of strength for them in their lives. May God bless our police and our local law enforcement officers. May God bless them as they do their duties, and may God hold in His arms those we have lost this past year.

## RECESS

Mr. MORAN. Mr. President, I ask unanimous consent that the Senate now stand in recess until 5:30 p.m.

There being no objection, the Senate, at 3:32 p.m., recessed until 5:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. MARKEY).

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

## UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. BLUMENTHAL. Mr. President, I rise today to address the Senator from Alabama's decision to hold hundreds of nominations—literally hundreds of nominations—that have been submitted to this body, and I want to join my colleagues who have taken the ini-

tiative and stand alongside with them and our men and women in uniform who protect our right to speak in these Halls every day and our other fundamental liberties in this country.

We ask our men and women in uniform to do more now than ever before, particularly as we are engaged in countering Vladimir Putin's murderous assault in Ukraine. I have visited them in Germany, where they are training Ukrainians. I have spoken to them at the border in Poland, where they are providing essential military weapons to the Ukrainians. I have seen them at work all around the globe, as have my colleagues.

Even though we are at peace formally right now, it is only because they are a deterrent to our adversaries and enemies around the globe. The threats are rapidly evolving and rising, and the U.S. military is the only force that can stem the tide of autocracy, which is the reason why I am so, so outraged that the Senator from Alabama is choosing to cripple our military by placing on hold a series of critical nominations.

Earlier this year, Secretary Austin issued a memo, a policy memo, guaranteeing that servicemembers would have easier access to reproductive healthcare. They can now take non-chargeable leave and receive per diem while traveling to receive care, finally establishing a parity with every other medical procedure, every other healthcare procedure available to DOD personnel.

The Secretary's decision rectified a DOD policy that marginalized the women who serve in our Nation and provide that essential guarantee of peace and freedom. It damaged readiness. It truly does put people first that we have corrected that egregious error.

Instead of celebrating that servicemembers now have access to healthcare and policy programs that they have consistently sought, Senator TUBERVILLE called the policy—and I am quoting—"a waste of time and resources." He believes that protecting the well-being and privacy of those who serve—and again, I am using his words—is "immoral" and "illegal." I disagree. I couldn't disagree more. Servicemembers shouldn't have to wonder whether they are going to receive healthcare.

Providing access to reproductive care certainly isn't a distraction; it increases readiness and preparedness and the strength of our force. He is doing the very thing he accuses the new policy of doing, which is to damage readiness and jeopardize our Nation's security. He is doing it by holding up the President's nominees.

Let me just talk about those individuals whose nominations he has blocked.

Rear Admiral George Wikoff is the President's nominee to be the next commander of the Navy's 5th Fleet. He is an accomplished Navy aviator, a former TOPGUN instructor, and has

extensive experience in the theater he has been nominated to command. His service is essential to the 15,000 personnel responsible for defending American interests in the Persian Gulf and Arabian Seas. It isn't a luxury or convenience; it is essential that he be there.

Rear Admiral Fred Kacher was nominated to lead the Navy's 7th Fleet, which is tasked with deterring Chinese aggression across the Pacific Ocean. Nearly 30,000 sailors and marines are assigned to the 7th Fleet and constitute our first line of defense in the Pacific.

While Iran and China search for every opportunity to threaten American interests in the Middle East and Pacific, Senator TUBERVILLE's response is to deprive the 5th and 7th Fleets of their incoming commanders.

He is holding our next military representative to NATO, Rear Admiral Shoshana Chatfield, a remarkable officer with more than 30 years' experience. She is the recipient of the Defense Superior Service Medal, the Bronze Star Medal, the Legion of Merit, and the Meritorious Service Medal.

During the largest land war in Europe since World War II, the Senator from Alabama is blocking Admiral Chatfield's promotion. Again, not a luxury, not a convenience, not superfluous; it is essential to our national defense.

And he is blocking MG David Hodne's nomination to the role of deputy commander for the Army's Futures Command. That Futures Command position oversees the design of force capabilities into the future and ensures our soldiers maintain lethal advantages on the battlefield.

His hold is preventing the Army's next Vice Chief and Chief of Staff from assuming command.

Later this year, Gen. Charles Brown's nomination to become the next Chairman of the Joint Chiefs of Staff will be blocked if the Senator from Alabama does not lift his hold.

Let's be clear about what is at stake here. Blocking these nominations, simply because of his putting personal beliefs above national security, is a threat to our national defense.

He is doing Putin and Xi's jobs for them. He claims that this action is about the President trying to legislate from the White House. He claims that the Department of Defense had an abortion policy for decades.

Respectfully—and I mean very respectfully—to a colleague in this body, I would remind him for decades that women in the military had to hide their abortion from their commanders and that referrals for care operated on a whisper network.

If it were up to the Senator from Alabama, he would override the medical recommendations of military doctors and commanders across the force.

I hope that he will stand with the military and their families and forgo

future action blocking this essential set of nominations.

The Senator from Alabama is entitled to his opinion. The military that he is so keen to stop from advancing its nominees defends the Constitution that gives him that right to his opinions and his right to speak from his heart and his conscience. But families who sacrifice so much already are waiting for this body to act. They are waiting so they can enroll their children into new schools, find new churches, start new jobs. Harming the military and their families serves only the interests of our adversary.

I urge my colleague from Alabama to lift his hold and let the military continue to defend our freedom from those who seek to destroy it.

And, in the meantime, I ask unanimous consent that the Senate proceed to the consideration of the following nominations en bloc: Calendar Nos. 46 through 52, Calendar Nos. 82 through 107, Calendar Nos. 110 through 113, Calendar Nos. 130 through 139; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I am here to express my support for Senator TUBERVILLE, who is, of course, opposing the Department of Defense's ongoing attempt to use taxpayer funding to fund abortion.

Now, until recently, this was an understood policy. The policy to which my friend and colleague refers is, of course, embodied in a statute. It is not just a policy. It is a policy rooted in law. Under 10 USC, section 1093, the Pentagon is prohibited from using Department of Defense funds or facilities to perform abortions.

You see, because, in a word, divided as a country on issues related to abortion; people have sharply divided views on this. In fact, there is a pretty wide spectrum of views. But one thing that does tend to unite Americans overwhelmingly is the idea that, regardless of how you feel about abortion, you don't want your U.S. taxpayer dollars going to fund abortions. People don't want that. There is overwhelming bipartisan consensus among the American people on that.

Only here in Washington is this regarded as controversial because Americans just consider that common sense—common sense that has been, for decades, codified in Federal law.

The last time I read the Constitution, Congress makes the laws, not the Department of Defense. And when there are laws that the Department of Defense doesn't like, the Department of Defense isn't free to just reimagine

the laws as the Secretary of Defense wishes those laws were written.

And yet the Department of Defense's policy memo from just a few months ago does just that. It attempts to sneak around the laws that we have already passed.

This policy memo violates at least the spirit, quite arguably the letter of the law. They are trying to get around that, and they have made no secret of that fact.

So Senator TUBERVILLE is right to oppose this egregious policy. We should commend his courage and his dedication to upholding the Constitution and standing for those who cannot stand for themselves.

And so I would say, let this be a message to Secretary Austin. Look, Secretary Austin, if you want to make the laws, run for Congress, run for the House, run for the Senate. But you cannot legislate from the E-Ring of the Pentagon. It is not your job. That is our job, not yours.

Until then, Secretary Austin, stand down—stand down, soldier—and let the lawmakers actually make the laws. But you certainly don't get to rewrite them just because you feel like it.

Now, as to the suggestion made by my friend and colleague moments ago that Senator TUBERVILLE would override the recommendations made by board-certified medical doctors to women as to the best outcome for their health, it is not at all fair. It is completely inaccurate. In fact, it is utterly untethered from what Senator TUBERVILLE is doing and what he has ever said on this. On no planet is Senator TUBERVILLE trying to tell women in the military or dependents of military families that they may not have an abortion. All he is standing behind is what Federal law already says, which is that you can't use Federal funds or Federal facilities within the Department of Defense to fund abortions. And that is exactly what is happening here.

Now, as to the specific personnel mentioned just moments ago, when we look at, say, Admiral Chatfield or Admiral Wikoff or General Hodne's or anyone else on the list, if there is any one of those people whose service, whose promotion is so mission critical to American national security, let's bring those forward. There are mechanisms, procedures, in the Senate, after all, that would allow not only each of them but everyone on this list to be confirmed.

Yes, it takes a little bit more time. But what the Department of Defense and those advocating for its position here are doing is coming to us as U.S. Senators and asking us to waive our procedural rights, to waive our procedural objections so that they can have their policy.

Senator TUBERVILLE has raised a legitimate, bona fide opposition to that policy because it is in violation of the spirit, if not the letter, of 10 U.S.C. 1093.

It takes a lot of gumption—that is audacity—for the Department of Defense to ask for our help to facilitate the confirmation of these nominees when they have taken away from us the prerogative that is uniquely ours.

It is no coincidence that the very first clause, in the first section, of the first article of the Constitution says that “[a]ll legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.”

Article 1, section 7 makes even more abundantly clear that we are the sole lawmaking organ of the Federal Government; that in order to pass a Federal law, you have to get the same legislative proposal passed in the House and then in the Senate and then submit it to the President for signature, veto, or acquiescence.

Secretary Austin has bypassed all of that. He would make himself the legislative and the executive branches at once. It is not his role. It is not his job. And he has the audacity to come here and question our patriotism, question our commitment to American military readiness, simply because we will not expedite his own request to get these people moved through faster.

If he wants to circumvent these processes ordained by the Constitution, Senator TUBERVILLE is in no position where he has to agree to help them expedite it, nor should he.

On that basis, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I come to the floor to talk about how we are currently failing our most senior military leaders, a failing caused entirely by my colleague the senior Senator from Alabama.

Members of our All-Volunteer Force answer the call to service by choice. No one is making them serve. They choose to serve. For their sacrifices, we owe them many things—fair pay, healthcare, veterans’ benefits—to make sure they land on their feet after their service is done. And we must also make sure they can do the hard, sometimes dangerous, work they volunteered for without partisan politics getting in their way.

And yet my colleague has placed an indefinite hold on the nominations of all general officers, preventing a still growing number of our most senior leaders from taking on the challenges of their next positions and leaving critical gaps in our military leadership.

My colleague from Alabama is harming our military readiness and our servicemembers not out of concern about the promotion process or the ethical or professional qualifications of any of the nominees, he is doing it to score cheap political points, to fundraise with his base, and to try to force a policy that he personally disagrees with to change, not by legislating it like the voters of Alabama

sent him here to do but holding our most senior military leaders hostage.

If my colleague had legitimate concerns about the fairness of the promotion process or felt these nominees were not qualified ethical leaders, this might be a different story.

In fact, as my colleague pointed out, I once held some, but certainly not all, nominations. But I only did it for 14 days because I was attempting to stop the administration in the White House at the time from inserting politics into a nonpartisan promotion process.

I had legitimate, well-founded concerns that an Army colonel—a single colonel’s promotion would be withheld from consideration as political retaliation against him.

I held the list of promotions for just 14 days until I received assurances that he had received fair consideration, just like the rest of his peers, and then I released my hold.

Put it another way. I wanted to make sure that the military promotion process—the one we use to make sure our military is led by the best, most qualified people—was not being politicized.

My colleague is doing the exact opposite. He is trying to change DOD policy not by legislating but by holding up well-deserved promotions to the detriment of leaders who have willingly served decades in uniform, all the servicemembers who are supposed to serve under them, and our national security because he wants to insert politics into this historically nonpartisan process.

If he doesn’t like the DOD policy, then he can engage in the NDAA legislative process to change it. It is coming up. The Senator will have a chance to do that.

The nominations that my colleague is holding represent experienced professionals who, if confirmed, will tackle some of the biggest challenges that our military faces.

In some cases, the positions are completely vacant, and that job just isn’t being done at all. I will only talk about a few of these nominations today, but the already long list grows each month.

In a moment, I will ask the Senate to confirm MG Heidi J. Hoyle, U.S. Army, to be a lieutenant general and the Deputy Chief of Staff, G-4, of the U.S. Army. The Army G-4 develops, implements, and oversees Army strategy, policy, plans, and programming for logistics and sustainment, some of the most challenging, if not the most challenging, issues for the Army to address.

Take it from a broken-down old soldier, logistics might not be sexy, but without them the Army doesn’t run. And the logistics and sustainment needs of tomorrow’s fight will be very different from those of the last wars we have fought.

We need to be working through these problems now, figuring out new strategies and plans, developing new systems that will serve our soldiers better. That is exactly what the Army G-4 does. It is not optional; it is necessary.

And we need Major General Hoyle’s leadership, or it is our troops, out in front, who will suffer.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Calendar No. 48, Major General Heidi J. Hoyle, to be Lieutenant General; that the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Before the Chair entertains that motion, the Chair would like to remind all Senators that rule XIX reads as follows:

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming of a Senator.

Senators are reminded to address each other in the third person and through the Chair.

Is there an objection to the request?

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, reserving the right to object. Again, for the fourth or fifth time, I am fighting against taxpayer-funded abortions—funding from taxpayers that was never, ever approved by this Congress.

By the way, poll after poll shows that Americans agree with exactly what I am doing. The American people do not support taxpayer-funded abortions. Period.

Democrats have had a few retired Secretaries, in the last few weeks, agree with them; but other retired military leaders and thousands of servicemembers and veterans just happen to agree with me, just like the majority of Americans. In fact, earlier today, a letter representing more than 3,000 servicemembers and veterans was sent in full support of my hold. Those servicemembers and veterans said:

This policy is not just illegal, it shamefully politicizes the military, circumvents the authority of Congress, and exceeds the authority of the Department of Defense.

They sent that letter to Leader SCHUMER and Leader MCCONNELL. I would encourage them to please read it.

Also, earlier today, retired Lt. Gen. William Boykin and retired Lt. Gen. James Carafano penned an op-ed condemning the Pentagon’s policies. They said:

The Pentagon’s new abortion policy has everything to do with activist politics and nothing to do with Congress’s obligation to raise and maintain armed forces to provide for the common defense.

So I object, and I will continue to object.

I will end with one comment from the retired military leaders’ op-ed:

America is a global power with global interests and responsibilities. We can’t afford a

military distracted by politics. The quickest way to make this right is for Secretary Austin to immediately rescind his radical abortion policy.

Because of this, I object.  
The PRESIDING OFFICER (Mr. WARNOCK). Objection is heard.

The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I am disappointed the Senate is not able to confirm MG Heidi Hoyle today. As I said earlier, the work Major General Hoyle would do, if confirmed, is vital to the success of our Army.

And now I want to consider another patriot whose promotion is being held by my colleague from Alabama: Brig. Gen. Rebecca Sonkiss, U.S. Air Force.

Brigadier General Sonkiss is the current commander of the 618th Air Operations Center, the Tanker Airlift Control Center at Scott Air Force Base in my home State of Illinois.

The 618th Air Operations Center is responsible for operational planning, as well as scheduling, directing, and assessing a fleet of about 1,100 aircraft that conduct combat delivery and strategic airlift, air refueling, global air mobility support, and aeromedical operations around the world.

General Sonkiss, a command pilot who has had a distinguished career of service to her country, is leading the 618th Air Operations Center as it does some of the most complex, most important, least celebrated work in the Air Force. And yet her promotion is being held up, not because of concerns about the fairness of the process or her own qualifications. No, her promotion has not been granted because one Senator would rather use her and other servicemembers like her to try to manipulate the DOD into doing what he wants instead of engaging in the legislative process.

I ask that it be in order to make the same request with respect to Calendar No. 110, 23 nominations.

The PRESIDING OFFICER. Is there objection to the request?

The Senator from Utah.

Mr. LEE. Mr. President, here again, the Senate has procedures for dealing with any nomination, including these military promotions. These could be brought up individually; they could be voted on; and those whose promotions have the greatest urgency could be dealt with. We could stay in session until all these are done. Neither Senator TUBERVILLE nor any other Senator, to my knowledge, would interfere with that, nor could we.

What Senator TUBERVILLE refuses to do, with very good reason, is to pretend like nothing has happened; pretend like nothing has changed; to pretend that he didn't have repeated conversations with high-ranking officials within the Department of Defense in recent months expressing his concerns about rumors that this very policy was being considered; to pretend that he didn't tell them then there would be serious consequences if they decided to proceed in violation of 10 U.S.C., section 1093. No, this is not fair to put this on him.

When the Pentagon comes crawling back after they did what they did to him—after they did what they did to the law, to all Americans—that is manifestly unfair. To all of a sudden put it on him to make sure it is his job to make sure that everyone gets confirmed—and, oh, by the way, you also have to help—you are being told—you have to help the Pentagon, even though the Pentagon has just cut you off at the knees.

Look, it is very clear. When the law says you may not use Federal taxpayers for abortions, that is a thing. When you have Department of Defense specific legislation that says you may not use Department of Defense funds, you may not use Department of Defense facilities to perform abortions, that is a thing.

To argue otherwise and to try to point out that this policy memo somehow complies with that is too cute by half.

No. 1, it is still, quite arguably, in violation of the letter of the law. You are still doing this to bring about an abortion. You are using Federal taxpayer dollars from the Department of Defense so that someone has an abortion. You are paying for someone's travel to that State—per diem to that State—3 weeks of paid leave time to that State, and it is specific to abortion. That is what that is.

If, in any other circumstance, someone were asked: Are you using Federal dollars for abortions? The answer would be, unequivocally, "yes."

I know those raising these consent requests are trying to get Senator TUBERVILLE to capitulate, trying to get him to reverse course, trying to get him to help the Department of Defense when the Department of Defense hid from him what they were going to do, then undercut Federal law in the process, that is not fair. That is what this is about. That is what you are trying to do.

I am happy to stand with Senator TUBERVILLE in defending his rights. On that basis, I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, by refusing to confirm nominations to positions of vital importance within the DOD, the senior Senator from Alabama and some of his colleagues continue to risk our military readiness and our national security. And they continue to deny patriots, who have voluntarily served our country for decades, the promotions they have earned as a means of trying to influence policy through extortion, instead of through legislation or oversight.

I call on all my colleagues to join me in opposing the actions of the senior Senator from Alabama for the sake of our military readiness and for those who serve.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, to the extent any one of these nominations—or

all of them taken together—to the extent military readiness is invoked, implicated, is threatened, challenged, by all means, let's figure out a workaround. By all means, let's have the Department of Defense realize that as this policy debate happens, it should be the very last entity putting American national security at risk.

So if that is what this is resulting in, then the Department of Defense, with all due respect, needs to stand down on this until such time as this can be debated and discussed.

The fact is that every single year—every single year—the Department of Defense has the luxury that very few other branches have in that we devote an enormous amount of time to debating a policy bill—every year, year after year, going back for the last half century—the National Defense Authorization Act. This is the kind of thing that, if it is going to be addressed, if they want a change of law, then that change of law ought to be pursued on the floor of the Senate.

The National Defense Authorization Act would present an opportunity for the Department of Defense to pursue that change. It can do it that way. It can do it in a stand-alone bill if it wants to. What it may not do is change the law on its own.

So, look, to the extent that this implicates military readiness—which let's just take those words on their own face—that seems to me that should apply with at least as much force, if not a "for sure" to the Department of Defense rather than to Senator TUBERVILLE. It is the Department of Defense that is asking for his help. It is the Department of Defense that is using Federal funds to facilitate the performance of abortions.

If anyone is threatening national security, it is not Senator TUBERVILLE. And if these are threatening America's national security, particularly those you have identified, bring those to the floor. We have procedures to do that. It takes time.

I understand, perhaps, that is not what this Democratic majority of the Senate wants to do. That is the Democratic majority's prerogative. But that being the prerogative, they can't all of a sudden put that on Senator TUBERVILLE.

Finally, as to the suggestion that Senator TUBERVILLE is extorting anyone—extortion, of course, is a crime. That is a really inappropriate reference to use here, but let's go with it for a second for purposes of this discussion. Who is extorting whom? Who is it that receives all this money and then goes about saying: We are going to change the law. Now, it is up to you to help us make sure that every one of these people gets a promotion.

If you are going to use that term, you have to realize it cuts both ways. I don't think it has any place on the floor. But if you are going to use it, it swings both ways. And it may well hit you.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am going to yield to my colleague from Hawaii in just one moment.

I would like to clarify—because I am a member of the Armed Services Committee, as Senator TUBERVILLE is. We work together on a lot of issues. I will support his right, as part of the NDAA process, to raise this issue as an amendment to the National Defense Authorization Act.

As my colleague from Illinois has rightly suggested, and I think we can all agree, that is a clear forum to raise any issue. We disagree—deeply disagree—on this one.

And there are many votes on the NDAA through the markup session that we will conduct over not just several hours but several days. And every year, we report out from the Armed Services Committee—in the 12 years I have been on it—consistently, a bipartisan measure. There may be a couple of no votes, but it is deeply bipartisan. We can work together on our national defense.

Blocking these nominations is contrary to that spirit, in my view, because it, basically, prevents us from moving forward with vital leadership in the U.S. military if there is bipartisan support to advance. So I am hoping that, again, my colleague from Alabama, whom we work with on many issues, will simply take that forum as a way to move forward.

I yield to the Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, earlier today, every Member of this body received a briefing on the ongoing threat Iran presents to our national security and that of our allies around the world. It was a stark reminder of the serious challenges and threats the United States and our allies face around the world. It also underscores the importance of ensuring our military is ready and able to respond to any threats that may arise.

Right now, though, one Senator is willfully undermining our readiness. I happen to chair the Readiness Subcommittee on the Armed Services Committee. Our servicemembers can only do their jobs if they are in place to do so, and, right now, the Senator from Alabama's hold on 196 general and flag officer promotions is preventing these brave men and women from entering new roles in which they are urgently needed.

Since March, the Senator from Alabama has refused to allow movement on any of these promotions, depriving our military of critical leaders in key posts around the globe. Among the nearly 200 promotions currently on hold is the next commander of Naval Sea Systems Command, who is responsible for overseeing the Shipyard Infrastructure Optimization Program, a critical infrastructure investment in our public shipyards in Hawaii and across the country.

The blanket hold also includes the Director of the Defense Logistics Agency, or DLA. DLA oversees the defense supply chain for all services and will be essential to the safe defueling and closure of the Red Hill Bulk Fuel Storage Facility on Oahu, a leak which impacted over 90,000 people living on Oahu.

The Senator from Alabama is also holding nominees to command the Fifth and Seventh Fleets, which are responsible for deterring threats from Iran and China, respectively. For any Member of this body to willfully degrade the readiness of these units is, in my view, unthinkable irresponsible.

To be clear, these are not controversial nominees. These are decorated, patriotic men and women who have devoted their adult lives to serving our Nation and who wish only to continue doing so.

My colleague from Alabama is placing a blanket hold on close to 200 promotions in the DOD because he disagrees with DOD's commonsense, humane policy to allow travel for servicemembers seeking reproductive services.

Thousands of servicemembers are posted in States that do not allow them to receive reproductive services necessitating this travel. This is a policy my colleague objects to, resulting in his hold on these promotions.

The travel policy does not include paying for abortions. How many times must this point have to be made? Why do my colleagues on the other side of the aisle continue to read into the policy that which is not there?

Nowhere does the policy allow the DOD to pay for abortion. There is no language in this policy that talks about facilitating the provision of abortion. Show me this language. You can't because it is not there. This is a travel policy for reproductive services.

So my colleague from Alabama is more concerned with pushing his ideological agenda than with the realities our troops face, even if that means depriving servicemembers of critical healthcare.

In addition to undermining our national security, this reckless hold is creating chaos for these servicemembers, many of whom will have to relocate their families and put their children in new schools.

These promotions are carefully timed to ensure critical positions don't go unfilled, and also that the servicemembers and their families can transition into new homes and schools with as little disruption as possible.

Beyond being reckless and fundamentally ill-informed, the Senator from Alabama's—I consider it a stunt; it is a slap in the face of our servicemembers. They should be able to do their jobs without political interference, without someone putting their ideological agenda ahead of the need for us to make these decisions.

For the sake of our servicemembers and our country, we need to end this

dangerous blockade. That is why, in a moment, I will be asking the Senate to confirm Calendar No. 85. If confirmed, this nominee would command the Navy's Seventh Fleet, which at any given moment has almost 75 ships and submarines and over 27,000 sailors and marines, operating and in contact with both the Chinese and Russian Navies.

Encompassing many allies, partners, and competitors, the Pacific and its forward-deployed fleet should not be left without its appropriate commander.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 85; that the Senate vote on the nomination without intervening action or debate; that, if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nomination be printed in the Record; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, I rise to object. I continue hearing about this word "readiness" from my colleagues.

We have had a law in place for nearly 40 years. The law provides taxpayer-funded abortion in case of rape, incest, or threat to the life of the mother. Nobody, in 40 years—nobody—on either side of the aisle has complained about this. This was a bipartisan consensus 40 years ago.

The law was not affected by the Dobbs decision. The Dobbs decision did not apply to Federal military installations.

On July 8, 2022, just 2 weeks after the Supreme Court ruling, the Biden administration said they needed to expand abortion to counteract the Dobbs decision. By memo, they said the VA would pay for abortion travel and time off. By memo, they said HHS would pay for late-term abortions. By memo, they covered all Federal workers, and they acted to expand abortion at the Pentagon.

The Pentagon is now giving servicemembers and their dependents reimbursements for travel and additional paid time off for elective abortions.

We are not talking about cases of rape, incest, or threat to the health of the mother. Despite what some of my colleagues have said, we are talking about elective abortions. Despite what some of my colleagues have said, that is what this is all about.

Ordinary servicemembers get 30 days off a year—30 days off. Under this policy, servicemembers who get abortions would get 30 days off plus an additional 3 weeks. Servicemembers who get abortions get paid more time off than servicemembers who do not get abortions.

The Pentagon is spending money without the consent of Congress. This money was never authorized. It was never appropriated. Nobody voted for



this. Even my friend from Connecticut didn't vote for this policy. The Democrats' strongest abortion supporters never voted for this. Nobody voted for this, and now Senators are down here defending this.

They are outsourcing the work of the U.S. Senate. Follow the law or change the law in this building.

That is the reason I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Colorado.

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nominations en bloc: Calendar Nos. 46 through 52, No. 82 through No. 107, No. 110 through No. 113, No. 133 through No. 139; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, again, when faced with a problem, the Department of Defense has decided to anoint itself a lawmaker, even though it is not in charge of making laws. It doesn't have that power. That power is reserved to us—to us exclusively—under article I, section 1 and article I, section 7.

So if Secretary Austin wants to make laws, he should run for the Senate or he can run for the House. But he can't do this from his perch as Secretary of Defense. That doesn't work in our system of government.

So here again, we are being asked to consider national security implications of these advancements and of any delay that might be caused as a result of the Department's unwise decision to try to remake abortion law, to try to rewrite laws restricting the use of Federal funds in facilities within the Department of Defense for abortions.

I have another idea. I have an idea about how we might resolve this. I can't speak for Senator TUBERVILLE, but I can speak for what I could advocate for Senator TUBERVILLE. I can speak for what I suspect Senator TUBERVILLE would seriously consider.

We can deal with all this right now. We could probably get all of these folks confirmed tonight if they will just do one thing. This would be a nice compromise position. I suspect he would withdraw his objections and we could get everybody confirmed if the Department of Defense were to suspend this policy. Suspend it and say: Do you know what? You are right. We should have addressed this legislatively. We will bring it up in connection with the Defense Authorization Act.

You know, they may well be able to get the votes in the Senate to do that. I am not here to prejudge that position, but that would be the appropriate

way of doing it. And that, by the way, would allow my friends on the other side of the aisle to accomplish what they want, and really to accomplish what Senator TUBERVILLE wants, which is to get these folks confirmed.

But what he is not willing to do is ignore the fact that they are rewriting the law to their own image, to their own liking, to their own political preferences. That is not something they can do, and that is certainly not something they can ask us to play a part in doing.

Senator TUBERVILLE is standing on principle. He is standing for the law. He is standing for the principle that we understand. The American people, while sharply divided on many issues related to abortion, are united—overwhelmingly united—on the fact that we do not use taxpayer funding for abortions. That is what they are doing here.

So you want to get these folks confirmed? We can get them confirmed tonight, but the Department of Defense needs to suspend this until such time as it can get the law changed through Congress.

If that is on the table, I would love to discuss it. I would love to advocate to Senator TUBERVILLE on behalf of that, if you are willing to consider it. But that is not on the table at the moment, and on that basis, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Colorado.

Mr. BENNET. Mr. President, I think this is now the fifth time that I have been out here with the Senator from Alabama. We started this off some time ago, and we obviously have a profound and fundamental disagreement here. You know, I am deeply worried about this because I don't think this is actually about the Senators who are here. It is about people serving in our Armed Forces. It is about people living in the United States of America, and it is about some really fundamental things that have changed in the United States.

The Senators on the other side of the aisle, tonight, have been talking about a 40-year consensus about the funding of abortions by the Federal Government, which is not actually even at issue in this discussion because that is not part of the rules that have been changed.

I think that even the Senator from Utah's language here suggests that he knows that about the rules that have been proposed by the Department of Defense.

But the reason we are on this floor again is that the Senator from Alabama has said he will never compromise, and there is nothing that can convince him to change his mind, that he will be out here as long as it takes.

And let's ask the question: What is he defending? What is he defending? His position is that we shouldn't pay a travel allowance for members of the armed services who are going from a

State that banned abortion to a State where they can get reproductive healthcare. He is against that, so he is holding up every single flag officer in the United States of America as a result of that—a tactic that has never been used in the history of the U.S. Senate in 230 years or more than that. That is what he is using because he is so offended that people can have their travel covered for this procedure.

He has never come here to object to the fact that people can get their travel covered for all kinds of medical procedures, even though none of those procedures are written into the underlying statute by the U.S. Congress because that is not our job. We delegate that to the Department of Defense.

So he is going to be out here, and he is going to fight this until there is no travel allowance for people who need to travel. They have to cover it on their own dime, just like they have to cover that reproductive surgery or abortion on their own dime, despite what the Senator from Alabama said. He is going to be out here until it all freezes over, until he ensures that—you just heard him say it—anybody who leaves has to take paid leave.

Let's be precise about it. Women who leave to travel to another State where an abortion is legal, under his scenario, will have to pay for that travel themselves even though we pay for that travel for all kinds of other things. He will be out here fighting this, making sure that not a single flag officer can ever be promoted in the Department of Defense, no matter who it is, no matter how important it is, until he is assured that women in the Defense Department are stripped of the ability to have a little bit of extra time to talk to their commanding officer when they are confronting one of the most difficult decisions anybody can make.

Those are the three rules that are at issue here—travel that is paid for, a little bit of extra time, and some paid leave.

Why are we having this debate? We are having this debate because for the first time in the history of the United States since Reconstruction, we have lost a fundamental freedom, we have lost a fundamental right, and that is the result of the Dobbs decision.

People come out here, and they are talking about a 40-year consensus on this or that. We had a 50-year consensus in this country about a woman's access to abortion. We had a 50-year consensus among the courts and among the American people about what a woman's right to choose looked like. And we had a 40-year campaign, year after year after year, to create a U.S. Supreme Court—a majority of whom subscribe to, in my opinion, the mythological legal doctrine of originalism—to strip the American people of that right, to strip the American people of that freedom, because if it wasn't a freedom in 1868, it is not a freedom today. That has dramatically upset the expectations of the American people, including those who serve in uniform.

Tragically, in my opinion—and this is one of those things where people can have fundamental moral disagreements and fundamental religious disagreements and fundamental positions that are totally different from one another, which I completely respect. I resolved these things in my own mind with the idea that this is a decision a woman should be left to make with her doctor. That is what I believe. But in the wake of this decision that was fought for for so long by so many politicians in America—50 years or more than 50 years—we have now lost that fundamental freedom. We have now lost that fundamental right. It is no longer a choice between a woman and her doctor.

In the wake of the Dobbs decision, there are 18 States that have now banned abortion—18 States. There are nine States—I just got a thumbs-up on the other side from the staff—there are nine States that have banned abortion without any exception for rape or incest.

The Senator from Alabama's State is a State that has banned abortion. It is a State where there is no exception for rape or incest. It is a State where, if you are a doctor and you have performed an abortion, you could go to jail for 99 years.

My State is totally different from that. My State is the first State in America, I think, that codified a woman's right to choose before Roe was even decided, in our State. In the aftermath of the Dobbs decision, we are the first State to say that we believe this should be a choice between a woman and her doctor.

We are going to fight that out in the country. A majority of people support the position that Colorado has taken. Fifty-five percent of the people in Alabama support the ability of women to be able to make this choice under some circumstances. Yet the Senator from Alabama has decided that his remedy can force his view of morality and of principle. His perspective is that he is going to do something that no Senator has done for 230 years, which is to hold up every flag officer's promotion in the Department of Defense.

Last week, seven former Secretaries of Defense, Republicans and Democrats, said that this block is "harming military readiness and risks damaging U.S. national security." I am not saying that. I am not saying that. Seven former Secretaries of Defense have said that.

Mr. President, I would ask unanimous consent that the letter be printed in the RECORD so everybody can see that it is both Republicans and Democrats who are saying that about the unprecedented hold being put here by the Senator from Alabama.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LETTER FROM SEVEN FORMER UNITED STATES SECRETARIES OF DEFENSE

MAY 4, 2023.

Hon. CHUCK SCHUMER,  
Senate Majority Leader,  
U.S. Senate, Washington, DC.  
Hon. MITCH MCCONNELL,  
Senate Minority Leader,  
U.S. Senate, Washington, DC.

DEAR LEADER SCHUMER AND LEADER MCCONNELL: As former Secretaries of Defense, we strongly urge the Senate to act expeditiously on the nearly 200 nominees for general and flag officer who are being blocked from Senate confirmation.

The blanket hold on the promotion or reassignment of these senior uniformed leaders is harming military readiness and risks damaging U.S. national security. Because the Senate is required to confirm every general and flag officer for promotion or for reassignment, this practice has traditionally been a pro-forma exercise, except where there have been specific concerns about individual nominees, which were then handled separately.

The current hold that has been in place now for several weeks is preventing key leaders from assuming important, senior command and staff positions around the world. Some are unable to take important command positions, such as leading the 5th Fleet in Bahrain and the 7th Fleet in the Pacific, which are critical to checking Iranian and Chinese aggression, respectively. Others include the next military representative to NATO, a post essential to coordinating allied efforts in support of Ukraine, as well as the future Director of Intelligence at U.S. Cyber Command. Leaving these and many other senior positions in doubt at a time of enormous geopolitical uncertainty sends the wrong message to our adversaries and could weaken our deterrence.

Moreover, if this blanket hold is not lifted, nearly 80 three- and four-star commanders who are ending their terms in the coming months will not be able to be replaced. Worse, this will impact certain members of the Joint Chiefs of Staff, including the Chairman of the JCS.

There are also real-world impacts on the families of these senior officers. Most cannot move and resettle their families; their children cannot enroll at their next schools on time; and spouses cannot start new jobs at the next duty station. We can think of few things as irresponsible and uncaring as harming the families of those who serve our nation in uniform.

We appreciate that Senators can have sincere and legitimate concerns about a Pentagon policy, including as it may relate to broader domestic or social issues. These lawmakers also deserve timely and thorough responses to their questions. However, we believe placing a hold on all uniformed nominees risks turning military officers into political pawns, holding them responsible for a policy decision made by their civilian leaders.

Rather, senators should leverage the numerous means available to them to challenge and change DOD policy, such as introducing legislation, conducting oversight hearings, or amending the annual National Defense Authorization Act.

We, therefore, strongly urge the Senate to ensure the continued readiness of the U.S. armed forces by lifting the blanket hold and promptly voting to confirm these uniformed nominees.

Sincerely,

Hon. WILLIAM J. PERRY,  
Former U.S. Secretary  
of Defense.  
Hon. WILLIAM S. COHEN,

Former U.S. Secretary  
of Defense.

Hon. ROBERT M. GATES,  
Former U.S. Secretary  
of Defense.

Hon. LEON E. PANETTA,  
Former U.S. Secretary  
of Defense.

Hon. CHUCK HAGEL,  
Former U.S. Secretary  
of Defense.

Hon. JAMES N. MATTIS,  
Former U.S. Secretary  
of Defense.

Hon. MARK T. ESPER,  
Former U.S. Secretary  
of Defense.

Mr. BENNET. I also want to say finally, and I will stop, that the rules the Department of Defense has had to put in place in the wake of the Dobbs decision stripping women of this fundamental freedom, stripping women of this fundamental right—these rules don't do what my colleagues are saying they are going to do.

Once again, it is a travel allowance. It says you can take paid leave. It says you can have a little bit more time to notify your commanding officer. That is all it is saying. My colleague from Alabama has unleashed the equivalent of this procedural nuclear weapon because that offends his principles, that offends his sense of what is right.

I am not here to debate with him his sense of what is right, but I do believe that it is right that people who are serving in the Armed Forces of the United States of America, people who have enlisted to defend this country, who do not have the right to pick and choose which State they are going to be in and serve in, whether it is—of all people in this country, of all people in this country—I have heard people say—in fact, I even heard the Senator from Utah say this; I have read him saying this—that one of the great things about living in America is that you can move from State to State. That is one of the great things of our federalist system, is you can take advantage of the laws that are consistent with your values and get away from the ones that are not. That is not true for our men and women in the military.

This is one of the practical consequences that the Dobbs majority never grappled with because they applied their view of originalism to the fundamental—to the issues we are facing today as a country.

The very first call I got after that decision was made—almost the first call—was from a woman who had served as an officer in the Air Force who told me a personal story that she had been through. She said to me: Michael, they have no idea what the effect of readiness is going to be on our Armed Forces. They have no idea.

I don't think they would have ever believed that it would have been Members of the U.S. Senate who would have affected the readiness in the wake of Dobbs the way that it is being done tonight.

So I would ask respectfully for the Senator from Alabama to withdraw his

hold, to allow the Senate to move forward, as it has done for the last 230 years, to approve these candidates who have themselves signed up to serve and themselves done the work to get promoted. Let's have the argument that we need to have as a nation—that we need to have as a nation—about this fundamental freedom and about this fundamental right without holding our Department of Defense hostage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the thoughtful insight provided by my friend and colleague, the distinguished Senator from Colorado. In particular, I appreciate his acknowledgment that issues related to abortion really involve deep and profound areas of fundamental disagreement among and between Americans.

I also appreciate his acknowledgment that this really is about Dobbs; it really is about abortion. This didn't arise in a vacuum.

I also appreciate his reference to federalism. He knows me well, and he knows that I am a fan of federalism, this concept that there are 50 States that have united for common purposes related to our national defense; weights and measures; trademarks, copyrights, and patents; regulating trade or commerce between the States and with foreign nations and with Indian Tribes; and a handful of other purposes, but then we leave the rest of the governing to the States.

We come together in the same manner articulated by the Iroquois Indian Chief Canassatego from the Onondaga Tribe, who at a conference in Albany explained to early Americans the secret to the Iroquois Confederacy's longevity, to its peace, to its security. The Tribes came together. When they were united, they couldn't be broken, but each one maintained its independence.

A quiver of arrows bound together is almost impossible to break. One arrow by itself can be broken easily. It is that same vision—largely unheard of in the rest of the world—that helped create a uniquely American experiment in self-government. This has been the recipe to our success, to our longevity as a constitutional Republic, to our ability to exist as now 50 separate States with different opinions.

There are great consequences to moments when we take debatable matters—matters of profound and fundamental disagreement, as described by my colleague—and we place them beyond debate. This is precisely what happened some 50 years ago when the Supreme Court of the United States arrogated to itself at once the power of lawmaker and the power of constitutional draftsman. You see, what they did was they took away the power from the 50 respective States to decide these issues of profound and fundamental disagreement regarding the sanctity of life: when it begins, when unborn human life deserves protection of the law and when it does not.

Oh, yes, last year, the Supreme Court of the United States finally undid that usurpation of constitutional authority. They were acting as lawmakers. It was not their role. They were taking something Federal, relegated to the States. It wasn't theirs. Even if it were a Federal issue, it wouldn't be theirs to make law in this area because there is absolutely nothing in the Constitution of the United States that makes abortion something to be decided at the Federal level by nine lawyers wearing robes, sitting at the Supreme Court of the United States. Not one jot, not one tittle, not one syllable pertains to that. So the Supreme Court of the United States was right in making that decision.

I understand that my friend and distinguished colleague, the Senator from Colorado, disagrees with me on that front, as is his right. Importantly, however, this debate is not about that. This debate doesn't even deal with abortion. It doesn't deal with whether or under what circumstances the law should allow a woman to pursue an abortion. I have strong feelings about that that differ sharply from those of my friend and colleague from Colorado, but that is not what we are talking about here.

What we are talking about here is that the American people recognize that this is an issue that sharply divides Americans—an issue that my colleague describes as a matter of profound and fundamental disagreement. What does unite them is the idea that Federal taxpayer dollars shall not be used for abortions.

This is codified elsewhere, in the Hyde amendment, in the Mexico City policy. It is codified in matters particular to the Department of Defense in 10 U.S.C., section 1093. That is what we are dealing with here.

We can't make the mistake of accusing Senator TUBERVILLE of trying to impose his morality or his conception of under what circumstances a woman ought to be able to obtain an abortion. I believe Senator TUBERVILLE's views on that are similar to mine, but those are not at issue here. What is at issue here is whether taxpayer dollars from U.S. taxpayers ought to be spent in this area.

My colleague also suggested that this is somehow not different from what we do in other areas. There are all kinds of medical procedures for which members of the military can travel from one State to another in order to obtain those procedures. Understood. But those aren't the procedures at issue here.

This is specific to abortion. We are specifically creating measures for abortion—not for appendicitis, not to have bunions removed, not for other procedures. It is for abortion.

What you are doing here is to say we will pay your travel. We will give you a per diem. We will give you 3 weeks of paid leave time. You don't have to use

your accumulated leave time in order to do that.

That is unique to abortion. That means they are paying for abortion.

So, no, I am not willing to concede, and I have not conceded, that the law has no application here. I believe it violates the spirit—if not also the letter—of the law. It certainly violates the spirit but, inarguably, the letter.

When there is a Federal law that says you may not use this for abortion, if you use it for things that are entirely around abortion—we will pay for your travel out of State to get the abortion; we will give you additional leave time with an attached value to it; we will give you per diem while you seek that abortion—that is about abortion.

Imagine a young college student—a young college student who has something that every college student probably wishes they had, a rich uncle. Imagine there is a college student. We will call him Bill. Bill has got a rich uncle. We will call him Thurston—Thurston Howell III. Thurston Howell III has got an enormous amount of money—more money than he knows what to do with. He is what you might call a gazillionaire. He says to his nephew Bill: Bill, I don't have any kids. You are the only one who is going to be able to carry on the family name. You are attending my alma mater, and I want you to live in style. I want you to enjoy life. I am going to pay for your tuition. I am going to pay for your room and board. In fact, not just your housing, I am going to buy you a house located close to the campus where you can live in style. I will get you a car, pay your healthcare expenses, and everything. I am going to do all of this for the rest of the time you are in college.

Bill, you see, is in his first semester, about to wrap up the first semester. So he is excited about all he is about to gain.

But his uncle, Thurston Howell III, imposes one restriction on those funds. He says: Now, I know that you have pledged with and are now a member of the Sigma Beta Fraternity. And the Sigma Betas at this university are known for one thing. They are infamous. Everybody knows they throw really big, exciting keg parties, drunken frat parties. They love those things.

So Mr. Howell says to his nephew, Bill: Look, as a Sigma Beta, you are going to do what you are going to do. That is your decision. I am not going to tell you that you can't drink while receiving money. But I am going to say this: You may not use my money for your drunken frat parties. And, by the way, I want you to submit quarterly receipts to me so I can review what you are doing.

Well, the first quarter of the next semester goes by, and Thurston Howell III is reviewing Bill's receipts. He is aware that some huge keg parties have been thrown. He has heard that the latest of them happened to be carried out in the house that he bought for his

nephew Bill and that there was a lot of alcohol served there, just as there is at every Sigma Beta party. Then he sees in the receipts—receipt after receipt—one for invitations, one for streamers, one for various forms of video entertainment that they had set up there, a big expense for a lot of red cups, and even an expense line for ping-pong balls, you know, for beer pong.

He goes to Bill, and he says: What have you done? I have asked you not to use this for your drunken frat parties. I don't want to be paying for your alcohol-filled ragers.

Bill says back to him: Well, no, every other member of the fraternity paid for the alcohol. I just paid for the invitations and the streamers and the red cups and the ping-pong balls and the video entertainment system and the DJ.

I don't think Thurston Howell III would be all that convinced that Bill hadn't violated the terms of the support agreement.

Now, sure, Bill could argue with him all along. He could say: No, you are wrong, Uncle Thurston.

It doesn't make Uncle Thurston any more inclined to go out of his way to continue to provide that funding. If anything, what we are dealing with here is far clearer than the restriction placed on Bill in my hypothetical.

Congress has said unequivocally: We are not going to use Department of Defense funds, we are not going to use Department of Defense facilities for abortions.

That is what the Department of Defense has done. It is a policy change, and a policy change that my friend from Colorado has acknowledged is a policy change. He believes it is justified somehow by the Supreme Court's decision in *Dobbs*. He is welcome to that opinion, but it is not accurate.

There is no clause in there that says that there is an exception if the Supreme Court changes its jurisprudence with regard to *Roe v. Wade*, *Casey v. Planned Parenthood*, and their progeny. Not a jot, not a tittle, not a scintilla supports that.

So, now, unhappy that some of these nominees aren't moving, Secretary Austin sends his emissaries, sends his friends in the Senate to go and attack Senator TUBERVILLE. Why? Because Senator TUBERVILLE is standing up for what the law says.

He is not trying to impose his morality on women in the military—far from it. He is just trying to impose the law, to make sure the law is followed, and that when the law is not followed, he is not going to help the Department of Defense move things any faster. That is well within his right to do, and I applaud him for it. We need more of that very kind of courage in the U.S. Senate.

As the Supreme Court has learned—as we have all learned from that experience—we don't end these profound and fundamental disagreements by taking debatable matters beyond de-

bate. That is what the Supreme Court tried in *Roe v. Wade*, and it failed, especially because it was untethered from the Constitution and fundamentally at odds with it.

This effort here to rewrite the law from the E-Ring of the Pentagon will fare no better.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, the hour is late, and I am conscious that we are supposed to get off the floor. I know the staff needs to go home. So I won't belabor this.

I will say that I will put to one side, and I am sure that my colleague, my friend from Utah, would agree, that we are not talking here about a drunken frat party and the fortunes or misfortunes of an ungrateful student and their rich uncle. We are talking about people that, in real life, are having to make decisions that are the most fundamental decisions that any individual can make.

They have had 50 years' worth of expectations about what those decisions are going to look like, and those expectations have been completely upset by the Supreme Court, first, when this originalist majority ruled that if it wasn't a freedom in 1868, it is not a freedom today. It is something that, when I was in law school, I never imagined that I would ever have read out of a Supreme Court opinion, certainly not on something of this magnitude.

But then in the wake of it, 18 States banned abortion. In the wake of it, nine States banned abortion without exceptions for rape or incest. In the wake of it, in Alabama, they are saying that if doctors use chemicals for abortion, they can be prosecuted with a statute that was written to attack fentanyl or methamphetamines. And in the wake of it, Members of the U.S. Senate come to this floor and use a procedure that has never been used before in the history of America to hold up every single flag promotion just to make sure they can make it harder for somebody who is facing the most difficult decision that they can ever make; to make it harder for them to decide when they are going to talk to their superior officer; to make it harder for them to travel somewhere where, yes, they have to pay for that abortion out of their pocket; to ensure that you have to use paid leave to do it; that that is such an injustice that we are going to come out here and hold up every flag officer's promotion.

Some people, after this ruling—I never heard the Senator from Utah say this, and I am not ascribing this to him. But there were people after that ruling who said: Don't worry about this. You don't have to worry about this. This is just States' rights. It is the laboratory of the States. It is going back to the States.

And 18 States have banned abortion, and many of those States are States where people in the armed services serve. They have no choice over where they serve.

I am not the originalist on this floor tonight, but I can read the plain language of those regulations, and I could see from that plain language that there is nothing in there that pays for abortion.

There was no objection out here on this floor when somebody at the Defense Department put in procedures, as the Senator from Utah says, for appendicitis or for bunions or for whatever is on his list. There was no objection. There was nobody coming here to the floor indignantly saying that their rights as a Senator had been somehow stripped as a result of that rule-making—far from it, because people recognized that in order for the Department of Defense to function just like any other administrative Agency, they have to be able to make decisions based on delegated powers from the U.S. Congress. And in the face of what has happened with the *Dobbs* decision, the Defense Department is trying to get to a place where there is a reasonable outcome for people who have to make this decision.

I think there is a lot of benefit to federalism, but one of those benefits ought to be that, if you are serving in the Department of Defense and the Department of Defense assigns you, as is the Department of Defense's right, without your permission or without your say-so, without your OK, that it is reasonable for the Department of Defense to notice when you are living in a State that has banned abortion with no exceptions for rape or incest. It is reasonable for the Department of Defense to notice that you are living in a State where, if you are a doctor and you performed an abortion, you could go to jail for 99 years or, if you are living in the "Republic" of Texas, where they have actually put a bounty of \$10,000 or \$20,000 so that, if a neighbor or a friend turns you in for pursuing reproductive healthcare—an abortion—you can get that money because you let somebody know that you have done that.

I mean, I admit this has all changed because of *Dobbs*, and now we are trying to grapple with that. We are all trying to grapple with that, and we all have differences of opinion about that.

But I think what we are saying is, don't make a difficult situation even harder for the people who have signed up, volunteered to be at the Department of Defense; don't create more uncertainty at the Department of Defense by holding up these flag promotions just to get your point of view, just to be able to make sure that it is harder, not easier, for people to access reproductive healthcare.

And I think that is why, when the Senator from Alabama says that nothing is going to convince him, that he is going to be doing this as long as it takes, I am really worried that that is going to take forever because the majority, certainly, of the American people are not going to agree that we should make it harder for people who are in this position.

And by the way, just on the other point about what the Federal law actually says here: We voted, I think, the other day, if I am not wrong, on a CRA—or whatever those administrative things are around here—because the Senator from Alabama was angry that the VA had changed the exceptions for providing abortion from just the life of the mother to situations where there is rape or incest. He was so angry at that, he came out here to address that.

So don't think this isn't about that subject, that this isn't about a woman's right to choose. That is exactly—that is why these guys are out here. I am not saying the Senator from Utah. That is why this objection has been made.

So I think the American people need to understand—I hope they understand—who is standing up here on this floor tonight for a woman's right to choose, for that fundamental constitutional and human right, and who is opposing. And I know that there are significant disagreements, as I said earlier, in our country about those two issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, there are myriad ways in which concerns of those serving in the military, concerns of dependents of those serving in the military, could be accommodated in a way that doesn't violate the letter, if not—or at least the spirit of the law. Among other things, the military, if it wanted to, could, without offending this provision of law or any provision of law that I am aware of, give military personnel some say in where they live.

If there is some State that, for one reason or another, is offensive to them; if it would, in their judgment, impair their health or otherwise be objectionable to them—perhaps just be objectionable to them on this basis—the military could, without implicating this or any other statute of which I am aware, give them some say in it, give them the ability to say “I don't want to serve there; I would like to be transferred somewhere else.” That wouldn't involve Federal funds funding or at least facilitating abortion.

So the fact that we have different States with different laws and the fact that those laws may impact people differently depending on where they happen to be living, where they happen to be serving at the time, doesn't mean that the only answer is for the Department of Defense to ignore 10 U.S.C. 1093 and pretend that nothing has changed and pretend that nothing has changed relative to its relationship to Congress.

Now, as to Senator TUBERVILLE, let's remember, he went to the Department of Defense. If I am not mistaken, he went to the Secretary of Defense himself. He outlined his concerns because there have been rumors circulating about this policy for months.

Senator TUBERVILLE, remember, is a member of the Armed Services Committee. The Senate Armed Services Committee has an oversight role—an important one—over the Department of Defense. It was his right, it was his duty to know what was going on in the Department of Defense. He inquired again and again and again, and they wouldn't tell him.

Finally, he got an audience with the Secretary of Defense and informed him, as I understand the conversation, of the fact that there would be dire consequences, including this one, if he chose to proceed. The Secretary of Defense considered that risk, and he undertook it nonetheless. He stood before the law and the wishes of a U.S. Senator and the promise of a U.S. Senator that this would be the consequence, and he did it anyway.

I can't speak to why he chose to do that, but it was, in fact, his choice; it was, in fact, his decision.

So, now, as to the suggestion that there are other procedures for which people can travel interstate and that we haven't raised objections with regard to those, those aren't covered by this policy. This one is about abortion. This one is there to say: If you want to get an abortion, then you get the 3 weeks of extra leave, paid leave; then you get the per diem; then you get the reimbursed travel. You get all of that if you are getting an abortion.

That is not there for anything else. It is not there for the treatment of other medical conditions that are common—strep throat treatment that happens to be unavailable in one area or another or—I don't know—schistosomiasis. I don't know what that is, but I heard the term on “M.A.S.H.” once. It is a real dire medical condition. Maybe you are serving in one State, and they can't treat that in one State because of that State's quirky laws. This policy doesn't offer any relief on that, no.

This applies specifically to abortion, implicating the concerns of the American people—legitimate concerns, I would add—over the use of Federal funds for that purpose. That unites Americans more than perhaps any other, and with a lot of good reason.

They are telling these military women: We are so supportive of this particular thing that we are going to pay for your travel; we are going to reimburse everything; we are going to give you a per diem and give you 3 weeks of paid leave.

I do wonder sometimes how one would feel, as a woman serving in the military, being told that. What if you are a woman who may become pregnant who wants to become pregnant? Does this create the kind of hostile environment in which a woman wanting to serve in the military and wanting to have children feels that the Department of Defense is so, so resistant to childbearing among its female service-members that it is willing to pay out a lot of money to do that?

In any event, this is not something that one can easily reconcile with the

policy embodied in 10 U.S.C. section 1093. That can be changed. There is nothing etched into the Constitution about that. Congress could change it. But to do that, you would have to have the votes. To have the votes, you would have to have some sort of legislative effort to do that. There hasn't been one here.

Why? Well, because it is a lot easier to just decree it, just pen a memo and issue the memo, saying: We are going to make it so. We are going to ignore it.

As to the suggestion that this is not something that can be compared to a drunken frat party, well, fair point; it cannot. No, it is much more serious than that. The American people don't feel so passionately about a drunken frat party that they have put in place a Federal law saying that the Department of Defense may never use funds to hold certain kinds of parties, including those involving alcohol.

This involves unborn human life. Now, I understand that not everybody approaches unborn human life and its sanctity and the degree to which it should be protected under law the same way, but that is exactly why this policy exists, and that is exactly why the policy is embodied in a Federal statute. This stands squarely in the face of that, and it disregards it.

Senator TUBERVILLE has every right and every reason to stand up for this.

The PRESIDING OFFICER (Mr. PADILLA). The Senator from Colorado.

Mr. BENNET. Mr. President, I hope we will bring this to a close, but I would first of all say that—stating the obvious—neither the Senator from Utah nor I are a woman, and I am not going to suggest that I know how people who are women in the military necessarily feel about this.

I suspect, far less often than the person whom the Senator from Utah is concerned about, which is somebody who feels like they are somehow discriminated against because they are going to carry a child to term versus somebody who is going to face this really hard, hard, hard choice, that a much more likely feeling and sense of harm will be the complete loss of any sense of privacy that they are going to have as a result of Dobbs and the effect of Dobbs and the effect of what these people are arguing tonight on the floor of the Senate about: making it harder to travel; about saying that, no, you can't have more time to talk to your commanding officer about a decision that you have to make; no, the entire unit is going to know what it is that you are going to have to confront because, unlike every other medical procedure that we are dealing with, when it is abortion, then everybody is going to know, and your right to privacy has been eviscerated.

I guarantee you, for every single person who feels the way that the Senator from Utah suggests that some people feel, like somehow they are being discriminated against because they are

not in the position to have to deal with the most difficult decision that anybody could make, that the number of people who are concerned about what this has done to the right to privacy—and this not just in the Department of Defense but in our country—is far greater, is far greater.

And I would also just say that if States' rights were of such paramount importance, that there wouldn't be people in this country right now trying to make it illegal for States to allow people to use chemicals to perform abortions, even though that is how a majority of abortions in this country are performed.

And I don't agree with the Senator from Utah that we should have a military where I can just decide, as an individual, that I am not going to serve in a State because the laws of that State are ones that I don't agree to or I don't subscribe to or I morally disagree with. That is not how the military is supposed to work.

I would argue that is a lot more important than what the Constitution has to say about weights and measures.

I suspect there is also a reason why no Senator in the history of America, on any issue of profound importance, as this issue is, has held hostage every single flag officer promotion of the Department of Defense.

I suspect there is a reason why that has never happened before—because we know the damage this is doing, and we know that sometimes, once you put yourself into a cul-de-sac, it is really, really hard to get out of it, especially when the majority of the American people don't agree with you on the substance and don't agree with your tactic. But that is where we are tonight.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the argument made by my friend and my distinguished colleague from Colorado resonates with me. He doesn't want this to be treated "unlike every other medical procedure." I couldn't agree more. That is all Senator TUBERVILLE is suggesting. It shouldn't be treated any differently than the others, because other medical procedures—you don't get 3 weeks of paid leave; you don't get per diem; you don't get your airfare and whatever else paid for. Just treat it the same way. It is not just that it is a good idea; it is not just that it is fair; it is that it is also consistent with Federal law, which says we don't use Federal funds for abortions. We just don't do that.

So here, not only are we doing the opposite of what he said he wanted, which is to not have abortions treated unlike every other medical procedure, but we are using Federal funds to do it. I find that difficult to reconcile with the law and with the policy embodied in that law.

As to the suggestion of States' rights, I want to be very clear here. Speaking of federalism—I don't speak

of this ever as States' rights. States don't have rights. States have power. They have authority. Rights are the opposite of power and authority. Rights are things that you invoke against authority, as a carve-out to that authority.

So with regard to federalism, there is no reason why someone serving in the military couldn't be given some sort of preference not to serve in a particular State, whether because of a moral objection to a State's policy or a practical medical objection. That would be an entirely permissible way, as far as I am concerned, for the Department of Defense to deal with the issue raised by the Senator from Colorado. But what they can't do is find a way sneakily to use Federal funds—Department of Defense funds—in order to bring about these abortions.

Look, it is not Senator TUBERVILLE who brought us here. Senator TUBERVILLE didn't bring us to this moment. This was a conscious, deliberate choice made by the Department of Defense, made by the Secretary of Defense, and it was an unwise one, and I am proud to stand behind him in that.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. I wrap just by saying this: I think that the choice that has been made is a practical choice that has been made in the wake of a fundamental freedom and a fundamental right being stripped from the American people, and we are not going to solve that disagreement tonight.

Mr. President, I ask unanimous consent to have printed in the RECORD names of people and the positions of these ranking officers who are not going to be promoted all around the world as a result of what the Senator from Alabama has done. That is why we are here tonight.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. We can confirm every one of those folks tonight, right now.

Mr. BENNET. Let's do it.

Mr. LEE. Do it right now. If the Department of Defense takes it off the table and says they will suspend it until such time as the Senate can debate, discuss it, and bring about the necessary change to Federal law, I will agree to that right now, and we will get them confirmed tonight.

Mr. BENNET. Mr. President, I would ask my colleague, addressing the Senator from Utah through the Chair, where in the rules there is language that says the Department of Defense will pay for an abortion. Where is it? Because it is not in the plain text, you know, and that is the basis for this objection. That is the basis for the moral objection, if there is one, and that is the basis for the offense that the Senators have taken from the idea that the Department of Defense would steal from the Senate the ability to make these judgments on their own. I can't find anything in the plain text that

says it. We checked—my office has checked again, as we have every night that I have been out here—and are assured that if a servicemember goes to another State to seek abortion services, that abortion is not paid for by the Department of Defense or by the Federal Government.

So I would ask again the Senator from Utah to show us—he can do it off the floor—where the language is that is in these rules that explicitly says that.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the statute prohibits the use of Federal funds to pay for an abortion—can't possibly be interpreted as having nothing to say about paying most of the cost associated with an abortion. By the time you pay someone to travel, by the time you pay someone to travel interstate, you give them 3 weeks of compensated leave, you give them per diem, most of the cost associated with that abortion has then been paid by the Federal Government.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. I appreciate the gloss that the Senator from Utah has put on the plain language of this statute, which clearly does not allow—if it did, he would have shown us that language.

I wish that Justice Alito and the other members of the Supreme Court who applied the originalist view that determined that because it doesn't say a woman's right to choose in the Constitution, there must not be such a fundamental right—I wish they had used the sort of statutory interpretation my colleague from Utah has chosen this evening. Similarly, with the approach to federalism, you know, it all depends on what the underlying issue happens to be.

With that, I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MILITARY NOMINATIONS

##### IN THE AIR FORCE

Exec. Cal. No. 46—Col. Leigh A. Swanson to be Brigadier General

##### IN THE ARMY

Exec. Cal. No. 47—Maj. Gen. Sean A. Gainey to be Lieutenant General

Exec. Cal. No. 48—Maj. Gen. Heidi J. Hoyle to be Lieutenant General

Exec. Cal. No. 49—Brig. Gen. Laurence S. Linton to be Major General

Exec. Cal. No. 50—Brig. Gen. Stacy M. Babcock to be Major General and Col. Peggy R. McManus to be Brigadier General

##### IN THE AIR FORCE

Exec. Cal. No. 51—Maj. Gen. Andrew J. Gebara to be Lieutenant General

##### IN THE ARMY

Exec. Cal. No. 52—Maj. Gen. Robert M. Collins to be Lieutenant General

##### IN THE AIR FORCE

Exec. Cal. No. 82—to be Brigadier Col. David J. Berkland; Col. Amy S. Bumgarner; Col. Ivory D. Carter; Col. Raja J. Chari; Col. Jason E. Corrothers; Col. John B. Creel; Col. Nicholas B. Evans; Col. Bridget V. Gigliotti; Col. Christopher B. Hammond; Col. Leslie F. Hauck, III; Col. Kurt C. Helphinstine; Col.



Abraham L. Jackson; Col. Benjamin R. Jonsson; Col. Joy M. Kaczor; Col. Christopher J. Leonard; Col. Christopher E. Menuet; Col. David S. Miller; Col. Jeffrey A. Phillips; Col. Erik N. Quigley; Col. Michael S. Rowe; Col. Derek M. Salmi; Col. Kayle M. Stevens; Col. Jose E. Sumangil; Col. Terence G. Taylor; Col. Jason D. Voorheis; Col. Michael O. Walters; Col. Adrienne L. Williams

Exec. Cal. No. 83—Col. Corey A. Simmons to be to be Brigadier General

## IN THE NAVY

Exec. Cal. No. 84—Rear Adm. George M. Wikoff to be Vice Admiral

Exec. Cal. No. 85—Rear Adm. Frederick W. Kacher to be Vice Admiral

## IN THE AIR FORCE

Exec. Cal. No. 47—to be Brigadier General: Col. Sean M. Carpenter; Col. Mary K. Haddad; Col. James L. Hartle; Col. Aaron J. Heick; Col. Joseph D. Janik; Col. Michael T. McGinley; Col. Kevin J. Merrill; Col. Tara E. Nolan; Col. Roderick C. Owens; Col. Mark D. Richey; Col. Norman B. Shaw, Jr.

Exec. Cal. No. 87—to be Brigadier General: Col. Kristin A. Hillery; Col. Michelle L. Wagner

Exec. Cal. No. 88—to be Major General: Brig. Gen. Elizabeth E. Arledge; Brig. Gen. Robert M. Blake; Brig. Gen. Vanessa J. Dornoefer; Brig. Gen. Christopher A. Freeman; Brig. Gen. David P. Garfield; Brig. Gen. Mitchell A. Hanson; Brig. Gen. Jody A. Merritt; Brig. Gen. Adrian K. White; Brig. Gen. William W. Whittenberger, Jr.; Brig. Gen. Christopher F. Yancy

## IN THE ARMY

Exec. Cal. No. 89—Col. Carlos M. Caceres to be Brigadier General

## IN THE NAVY

Exec. Cal. No. 90—Rear Adm. Shoshana S. Chatfield—to be Vice Admiral

## IN THE ARMY

Exec. Cal. No. 91—Col. William F. Wilkerson to be Brigadier General

Exec. Cal. No. 92—Col. Evelyn E. Laptook to be Brigadier General

Exec. Cal. No. 93—Brig. Gen. Ronald R. Ragin to be Major General

Exec. Cal. No. 94—to be Brigadier General: Col. Brandon C. Anderson; Col. Beth A. Behn; Col. Matthew W. Brame; Col. Kenneth J. Burgess; Col. Thomas E. Burke; Col. Chad C. Chalfont; Col. Kendall J. Clarke; Col. Patrick M. Costello; Col. Rory A. Crooks; Col. Troy M. Denomy; Col. Sara E. Dudley; Col. Joseph E. Escandon; Col. Alric L. Francis; Col. George C. Hackler; Col. William C. Hannan, Jr.; Col. Peter G. Hart; Col. Gregory L. Holden; Col. Paul D. Howard; Col. James G. Kent; Col. Curtis W. King; Col. John P. Lloyd; Col. Shannon M. Lucas; Col. Landis C. Maddox; Col. Kareem P. Montague; Col. John B. Mountford; Col. David C. Phillips; Col. Kenneth N. Reed; Col. John W. Sannes; Col. Andrew O. Saslav; Col. Charlone E. Stallworth; Col. Jennifer S. Walkawicz; Col. Camilla A. White; Col. Scott D. Wilkinson; Col. Jeremy S. Wilson; Col. Scott C. Woodward; Col. Joseph W. Wortham, II; Col. David J. Zinn

## IN THE MARINE CORPS

Exec. Cal. No. 95—to be Brigadier General: Col. David R. Everly; Col. Kelvin W. Gallman; Col. Adolfo Garcia, Jr.; Col. Matthew T. Good; Col. Trevor Hall; Col. Richard D. Joyce; Col. Omar J. Randall; Col. Robert S. Weiler

## IN THE NAVY

Exec. Cal. No. 96—to be Rear Admiral (lower half): Capt. Walter D. Brafford; Capt. Robert J. Hawkins

Exec. Cal. No. 97—to be Rear Admiral (lower half): Capt. Amy N. Bauernschmidt;

Capt. Michael B. Devore; Capt. Thomas A. Donovan; Capt. Frederic C. Goldhammer; Capt. Ian L. Johnson; Capt. Neil A. Koprowski; Capt. Paul J. Lanzilotta; Capt. Joshua Lasky; Capt. Donald W. Marks; Capt. Craig T. Mattingly; Capt. Andrew T. Miller; Capt. Lincoln M. Reifsteck; Capt. Frank A. Rhodes, IV; Capt. Thomas E. Shultz; Capt. Todd E. Whalen; Capt. Forrest O. Young

Exec. Cal. No. 98—to be Rear Admiral (lower half): Capt. Brian J. Anderson; Capt. Julie M. Treanor

Exec. Cal. No. 99—to be Rear Admiral: Rear Adm. (lh) Casey J. Moton; Rear Adm. (lh) Stephen R. Tedford

Exec. Cal. No. 100—Rear Adm. (lh) Rick Freedman to be Rear Admiral

Exec. Cal. No. 101—Rear Adm. (lh) Kenneth W. Epps to be Rear Admiral

Exec. Cal. No. 102—to be Rear Admiral: Rear Adm. (lh) Stephen D. Barnett; Rear Adm. (lh) Michael W. Baze; Rear Adm. (lh) Richard T. Brophy, Jr.; Rear Adm. (lh) Joseph F. Cahill, III; Rear Adm. (lh) Brian L. Davies; Rear Adm. (lh) Michael P. Donnelly; Rear Adm. (lh) Daniel P. Martin; Rear Adm. (lh) Richard E. Seif, Jr.; Rear Adm. (lh) Paul C. Spedero, Jr.; Rear Adm. (lh) Derek A. Trinque; Rear Adm. (lh) Dennis Velez; Rear Adm. (lh) Darryl L. Walker; Rear Adm. (lh) Jeremy B. Williams

Exec. Cal. No. 103—Capt. Frank G. Schlereth, II to be Rear Admiral (lower half)

Exec. Cal. No. 104—to be Rear Admiral (lower half): Capt. Joshua C. Himes; Capt. Kurtis A. Mole

Exec. Cal. No. 105—to be Rear Admiral (lower half): Capt. Thomas J. Dickinson; Capt. Kevin R. Smith; Capt. Todd S. Weeks; Capt. Dianna Wolfson

## IN THE AIR FORCE

Exec. Cal. No. 106—to be Major General: Brig. Gen. Thomas W. Harrell; Brig. Gen. Jeannine M. Ryder

## IN THE MARINE CORPS

Exec. Cal. No. 107—Lt. Gen. James W. Bierman, Jr. to be Lieutenant General

## IN THE AIR FORCE

Exec. Cal. No. 110—to be Major General: Brig. Gen. Curtis R. Bass; Brig. Gen. Kenyon K. Bell; Brig. Gen. Charles D. Bolton; Brig. Gen. Larry R. Broadwell, Jr.; Brig. Gen. Scott A. Cain; Brig. Gen. Sean M. Choquette; Brig. Gen. Roy W. Collins; Brig. Gen. John R. Edwards; Brig. Gen. Jason T. Hinds; Brig. Gen. Justin R. Hoffman; Brig. Gen. Stacy J. Huser; Brig. Gen. Matteo G. Martemucci; Brig. Gen. David A. Mineau; Brig. Gen. Paul D. Moga; Brig. Gen. Ty W. Neuman; Brig. Gen. Christopher J. Niemi; Brig. Gen. Brandon D. Parker; Brig. Gen. Michael T. Rawls; Brig. Gen. Patrick S. Ryder; Brig. Gen. David G. Shoemaker; Brig. Gen. Rebecca J. Sonkiss; Brig. Gen. Claude K. Tudor, Jr.; Brig. Gen. Dale R. White

## IN THE MARINE CORPS

Exec. Cal. No. 111—Maj. Gen. Bradford J. Gering to be Lieutenant General

Exec. Cal. No. 112—Maj. Gen. Gregory L. Masiello to be Lieutenant General

Exec. Cal. No. 113—Rear Adm. James P. Downey to be Vice Admiral

## IN THE ARMY

Exec. Cal. No. 130—Maj. Gen. John W. Brennan, Jr. to be Lieutenant General

## IN THE NAVY

Exec. Cal. No. 131—Vice Adm. Karl O. Thomas to be Vice Admiral

## IN THE MARINE CORPS

Exec. Cal. No. 132—Lt. Gen. Michael S. Cederholm to be Lieutenant General

## IN THE AIR FORCE

Exec. Cal. No. 133—Brig. Gen. Derin S. Durham to be Major General

## IN THE ARMY

Exec. Cal. No. 134—to be Brigadier General: Col. Brandi B. Peasley; Col. John D. Rhodes; Col. Earl C. Sparks, IV

Exec. Cal. No. 135—Brig. Gen. William Green, Jr. to be Major General

Exec. Cal. No. 136—Maj. Gen. Mark T. Simerly to be Lieutenant General

## IN THE MARINE CORPS

Exec. Cal. No. 137—Maj. Gen. Ryan P. Heritage to be Lieutenant General

## IN THE NAVY

Exec. Cal. No. 138—Vice Adm. Craig A. Clapperton to be Vice Admiral

## IN THE AIR FORCE

Exec. Cal. No. 139—Col. Brian R. Moore to be Brigadier General

The PRESIDING OFFICER. The Senator from Colorado.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. BENNET. 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 PRESIDING OFFICER. Without objection, it is so ordered.

## NATIONAL POLICE WEEK

Mr. CARDIN. Mr. President, I rise to recognize the sacrifices and dedication of our Nation's law enforcement personnel. I am proud to cosponsor the resolution offered by Senators DURBIN and GRAHAM recognizing May 14 through May 20 as National Police Week. This bipartisan resolution recognizes the critical role that law enforcement officers play in keeping our neighborhoods and communities safe. It also calls attention to the importance of ensuring enforcement officers have the equipment, training, and resources necessary to perform their duties. Finally, the resolution pays tribute to fallen law enforcement officers, including three Marylanders whom I would like to recognize in particular. These names will be added to the National Law Enforcement Officers Memorial, located in Judiciary Square near Capitol Hill.

Deputy First Class Kenneth "Kenny" Olander served the Sheriff's Office of Frederick County, MD, for 32 years. He worked as a patrol operations deputy, school resource officer, and most recently as a community deputy. He had previously served in the Army for 6 years and worked as a military police officer. He passed away in March of 2022 after contracting COVID-19 in the line of duty. He is survived by his wife and three children.

Corporal Gregory Bednarek served with the Maryland Transportation Authority Police for 19 years. A lifelong Marylander, Gregory was born in Baltimore and attended the University of Maryland, College Park. He died from complications as the result of contracting COVID-19 in the line of duty.

He is survived by his wife, step-daughter, stepson, parents, sister, two nephews, and niece.

Wicomico County Deputy First Class Glenn Hilliard had served with the Wicomico County Sheriff's Office for 6 years and had previously served with the Berlin Police Department for 10 years. He was shot and killed in July of 2022 while attempting to arrest a man wanted on multiple felony warrants. Hilliard had bravely pursued the suspect on foot as he attempted to flee. He is survived by his wife and three children.

The sacrifices of these Marylanders will not be forgotten, nor will their decades of faithful service to keeping their communities safe. We extend our heartfelt condolences to the families left behind.

#### NATIONAL POLICE WEEK

Mrs. HYDE-SMITH. Mr. President, this week our Nation commemorates the 2023 National Police Week and honors the brave men and women of law enforcement who have made the ultimate sacrifice in the line of duty. As a nation, we will pay tribute to those who have given their lives to protect our communities and join in mourning their loss with their families and loved ones.

As we recognize National Police Week and remember these fallen officers, we must acknowledge the critical role that law enforcement officers play in keeping our communities safe. They leave their homes and families every day not knowing if they will return. The amount of courage, dedication, and passion that demands cannot be overstated. It is important to remember, too, that their families also demonstrate exceptional courage, as they support their loved ones knowing the circumstances are sometimes life and death.

My State of Mississippi is blessed with amazing law enforcement. These men and women in blue are not only hometown heroes, but also are an integral part of our communities. Every loss of an officer is deeply felt by all. I would like to specifically remember and honor the nine fallen officers from Mississippi whose names have been added to the National Law Enforcement Officers Memorial this year. These officers died heroes in service to their communities, and we will forever be grateful for their sacrifice.

We remember: Steven Michael Robin and Branden Paul Estorffe of the Bay St. Louis Police Department, who were shot and killed while conducting a welfare check, and Marzell Jerome Brooks of the Brookhaven Police Department, who passed from COVID-19 during the commission of his job duties.

We remember: Myiesha Breanna Stewart of the Greenville Police Department, who was shot and killed during a vehicle pursuit of a suspect who fled the scene after a shooting; Lee Dan Vance, Jr., of the Hinds County Sher-

iff's Office who died after contracting COVID-19 during an outbreak among employees and inmates; and Robert Edward Moak, Sr., of the Lincoln County Sheriff's Office, who was killed by a suspect who he had testified against in court.

We remember: Kennis Winston Croom of the Meridian Police Department, who was shot and killed while responding to a domestic violence call, and Jeffrey Ray Turney of the Pontotoc Police Department, who succumbed to COVID-19 after contracting the illness during the commission of his job duties.

Lastly, we remember Johnny Raymond Patterson of the Verona Police Department, who was struck by a vehicle while directing traffic.

To honor their memory, we must put our words into actions by ensuring our officers have the resources and tools they need to do their jobs safely and effectively. It is critical they have adequate support for training, equipment, and technology, as well as policies that prioritize officer safety and well-being.

For my part, I will continue to be an advocate for law enforcement professionals and provide support where possible and do all I can to honor the legacy of those lost in the line of duty.

I ask my colleagues to join me in remembering and honoring these brave officers in Mississippi and across the Nation during National Police Week and throughout the year. It is my prayer that their families and loved ones find comfort in knowing that their sacrifices will never be forgotten.

#### TRIBUTE TO LAWRENCE ECKSTEIN

Ms. BALDWIN. Mr. President, I rise today to recognize the exceptional life of Lawrence Eckstein, on the occasion of his 99th birthday.

Mr. Eckstein was born on June 30, 1924, in Wisconsin. He attended Winneconne High School before heading into the workforce at age 14. At age 20, Mr. Eckstein entered the U.S. Army and served as a private in both the 85th Infantry Division and 10th Mt. Division from 1944 through 1947. During his time in the U.S. Army, he was stationed throughout Italy and Austria. He was a recipient of the Bronze Star Medal and received a Quilt of Valor in 2022.

In 1952, Mr. Eckstein married his wife Darlene. Together, they raised six children and celebrated 61 years of marriage before her passing in 2013. After the military, Mr. Eckstein worked within the Kimberly-Clark Corporation for 26 years. Retirement didn't stop Mr. Eckstein from keeping busy. He drove semi-trucks up until the age of 86 and often could be seen riding his bike on the Wiouwash trail in Winneconne up until the age of 95.

Mr. Eckstein is also incredibly active with the Winneconne Legion, marching in local parades up until the age of 91. He also had the opportunity to go on the Old Glory Honor Flight back in 2012.

I am privileged to acknowledge the life and work of Lawrence Eckstein, and on the occasion of his 99th birthday, I wish him a happy birthday and thank him for his lifetime of service to our country.

#### HONORING SEAMAN SECOND CLASS DAVID JOSEPH RILEY

Ms. BALDWIN. Mr. President, I rise today to honor the sacrifice of S2C David Joseph Riley who lost his life, along with 428 of his fellow crewmen, on December 7, 1941, while serving on the USS *Oklahoma* during the attack on Pearl Harbor. After over 80 years, S2C Riley's remains will finally come to Juda in Green County, WI, on May 27, 2023.

Seaman Second Class Riley was born on February 18, 1916, and at the age of 11 years old became the foster son of Elmer and Della (Matzke) Asmus of Juda, WI. He attended the Juda elementary and high schools and was known for his cheerful and likable manner. In 1939, he joined the Wisconsin National Guard, and in May 1940, he enlisted in the U.S. Navy. After training, he was assigned to the battleship USS *Oklahoma*.

On December 7, 1941, Seaman Second Class Riley was onboard the USS *Oklahoma*, docked at Ford Island, Pearl Harbor, when it was attacked by Japanese forces. This ship was hit by multiple torpedoes, causing it to quickly flip and capsize.

On December 21, 1941, Mr. and Mrs. Asmus received a telegram from the Navy, stating that Seaman Second Class Riley was missing. On February 17, 1942, 1 day before what would have been his 26th birthday, they received another telegram declaring that Seaman Second Class Riley had lost his life in service of his country. Unfortunately, his remains could not be identified at this time. Eventually, the remains of the men lost aboard the *Oklahoma* were recovered and buried at the National Memorial Cemetery of the Pacific—NMCP—and listed as "Unknowns."

The loss of Seaman Second Class Riley was devastating to the tight-knit community of Green County, and over 80 years later, his legacy is still known and honored. The American Legion Post 84 in Monroe is the Zilmer-Riley post, named in part for Seaman Second Class Riley. A plaque in Juda High School commemorates the sacrifice made by Seaman Second Class Riley and two other men from Juda during World War II.

In 2015, the Department of Defense authorized the exhumation of the USS *Oklahoma* "Unknowns," interred at the National Memorial Cemetery of the Pacific, NMCP. Seaman Second Class Riley's remains were exhumed and identified through the painstaking efforts of the Defense POW/MIA Accounting Agency—DPAA—the Armed Forces DNA Identification Laboratory—AFDIL—and the Navy Casualty POW-MIA Branch.

Deborah Krauss Smith, great-grand-niece of Seaman Second Class Riley's foster parents, worked diligently to gain approval from the Navy Casualty POW/MIA branch to return Seaman Second Class Riley's remains to Juda, where they will be interred with those of his foster parents, fittingly over Memorial Day weekend 2023.

It is our duty to honor Seaman Second Class Riley and his fellow servicemembers who lost their lives on that fateful day. I ask that we all take a moment to remember SSC David Joseph Riley and to pay tribute to his service and sacrifice.

#### TRIBUTE TO PAUL CASASCO

Mr. VAN HOLLEN. Mr. President, I rise today to honor the achievements of Mr. Paul Casasco, a senior audio operator for the Senate Chamber, on the occasion of his retirement.

Maryland is home to a robust Federal workforce that serves our country with pride. Federal employees work day-in and day-out to provide vital services to the American people, and I have the honor of representing many of these dedicated individuals.

A native of Howard County, MD, Paul Casasco has served the U.S. Senate with distinction for 37 years. Hired in April 1986, Mr. Casasco was a member of the original team that piloted live national coverage of the Senate floor. Within weeks, the U.S. Senate voted to make this coverage permanent, cementing public access to and transparency of its procedures and activities. Mr. Casasco's contributions have ensured that the Senate Recording Studio has become a modern facility that caters to the body of the Senate. He is the last serving member of the original 1986 team.

Paul Casasco's dedication will be sorely missed in the U.S. Senate. His colleagues and I join in wishing him all the best for a fulfilling and enjoyable next chapter in retirement.

#### ADDITIONAL STATEMENTS

##### IOWA BEER CRAFT MONTH

• Ms. ERNST. Mr. President, I rise today to recognize June as Iowa Beer Craft Month. This celebration honors our local craft breweries which contribute so much to the economy and culture of our State.

Iowa's craft beer industry continues to grow and thrive, creating more than \$1 billion in economic impact. Iowa Beer Craft Month offers beer lovers across the State a wonderful opportunity to responsibly explore the unique and amazing flavors and styles of our local breweries, while also supporting Iowa small businesses.

I encourage all who can to raise a glass and toast to the exceptional quality and craftsmanship of Iowa beer.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Kelly, one of his secretaries.

#### PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13303 OF MAY 22, 2003, WITH RESPECT TO THE STABILIZATION OF IRAQ—PM 13

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the stabilization of Iraq declared in Executive Order 13303 of May 22, 2003—as modified in scope and relied upon for additional steps taken in Executive Order 13290 of March 20, 2003, Executive Order 13315 of August 28, 2003, Executive Order 13350 of July 29, 2004, Executive Order 13364 of November 29, 2004, Executive Order 13438 of July 17, 2007, and Executive Order 13668 of May 27, 2014—is to continue in effect beyond May 22, 2023.

Obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13303 with respect to the stabilization of Iraq.

JOSEPH R. BIDEN, JR.  
THE WHITE HOUSE, May 16, 2023.

#### MESSAGE FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3089. An act to amend title 18, United States Code, to modify delayed notice requirements, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3089. An act to amend title 18, United States Code, to modify delayed notice requirements, and for other purposes; to the Committee on the Judiciary.

#### MEASURES DISCHARGED PETITION

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on the Judiciary be discharged from further consideration of S.J. Res. 18, a joint resolution disapproving of the rule submitted by the Department of Homeland Security relating to "Public Charge Ground of Inadmissibility" and, further, that the joint resolution be immediately placed upon the Legislative Calendar under General Orders.

Roger Marshall, Mike Crapo, Bill Cassidy, Cindy Hyde-Smith, Ted Budd, Jacky Rosen, Tom Cotton, Josh Hawley, Thom Tillis, Marsha Blackburn, John Thune, John Barrasso, Joni Ernst, Ted Cruz, Cynthia Lummis, Ron Johnson, Sherrod Brown, Markwayne Mullin, John Boozman, Lindsey Graham, Tommy Tuberville, Eric Schmitt, Rick Scott, Mike Lee, Bill Hagerty, Kevin Cramer, Steve Daines, John Kennedy, Mitch McConnell, John Cornyn.

#### MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Veterans Affairs, by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 18. Joint resolution disapproving of the rule submitted by the Department of Homeland Security relating to "Public Charge Ground of Inadmissibility".

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2. An act to secure the borders of the United States, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-1223. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from October 1, 2022 through March 31, 2023, received in the Office of the President of the Senate on May 16, 2023; ordered to lie on the table.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 111. A bill to require each agency, in providing notice of a rulemaking, to include a link to a 100-word plain language summary of the proposed rule (Rept. No. 118-28).

S. 257. A bill to prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes (Rept. No. 118-29).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 479. A bill to modify the fire management assistance cost share, and for other purposes (Rept. No. 118-30).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 780. A bill to require the Comptroller General of the United States to analyze certain legislation in order to prevent duplication of and overlap with existing Federal programs, offices, and initiatives (Rept. No. 118-31).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 917. A bill to establish the duties of the Director of the Cybersecurity and Infrastructure Security Agency regarding open source software security, and for other purposes (Rept. No. 118-32).

## 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. SCOTT of South Carolina (for himself and Ms. HASSAN):

S. 1607. A bill to amend title XVIII of the Social Security Act to permit a private cause of action for damages in the case of a group health plan which fails to provide for primary payment or appropriate reimbursement; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. CRUZ, and Mr. KELLY):

S. 1608. A bill to provide for the expansion of the Starr-Camargo Bridge near Rio Grande City, Texas, and for other purposes; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself, Mr. WARNER, Mr. PADILLA, Mr. WELCH, Mr. BROWN, Mr. SANDERS, Ms. SMITH, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1609. A bill to direct the Election Assistance Commission to establish a program to make grants to States to provide increased pay for election workers, and for other purposes; to the Committee on Rules and Administration.

By Mrs. SHAHEEN (for herself, Ms. HIRONO, Mr. BLUMENTHAL, Mr. FETTERMAN, Mrs. GILLIBRAND, Mr. KING, Mr. HICKENLOOPER, Mr. CARDIN, Ms. WARREN, Ms. BALDWIN, Ms. DUCKWORTH, Mr. WELCH, Mr. WYDEN, Mr. SANDERS, Mr. CARPER, Mrs. MURRAY, Mr. BOOKER, Mr. BENNET, Mr. KELLY, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. BROWN, Ms. ROSEN, Mr. MARKEY, Mr. DURBIN, Ms. SMITH, Mr. WHITEHOUSE, Mr. HEINRICH, Ms. CANTWELL, and Ms. CORTEZ MASTO):

S. 1610. A bill to authorize administrative absences and travel and transportation allowances for members of the Armed Forces to travel and obtain reproductive health care; to the Committee on Armed Services.

By Ms. SMITH:

S. 1611. A bill to amend the Rural Electrification Act of 1936 to reauthorize the Community Connect Grant Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KING (for himself and Ms. COLLINS):

S. 1612. A bill to require the Secretary of Veterans Affairs to publish a rule to implement the requirement that the Secretary be permitted to waive the limitation in law on reimbursement of veterans receiving domiciliary care in State homes; to the Committee on Veterans' Affairs.

By Mr. CORNYN (for himself, Mr. LUJÁN, Mr. TUBERVILLE, and Mr. WARNOCK):

S. 1613. A bill to amend the Agriculture Improvement Act of 2018 to reauthorize the feral swine eradication and control pilot program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. RUBIO:

S. 1614. A bill to amend title 18, United States Code, to enhance protections against the importation, and transport between States, of injurious species, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LANKFORD (for himself, Mr. THUNE, Mr. JOHNSON, and Mr. MARSHALL):

S. 1615. A bill to improve agency rule-making, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY:

S. 1616. A bill to amend title 28, United States Code, to allow for 12 associate justices of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. SULLIVAN:

S. 1617. A bill to protect Federal, State, and local public safety officers; to the Committee on the Judiciary.

By Mr. VAN HOLLEN (for himself, Mr. RUBIO, Ms. BALDWIN, Mr. YOUNG, Mrs. SHAHEEN, and Mr. BRAUN):

S. 1618. A bill to amend the Small Business Investment Act of 1958 to establish an employee equity investment facility, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. ERNST (for herself and Mr. KAINE):

S. 1619. A bill to require the Secretary of Defense to develop a strategy to counter fentanyl trafficking in the United States, and for other purposes; to the Committee on Armed Services.

By Mr. OSSOFF (for himself and Mr. WARNOCK):

S. 1620. A bill to amend the Military Construction Authorization Act for Fiscal Year 2021 to extend the authorization for a construction project at Fort Gillem, Georgia; to the Committee on Armed Services.

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

S. 1621. A bill to provide for an exemption from authorized strength limitations for licensed behavioral health providers; to the Committee on Armed Services.

By Ms. CORTEZ MASTO:

S. 1622. A bill to discourage speculative oil and gas leasing and to promote enhanced multiple use management of public land and National Forest System land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. OSSOFF (for himself and Mr. WARNOCK):

S. 1623. A bill to extend the authority of the Department of the Army to carry out a child development center project in Fort Gordon, Georgia; to the Committee on Armed Services.

By Mr. KAINE (for himself, Mr. MORAN, Mr. HEINRICH, Mr. RUBIO, Ms. SMITH, Mr. DAINES, Mr. WELCH, Mrs. CAPITO, Mr. BUDD, Mr. WARNER, and Mr. VAN HOLLEN):

S. 1624. A bill to require certain civil penalties to be transferred to a fund through

which amounts are made available for the Gabriella Miller Kids First Pediatric Research Program at the National Institutes of Health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself and Mrs. BLACKBURN):

S. 1625. A bill to amend the Internal Revenue Code of 1986 to provide for an election to expense certain qualified sound recording costs otherwise chargeable to capital account; to the Committee on Finance.

By Mr. SCOTT of Florida:

S. 1626. A bill to require the Federal Communications Commission, in consultation with the Federal Trade Commission, to issue rules prohibiting entities from offering minor consumers artificial intelligence features in the products of those entities without parental consent, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KELLY (for himself and Mrs. BLACKBURN):

S. 1627. A bill to amend the Internal Revenue Code of 1986 to create a tax credit for nurse preceptors; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. MORAN):

S. 1628. A bill to prioritize funding for an expanded and sustained national investment in agriculture research; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LUJÁN:

S. 1629. A bill to amend title 5, United States Code, to increase the accountability of the Office of Special Counsel in enforcing certain provisions of that title vigorously, consistently, and without regard to the political affiliation, career status, or personal characteristics of individuals subject to those provisions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HEINRICH (for himself, Mrs. CAPITO, Mr. BENNET, Mr. RISCH, Mr. KING, Ms. COLLINS, Ms. CORTEZ MASTO, Mr. DAINES, Mr. WYDEN, Mr. CRAPO, Mr. TESTER, and Mr. ROUNDS):

S. 1630. A bill to modify the procedures for issuing special recreation permits for certain public land units, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PETERS (for himself, Mr. JOHNSON, Ms. SINEMA, and Mr. HOEVEN):

S. 1631. A bill to enhance the authority granted to the Department of Homeland Security and Department of Justice with respect to unmanned aircraft systems and unmanned aircraft, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. CORTEZ MASTO (for herself, Mr. BOOZMAN, and Mr. PETERS):

S.J. Res. 28. A joint resolution providing for the reappointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

By Ms. CORTEZ MASTO (for herself, Mr. BOOZMAN, and Mr. PETERS):

S.J. Res. 29. A joint resolution providing for the reappointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

By Ms. CORTEZ MASTO (for herself, Mr. BOOZMAN, and Mr. PETERS):

S.J. Res. 30. A joint resolution providing for the appointment of Antoinette Bush as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 214. A resolution to authorize testimony and representation in United States v. Neely; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 13

At the request of Ms. ERNST, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 13, a bill to prohibit Federal funding of Planned Parenthood Federation of America.

S. 26

At the request of Mr. HAGERTY, the name of the Senator from Utah (Mr. ROMNEY) 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. 141

At the request of Mr. MORAN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 141, a bill to amend title 38, United States Code, to improve certain programs of the Department of Veterans Affairs for home and community based services for veterans, and for other purposes.

S. 161

At the request of Mr. KAINE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 161, a bill to extend the Federal Pell Grant eligibility of certain short-term programs.

S. 320

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 320, a bill to amend title II and XVIII of the Social Security Act to eliminate the disability insurance benefits waiting period for individuals with disabilities, and for other purposes.

S. 396

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 396, a bill to require the Secretary of State to submit an annual report to Congress regarding the ties between criminal gangs and political and economic elites in Haiti and impose sanctions on political and economic elites involved in such criminal activities.

S. 412

At the request of Mr. CORNYN, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 412, a bill to provide that it is unlawful to knowingly distribute private intimate visual depictions with reckless disregard for the individual's lack of consent to the distribution, and for other purposes.

S. 452

At the request of Mr. MANCHIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 452, a bill to require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, and submit a report on a civil nuclear credit program, and for other purposes.

S. 652

At the request of Ms. MURKOWSKI, the names of the Senator from Kansas (Mr. MORAN), the Senator from Georgia (Mr. OSSOFF) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 652, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan or health insurance coverage offered in connection with such a plan to provide an exceptions process for any medication step therapy protocol, and for other purposes.

S. 661

At the request of Mr. MARKEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 661, a bill to require an interagency study on the environmental and energy impacts of crypto-asset mining, to assess crypto-asset mining compliance with the Clean Air Act, and for other purposes.

S. 668

At the request of Mr. BOOZMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 668, a bill to require the Secretary of the Treasury to mint coins to honor and memorialize the tragedy of the Sultana steamboat explosion of 1865.

S. 711

At the request of Mr. BUDD, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 711, a bill to require the Secretary of the Treasury to mint coins in commemoration of the invaluable service that working dogs provide to society.

S. 761

At the request of Mr. COTTON, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 761, a bill to combat forced organ harvesting and trafficking in persons for purposes of the removal of organs, and for other purposes.

S. 815

At the request of Mr. TESTER, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Washington (Ms. CANTWELL), the Senator from Arkansas (Mr. COTTON), the Senator from New York (Mrs. GILLIBRAND), the Senator from Hawaii (Ms. HIRONO), the Senator from Virginia (Mr. KAINE), the Senator from Maine (Mr. KING), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Mexico (Mr. LUJÁN), the Senator from New York (Mr. SCHUMER), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Michigan (Ms. STABENOW), the Senator from Georgia (Mr. WARNOCK), the Senator from Massachusetts (Ms. WARREN), the

Senator from Arkansas (Mr. BOOZMAN), the Senator from Indiana (Mr. BRAUN) and the Senator from Vermont (Mr. WELCH) were added as cosponsors of S. 815, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 831

At the request of Mr. MERKLEY, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 831, a bill to address transnational repression by foreign governments against private individuals, and for other purposes.

S. 928

At the request of Mr. TESTER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 928, a bill to require the Secretary of Veterans Affairs to prepare an annual report on suicide prevention, and for other purposes.

S. 1058

At the request of Mr. REED, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1058, a bill to protect airline crew members, security screening personnel, and passengers by banning abusive passengers from commercial aircraft flights, and for other purposes.

S. 1165

At the request of Ms. BALDWIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 1165, a bill to amend title XIX of the Social Security Act to allow States to make medical assistance available to inmates during the 30-day period preceding their release.

S. 1212

At the request of Mr. WARNER, the names of the Senator from Delaware (Mr. COONS) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. 1212, a bill to authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any State, to require any State to recognize notarizations performed by a notarial officer of any other State when the notarization was performed under or relates to a public Act, record, or judicial proceeding of notarial officer's State or when the notarization occurs in or affects interstate commerce, and for other purposes.

S. 1220

At the request of Mr. KENNEDY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1220, a bill to establish the position of Special Envoy to the Pacific Islands Forum.

S. 1271

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Arizona (Mr. KELLY), the Senator from West Virginia (Mrs. CAPITO), the Senator from Maine (Mr. KING), the Senator from Florida (Mr. SCOTT), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from North Carolina (Mr. BUDD), the Senator from New York (Mrs. GILLIBRAND), the Senator from North Carolina (Mr. TILLIS), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Louisiana (Mr. CASSIDY) 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. 1273

At the request of Ms. ROSEN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1273, a bill to require a study on Holocaust education efforts of States, local educational agencies, and public elementary and secondary schools, and for other purposes.

S. 1298

At the request of Mr. KAINE, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 1298, a bill to award grants for the creation, recruitment, training and education, retention, and advancement of the direct care workforce and to award grants to support family caregivers.

S. 1334

At the request of Ms. ROSEN, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 1334, a bill to require the Secretary of Defense to develop, in cooperation with allies and partners in the Middle East, an integrated maritime domain awareness and interdiction capability, and for other purposes.

S. 1375

At the request of Mr. MARSHALL, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 1375, a bill to amend title XXVII of the Public Health Service Act to apply additional payments, discounts, and other financial assistance towards the cost-sharing requirements of health insurance plans, and for other purposes.

S. 1398

At the request of Mr. BUDD, the names of the Senator from Mississippi (Mr. WICKER), the Senator from South Dakota (Mr. THUNE) and the Senator from Alabama (Mrs. BRITT) were added as cosponsors of 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.

S. 1449

At the request of Mrs. CAPITO, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1449, a bill to improve the environmental review process, and for other purposes.

S. 1460

At the request of Mr. BOOKER, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 1460, a bill to amend the Consumer Product Safety Act to remove the exclusion of pistols, revolvers, and other firearms from the definition of consumer product in order to permit the issuance of safety standards for such articles by the Consumer Product Safety Commission.

S. 1509

At the request of Mr. BOOKER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1509, a bill to amend the Food Security Act of 1985 to extend and reform the conservation reserve program, and for other purposes.

S. 1525

At the request of Mr. SCHMITT, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 1525, a bill to amend the Communications Act of 1934 to address governmental interference in content moderation decisions by providers of interactive computer services, and for other purposes.

S. 1530

At the request of Mr. GRAHAM, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 1530, a bill to permit COPS grants to be used for the purpose of increasing the compensation and hiring of law enforcement officers, and for other purposes.

S. 1532

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Nebraska (Mr. RICKETTS) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 1532, a bill to suspend the entry of covered aliens in response to the fentanyl public health crisis.

S. 1560

At the request of Mr. HAWLEY, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 1560, a bill to require the development of a comprehensive rural hospital cybersecurity workforce development strategy, and for other purposes.

S. 1600

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1600, a bill making further supplemental appropriations for the fiscal year ending September 30, 2023, for border management activities, and for other purposes.

S.J. RES. 27

At the request of Mr. BUDD, the name of the Senator from Florida (Mr.

SCOTT) was added as a cosponsor of S.J. Res. 27, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Federal Contract Compliance Programs of the Department of Labor relating to "Rescission of Implementing Legal Requirements Regarding the Equal Opportunity Clause's Religious Exemption Rule".

S. CON. RES. 2

At the request of Mr. MENENDEZ, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. Con. Res. 2, a concurrent resolution commending the bravery, courage, and resolve of the women and men of Iran demonstrating in more than 133 cities and risking their safety to speak out against the Iranian regime's human rights abuses.

S. RES. 138

At the request of Mr. MERKLEY, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. Res. 138, a resolution highlighting the risks that environmental defenders face around the world and commending their role in defending human rights, combating climate chaos, and supporting a clean, healthy, and sustainable environment.

S. RES. 188

At the request of Mr. MENENDEZ, the names of the Senator from North Carolina (Mr. BUDD) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. Res. 188, a resolution celebrating the 75th anniversary of the founding of the State of Israel, and for other purposes.

S. RES. 203

At the request of Ms. ROSEN, the names of the Senator from Oklahoma (Mr. LANKFORD), the Senator from Rhode Island (Mr. REED), the Senator from Connecticut (Mr. MURPHY), the Senator from Delaware (Mr. CARPER), the Senator from California (Mr. PADILLA), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Arizona (Mr. KELLY), the Senator from California (Mrs. FEINSTEIN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. Res. 203, a resolution recognizing the significance of Jewish American Heritage Month as a time to celebrate the contributions of Jewish Americans to the society and culture of the United States.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mrs. BLACKBURN):

S. 1625. A bill to amend the Internal Revenue Code of 1986 to provide for an election to expense certain qualified sound recording costs otherwise chargeable to capital account; to the Committee on Finance.

Mrs. FEINSTEIN. Madam President, I rise to speak in support of the Help Independent Tracks Succeed (HITS)



Act, which Senator BLACKBURN and I introduced today. Representatives LINDA SÁNCHEZ and RON ESTES have introduced companion legislation in the House of Representatives.

The U.S. Tax Code allows film, television, and theater productions to fully deduct production expenses in the year they are incurred.

However, recording artists are not given the same treatment and instead must amortize their production expenses over a number of years.

Moreover, many live performance stages and venues across the country closed for months as a result of the pandemic. Independent musicians and music makers, including both technicians and creators, suffered more than most other professions during this period, and many continue to recover.

Our bill would provide a measure of relief to music creators by allowing independent musicians, technicians, and music producers to deduct the costs of producing new musical and other sound recordings in the year they are incurred, thereby putting them on a level playing field with film, television, and theater productions.

Specifically, the bill would allow qualified sound recording producers to deduct 100% of recording production expenses—up to \$150,000—in the year they are incurred, rather than in later years.

Because this change would simply accelerate a tax deduction that already exists, the bill's cost would be modest.

In addition, because the deduction would be capped at \$150,000 per production, our legislation would benefit smaller, independent musicians and music producers rather than large companies.

Music has inspired, comforted, and entertained each of us. Our bill would help create parity between musical creators and other creative producers and stimulate a sector of the economy that is a fundamental part of each of our lives.

I hope my colleagues will join me in support of this bill.

By Mr. DURBIN (for himself and Mr. MORAN):

S. 1628. A bill to prioritize funding for an expanded and sustained national investment in agriculture research; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1628

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “America Grows Act of 2023”.

#### SEC. 2. FUNDING.

(a) IN GENERAL.—There is appropriated, out of any money in the Treasury not other-

wise appropriated, to each funding recipient described in subsection (b) for the programs, projects, and activities of such funding recipient, the following amounts:

(1) For fiscal year 2024, the amount equal to 105 percent of the amount of new budget authority made available in appropriation Acts for that funding recipient for fiscal year 2023, increased by the percentage increase (if any), during fiscal year 2023, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(2) For each of fiscal years 2025 through 2033, the amount equal to 105 percent of the amount appropriated to that funding recipient under this subsection for the previous fiscal year, increased by the percentage increase (if any), during such previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(3) For fiscal year 2034, and each fiscal year thereafter, the amount appropriated under this paragraph for the previous fiscal year, increased by the percentage increase (if any), during such previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(b) FUNDING RECIPIENTS DESCRIBED.—The funding recipients described in this subsection are—

- (1) the Agricultural Research Service;
- (2) the Economic Research Service;
- (3) the National Agricultural Statistics Service; and
- (4) the National Institute of Food and Agriculture.

(c) AVAILABILITY.—Each amount appropriated under subsection (a) shall remain available for obligation through the last day of the fiscal year for which such amount is appropriated.

#### SEC. 3. EXEMPTION FROM SEQUESTRATION.

(a) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by inserting after “Advances to the Unemployment Trust Fund and Other Funds (16–0327–0–1–600).” the following:

“Appropriations made available under section 2(a) of the America Grows Act of 2023.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

#### SEC. 4. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 214—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES V. NEELY

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

S. RES. 214

Whereas, in the case of *United States v. Neely*, Cr. No. 21-642, pending in the United States District Court for the District of Co-

lumbia, both the prosecution and defense are seeking the production of testimony from Michael J. Mastrian, Director of the Senate Radio and Television Gallery, a department of the Office of the Sergeant at Arms and Doorkeeper of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Michael J. Mastrian, Director of the Senate Radio and Television Gallery, is authorized to provide relevant testimony in the case of *United States v. Neely*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Mr. Mastrian, and any current or former officer or employee of his office, in connection with the production of evidence authorized in section one of this resolution.

### AUTHORITY FOR COMMITTEES TO MEET

Mr. MERKLEY. Madam President, I have 11 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 Senate, the following committees are authorized to meet during today's session of the Senate:

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 16, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, May 16, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, May 16, 2023, at 10:15 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, May 16, 2023, at 10:15 a.m., to conduct a hearing.

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, May 16, 2023, at 10 a.m., to conduct a hearing.

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, May 16, 2023, at 2 p.m., to conduct a hearing on nominations.

## 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 16, 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 16, 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 16, 2023, at 2:30 p.m., to conduct a closed hearing.

## SUBCOMMITTEE ON INTERNATIONAL TRADE, CUSTOMS, AND GLOBAL COMPETITIVENESS

The Subcommittee on International Trade, Customs, and Global Competitiveness of the Committee on Finance is authorized to meet during the session of the Senate on Tuesday, May 16, 2023, at 3 p.m., to conduct a hearing.

## SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The Subcommittee on Transportation and Infrastructure of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, May 16, 2023, at 2:30 p.m., to conduct a hearing.

## PRIVILEGES OF THE FLOOR

Mr. TUBERVILLE. Madam President, I ask unanimous consent that Preston McGee, an intern in my office, be granted floor privileges until May 17, 2023.

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

Mr. BLUMENTHAL. Madam President, I ask, as a preliminary matter, unanimous consent that Martin Gurch and Michael Harris, fellows in my office, be given floor privileges for the remainder of 2023.

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

## REPORT OF THE SECRETARY OF THE SENATE

MAY 16, 2023.

Hon. KAMALA HARRIS,  
President of the United States Senate,  
Washington, DC.

MADAM: I have the honor to submit a full and complete statement of the receipts and expenditures of the Senate, showing in detail the items of expense under proper appropriations, the aggregate thereof, and exhibiting

the exact condition of all public moneys received, paid out, and remaining in my possession from October 1, 2022 to March 31, 2023, in compliance with Section 105 of Public Law 88-454, approved August 20, 1964, as amended.

Sincerely,

SONCERIA A. BERRY,  
Secretary of the Senate.

## CHANGING AGE-DETERMINED ELIGIBILITY TO STUDENT INCENTIVE PAYMENTS ACT

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 60, S. 467.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:  
A bill (S. 467) to modify the age requirement for the Student Incentive Payment Program of the State maritime academies.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment, as follows:

(The part of the bill intended to be inserted is printed in *italic*.)

S. 467

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Changing Age-Determined Eligibility To Student Incentive Payments Act” or the “CADETS Act”.

## SEC. 2. AGE REQUIREMENT FOR THE STUDENT INCENTIVE PAYMENT PROGRAM OF THE STATE MARITIME ACADEMIES.

Section 51509 of title 46, United States Code, is amended by adding at the end the following:

“(i) AGE REQUIREMENT.—The Secretary may make an agreement under this section only with a qualified student who will meet the age requirement for enlistment *or commission* in the Navy Reserve at the time of graduation from the academy.”.

Mr. BENNET. I ask unanimous consent that the committee-reported amendment be considered and agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment was agreed to.

The bill (S. 467), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 467

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Changing Age-Determined Eligibility To Student Incentive Payments Act” or the “CADETS Act”.

## SEC. 2. AGE REQUIREMENT FOR THE STUDENT INCENTIVE PAYMENT PROGRAM OF THE STATE MARITIME ACADEMIES.

Section 51509 of title 46, United States Code, is amended by adding at the end the following:

“(i) AGE REQUIREMENT.—The Secretary may make an agreement under this section only with a qualified student who will meet the age requirement for enlistment or commission in the Navy Reserve at the time of graduation from the academy.”.

## AUTHORIZING TESTIMONY AND REPRESENTATION IN UNITED STATES V. NEELY

Mr. BENNET. Mr. President, I ask unanimous consent that Senate proceed to the consideration of S. Res. 214, submitted earlier today.

The PRESIDING OFFICER. The legislative clerk read as follows:

A resolution (S. Res. 214) to authorize testimony and representation in United States v. Neely.

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

Mr. SCHUMER. Mr. President, another criminal trial arising out of the events of January 6, 2021, is scheduled to begin on May 22, 2023, in Federal district court in the District of Columbia. The defendant in this case is charged with multiple counts, including unlawfully entering and remaining in a restricted area within the U.S. Capitol grounds.

The prosecution and defense are seeking trial testimony from Michael J. Mastrian, director of the Senate Radio and Television Gallery, which operates under the authority of the Sergeant at Arms and Doorkeeper of the Senate, relating to the Gallery's regulation of access to the Capitol by bona fide members of the electronic news media.

Senate Sergeant at Arms Gibson would like to cooperate by providing relevant testimony in this proceeding from Mr. Mastrian.

In keeping with the rules and practices of the Senate, this resolution would authorize the production of relevant testimony from Mr. Mastrian, with representation by the Senate legal counsel.

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

The PRESIDING OFFICER. There being no objection, it is so ordered.

The resolution (S. Res. 214) 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 17, 2023

Mr. BENNET. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, May 17; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, 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 Daniel nomination; further, that the cloture motions filed during yesterday's session ripen at 11:30 a.m. and that if cloture is invoked on the Daniel nomination, all time be considered expired at 2:15 p.m.; further, if cloture is invoked on the Papillion nomination, the confirmation vote be at a time to be determined by the majority leader following consultation with the Republican leader; that following the cloture vote on

the Papillion nomination, notwithstanding rule XXII, the Senate resume legislative session to consider Calendar No. 77, S.J. Res. 18; and that at 5 p.m., the joint resolution be considered read a third time and the Senate vote on passage of the joint resolution; further, that upon disposition of the joint resolution, the Senate resume executive session and that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; finally, that there be 2 minutes of debate, equally divided, prior to each rollcall vote.

For the information of the Senate, there will be one vote at 11:30 a.m., two votes at 2:30 p.m., and two votes at 5 p.m.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. BENNET. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:27 p.m., adjourned until Wednesday, May 17, 2023, at 10 a.m.