United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 118th CONGRESS, SECOND SESSION

Vol. 170 WASHINGTON, WEDNESDAY, JANUARY 24, 2024 *No. 13*

House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, January 25, 2024, at 3 p.m.

Senate

WEDNESDAY, JANUARY 24, 2024

The Senate met at 10 a.m. and was called to order by the Honorable PETER WELCH, a Senator from the State of Vermont.

PRAYER

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

Let us pray.

Eternal God who rules the raging of the sea, draw our Senators to You today by the cords of Your eternal love. Help them to strive to know You, cultivating a relationship of peaceful trust in Your prevailing providence. May the experience of being in Your presence enable them to better comprehend the role You desire for them to play in fulfilling Your purposes on Earth. Sharpen their vision to perceive Your movements in our Nation and world. Where there is anxiety, give our lawmakers the poise that comes from a confident faith in You.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 24, 2024.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PETER WELCH, a Senator from the State of Vermont, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Jacquelyn D. Austin, of South Carolina, to be United States District Judge for the District of South Carolina.

RECOGNITION OF THE MAJORITY LEADER

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

SUPPLEMENTAL FUNDING

Mr. SCHUMER. Mr. President, well, the latest round of Ukrainian security assistance was a $250 million package that included 155mm rounds, Stinger anti-aircraft missiles, and other critical weapons that have been crucial for Ukraine on the battlefield. That announcement was made on December 27. That is 28 days ago—4 weeks. Since then, no more aid—no more aid—has been sent to Ukraine. And there won't be more unless Congress acts.

In the meantime, it has been reported that Russia is beginning to restock its own supplies with help from North Korea, including North Korean missiles.

Right now, Senate negotiators on both sides are working furiously to approve another round of Ukraine aid by finalizing our national security supplemental package. This package would not only deliver a lifeline for Ukraine, it would secure our border, send aid to Israel, provide humanitarian assistance for innocent civilians in Gaza, and shore up security in the Indo-Pacific. Our supplemental is a prescription for addressing America's top security threats around the globe.

Now, it has been a busy and productive week for the negotiators. They have continued working nonstop on issues that are still outstanding. Each

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

Printed on recycled paper.

day, we get a little closer, but there are still issues to be resolved. But one thing is certain: We are going to keep going to get this done.

I have remained in touch with my Senate colleagues, with Leader MCCONNELL, and the White House every step of the way. The goal, of course, is to come up with a proposal that can get at least 60 votes in the Senate. That means both sides must accept they won't get everything they want. It means that maximalist demands, stonewall tactics, and attempts to sabotage negotiations before they even finish must be shunned by the membership of this body. There is too much at stake to play those games.

There are some on the fringes who are, unfortunately, though, trying to do precisely that: to sink this supplemental package from afar. But in the Senate, both sides have an obligation to ensure those voices stay in the minority. Many of the voices who are making suggestions that they don't like are not voting for this anyway—anyway.

It is not going to be easy to get over the finish line. But Senate Democrats are going to stay the course—stay the course—until the job is done.

President Biden, on numerous occasions, has stated he is willing to work with Republicans in a big way on immigration. And for over 2 months, Democrats have shown we are serious about reaching an agreement by remaining at the negotiating table. So we will keep going because Senators don't need to be reminded of the consequences should we fail.

Like I said, the last round of Ukrainian aid happened on December 27. If we don't act, Ukraine will fall and make the world a much more dangerous place for America. And every day, Americans will feel the impact—not years but months away.

Since the start of the war, Putin has bet that sooner or later, the United States would throw in the towel. They doubt Western resolve. They doubt American strength. Just last month, Putin speculated on Russian television that ''the free stuff is going to run out some day, and it seems it already is.'' That is what Putin is saying. He is gloating that we are not giving Ukraine the aid it needs. His allies are certainly helping him.

The Senate has an obligation to make sure Putin regrets the day he questioned America's resolve, and that is putting the focus on what we are doing in this Chamber.

We have an obligation to answer the call to defend democracy in its hour of need. We have an obligation to help our friends fighting for their survival.

We must—must—finish the work on the supplemental. We are not there yet, but we will continue working.

ECONOMY

Mr. President, on the economy, we are not even a month into 2024, and a new pattern is emerging. Americans are feeling more and more optimistic about the economy. Last week, a report by the University of Michigan showed that consumer sentiment—how consumers feel about the economy—surged by 29 percent over the last 2 months—the biggest 2-month increase in over 3 decades—in over 30 years. Higher consumer sentiment means Americans have more money in their pockets and are feeling better about their financial future.

That is precisely what the Democratic agenda is all about: lowering costs, increasing wages, fueling economic growth. That is why Democrats passed historic legislation like the Inflation Reduction Act, the CHIPS and Science Act, the infrastructure law, and more.

When you pass an ambitious agenda like the ones the Democrats have passed under President Biden, it can take some time for the effects to take hold. But by now, the signs are getting clearer and clearer: Under President Biden, under Democratic leadership, the country is on the right track. Real wages are rising. In fact, paychecks have outpaced inflation over the past year, meaning people's paychecks are going further. Inflation is cooling down, now to 3.4 percent. When we passed the Inflation Reduction Act, it was over 8 percent.

Unemployment is falling. The economy created 2.7 million new jobs last year, more jobs than any year of the Trump administration.

And manufacturing investment levels are at an all-time high—again, more than double the peak of the Trump administration.

That is the difference between Democratic and Republican leadership. When Democrats were elected into office, we passed legislation to lower costs, to bring American manufacturing back, to lower prescription drug costs—which is already happening—and invest in science and innovation.

But what about the hard right? What about what is going with our Republican colleagues? Well, look at what they spend time talking about: shutting down the government.

That is what the hard right does. We are getting things done for the American people; they are talking about shutting down the government, pushing America toward default. Amazingly, the hard right, which has a lot of sway in the House and too much in the Senate, said default would be a good thing. Attacking a woman's right to choose, wasting time on sham impeachments, and drastic cuts to veterans' aid, nutrition programs, education, Federal law enforcement, no wonder some Republicans are so concerned they have no real accomplishments to show the American people.

The difference, frankly, is night and day: Democrats are focused on lowering costs, more jobs, and more money in people's pockets, but the hard right is consumed by chaos, bullying, cutting vital investments, making things worse. They want to make things worse. Somehow that is their credo.

The Republican frontrunner for President has made it abundantly clear that he is not running on making people's lives better but rather on airing his personal political grievances, as we saw in last night's so-called victory speech.

So we still have a long way to go to make our economy better—working better for families—but the evidence is growing that under President Biden, we are headed in the right direction, and Americans are seeing it for themselves.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

NATIONAL SECURITY

Mr. MCCONNELL. Mr. President, Vladimir Putin's reelection campaign is employing a slogan that the Russian people—and the rest of the world—have actually heard before. Here is what it is: ''Russia's borders do not end anywhere.''

''Russia's borders do not end anywhere.'' That is Vladimir Putin.

The map of Europe illustrates what he means in the starkest possible terms. A brazen war of conquest is headed toward its 11th year. Two years of Russia's brutal escalation in Ukraine has subjected a sovereign nation to horrific losses and heinous war crimes.

Since well before Russian troops made their first run toward Kyiv in February of 2022, I have been pushing for the decisive capabilities Ukraine needed to defend itself. And I have held President Biden to account for not doing more sooner to give our friends a decisive edge against Putin's aggression and for not investing more seriously in rebuilding America's military strength.

But I have never been under any delusion about why America was backing Ukraine's fight. This has never been about charity. It is not about charity. It is not about virtue signaling or abstract principles of international relations.

This is about cold, hard American interests. It is in the United States' direct interest for authoritarians not to feel free to redraw maps by force. It is in our interest to help degrade the military of a major adversary without committing American lives to the effort. It is in our interest to help blunt aggressive behavior before it triggers wider conflict and directly threatens our closest allies and trading partners.

We cannot pretend that America is inoculated against the consequences of a war in Europe. We can't afford to

harbor the notion that leaving Russian aggression unchecked would somehow enhance America's posture and strategic competition with China. Accelerating Russian defeat in Europe is precisely what will help ensure we don't wind up dealing with simultaneous aggression from adversaries in Europe and the Indo-Pacific.

Even as a global superpower, this is not a burden America should resign to bear alone, and, fortunately, we don't have to. Over the past 2 years, our European allies have taken a more serious and sober accounting of the requirements of a collective defense. They are now fast overtaking America's share of overall security assistance to Ukraine, and we already trail the contributions of 13 allies measured as a share of GDP.

This is certainly good news for collective defense and for the urgent demands that press upon American strength.

The United Kingdom, for example, just pledged to invest more than $3 billion in Ukraine's fight over the next 2 years. This is on top of the tremendous leadership Great Britain has displayed since the earliest days of Putin's escalation.

Germany created a €100 billion special defense fund, enacted major military reforms, and continues to make progress toward NATO's 2 percent defense spending target.

Denmark is expanding its domestic industrial base and participating alongside U.S. forces in coalition operations in the Red Sea.

Smaller frontline allies like Estonia, Latvia, and Lithuania are continuing to make massive relative commitments to the cause. Estonia has pledged $1.3 billion to Ukraine over the next 4 years. Just today, even the new, right-leaning Government of Slovakia expressed clear support for the Ukrainian cause in a visit to Ukraine.

More good news came yesterday. NATO is one step closer to admitting another strong and capable member to the transatlantic alliance.

I am glad that Turkey's Parliament voted to ratify Sweden's accession. Unfortunately, this step took far too long and created unnecessary friction within the alliance.

Sweden will bring major defense and technological capabilities into NATO on day one. The Swedes are increasing their defense budget and expanding their defense industrial capacity. This is not just good for NATO; Sweden's entry into NATO, just like Finland's before hers, is in our national interest.

I know colleagues on both sides of the aisle share my expectation that Hungary—the final remaining ally to approve Sweden's accession—will act soon to finish the job. Washington is watching.

These are promising developments. Allies are taking important steps toward greater burden-sharing, but we cannot mistakenly conclude from this progress that there is also declining demand for American leadership—quite the opposite. The West's efforts to deter and defend against our adversaries in Europe, in the Middle East, and in the Indo-Pacific still require an engaged America. They require that we continue to invest heavily in new capabilities for our Armed Forces and in greater defense industrial capacity to meet soaring demand and sustain long-term competition.

This is what national security supplemental legislation would do: invest tens of billions of dollars right here at home and continue to bring new, cutting-edge capabilities—made in America by American workers—into our arsenal.

The Senate will very soon have a chance to restore our sovereignty at the southern border, to invest in our strategic competition with China, and to rebuild our credibility in the eyes of allies and adversaries alike.

ENERGY

Now, Mr. President, on another matter, when President Biden took office, the average approval time for liquefied natural gas—LNG—permits was about 7 weeks. Right now, it is about 11 months. But soon, wait times could actually become irrelevant.

At the behest of climate activists, the administration is now considering adding a climate test to the national interest analysis regulators conduct before approving new LNG projects—never mind that climate interests all too often run in the exact opposite direction of America's national interests. This move would amount to a functional ban on new LNG export permits.

The administration's war on affordable domestic energy has been bad news for American workers and consumers alike. Radical policies from the EPA are killing jobs in coal and auto manufacturing. Regulatory nudging is forcing automakers to produce a supply of electric vehicles for which there is insufficient demand. Now further limits to LNG exports will only send energy costs higher at a time that the West is trying to reduce its reliance on Russian energy.

This agenda is not just bad for Americans at home either; it is directly at odds with American interests on the world stage. From Russia to Iran to China, it is abundantly clear that our adversaries are not waiting for us to wake up from this experiment in green self-harm. Russia is building a new export facility for liquefied natural gas that is scheduled to be up and operating as soon as next year. Iran is also in the process of completing an LNG export facility to be ready next year as well.

It should go without saying that increasing global reliance on Russian and Iranian energy is not sound strategy. The Secretary of Energy herself has described Russian gas as the ''dirtiest form of natural gas on Earth.'' China, for its part, increased its emissions last year by double the amount U.S. emissions actually declined.

Our allies in Europe are increasingly relying on us to keep their lights and their heat running. It was LNG exports from the United States that allowed Europe to reduce its reliance on Russian energy in the wake of their attack on Ukraine.

So if the Biden administration is foolish enough to shut down our LNG exports or saddle their national interest analysis with Green New Deal schemes, I hope they understand which nations' interests they are advancing.

Choose our Nation's interests or blindly follow some green, radical scheme to empower our political rivals in China, Iran, and Russia. It is hard to fathom that this is even a question the Biden administration is contemplating.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

NATIONAL SCHOOL CHOICE WEEK

Mr. TUBERVILLE. Mr. President, I come to the floor today to express my very strong support for school choice.

Sunday was the start of School Choice Week. Tens of thousands of parents, students, and educators are going to celebrate the accomplishments of the school choice movement.

I spent 40 years in education.

I was a government school teacher—better known as public school—including in higher education. I was a coach. I was a mentor. For 40 years, I watched the school choice movement grow and change many, many lives. I have seen the changes that school choice has brought for students across our great country.

When I first started in education 40 years ago, there was no opportunity for school choice. Homeschooling was very, very rare. But our government schools were in better shape back then. Homeschooling today is practically like attending a small school. Today, there are about 2 million kids being homeschooled across our country. Homeschooling is the fastest growing form of education in America. It is growing because parents recognize that our schools are failing—I am going to repeat that: failing—our kids. It is time for lawmakers across this country at every level, including us, to recognize that our schools are failing.

Over the past 40 years, I have watched our education system decline with my own eyes. I have visited schools, parents, and principals in 49 States and American Samoa. What I saw sometimes was absolutely shocking. And, for today, it is the main reason that I ran for this seat here in the U.S. Senate. Education wasn't just a local problem; it was a national problem.

By now, it is undeniable that our K through 12 education system is in a crisis because of job protections and

teachers unions. We spend more money on education in the United States of America than any other country, but we are not in first place. We are not even close. And that is a shame.

Before the pandemic, we were 8th in reading, 11th in science, and 30th in math. You can't blame that on the pandemic. Some like to. This has been going on for a long time, even before the pandemic. It has been getting worse and worse and worse.

Last year, we had the worst ACT scores in 30 years. Let me repeat that. Last year, we had the worst ACT scores in 30 years. Nearly half of all of our students could not meet a single ACT benchmark—half. The most recent national report card showed a steep drop in reading and math scores in almost every State. These were the lowest scores in the last 20 years. Even Joe Biden's Secretary of Education called these test scores ''appalling'' and ''unacceptable.''

In some cities, there are entire schools—entire schools—where zero students can read or do math at the level that they are in. In Chicago alone, there are 55 schools where zero students can read or do math at grade level. Children in these schools are being robbed of their future. Our K through 12 system is failing. It is failing to prepare our kids for college or for life.

When I talk about education, I often hear my Democratic colleagues argue that we don't spend enough money. Their answer to everything is to spend more. We pay more than any other country in the world, and, again, we are not even in the top 10 with some of these countries that spend a lot less. We pay $14,000 per student in this country in our public and government schools. In other developed countries, it is $11,000 or less. So we are spending nearly 40 percent more money, but we are not getting 40 percent better test scores. We are getting a lot less. We are 26th in math in this country competing against other countries across the world—26th.

If you can't do math, you can't survive in today's world of technology. You can't pay your bills if you can't do math. How are we going to compete in a modern, high-tech economy if we can't do math? I don't think anybody has thought about that. We just keep going on down the same road.

According to the National Science Foundation, China graduated 1.2 million engineers in 2016. We graduated 130,000. One third of Chinese college students major in engineering. In America, it is 7 percent. How are we going to compete against our biggest adversary, China, if we are not educated? Kids in China are learning calculus, and this is in elementary school. Kids in China are learning calculus while our kids are studying pronouns and 50 genders and critical race theory. It is a disservice. We are cheating our kids. Frankly, it is a national security issue.

My Democratic colleagues need to remember that our education system does not exist for the sake of the teachers or principals and administrators, or even coaches. It doesn't exist for that. It is not about our teachers unions. It is about our students getting an education, learning to read and write, do math, preparing for a future. We forgot about that. Unfortunately, we forgot about that for a long time. It is about preparing kids for life—what an idea.

So what is school choice? School choice just means funding the student instead of the school building. That is what we do now: We send all of our money to these school buildings. We put it in teachers and administrators. The money is not going to exactly where it should be going—to prepare students for life.

It is the idea that the school was made for the student, not the student for the school. School choice brings the power of the free market, which is what we are supposed to be, to our education system. The results benefit everyone, even kids in the government or public schools.

Studies show that school choice means better test scores and better outcomes for students. When we talk about choice, my Democratic colleagues will say: If you are for school choice, then you are against public and government schools.

That is not true. That is not true. I used to teach in a public or government school. I was a member of the teachers union. I want our government schools to be the best in the world—the best—not 2nd, not 10th, not 20th, but the best. Our schools—our public and government schools—should be good enough to compete with our private schools, which are growing every day, but right now most of them are not. They are not competing against other schools. They don't have to compete because nothing is going on in the majority of our public schools. It is just a simple fact.

There is a laundry list of things we need to do about our public and government schools. But to make it better, what should be at the top of the list is competition, which is school choice—school choice to go where you want to go.

There are 20 studies—20 studies—that have shown that school choice improves our public schools. This is because school choice forces government schools to compete for students. And that is what this country is about. It is about competition. It is about the opportunity to do what you want, but it is all built on competition. Competition makes everyone better, whether it is in football, business, or just life. Competition makes us all better.

Kids deserve teachers, deserve teachers and schools that will compete for them, not for a teachers union but for them. The job is to make our students better, and we are failing.

A child's education should not be decided—should not be decided—on their ZIP Code, where they live. Their education should not be decided on their family's income. That is not the way this should work. It should be decided by the people who know them best and love them the most—which is who? Their parents. Parents are a big part of the equation.

When I was a coach, I always told my players that this country owes you only one thing, and that is an opportunity. I didn't care who you were. When I coached, I didn't care whether you were rich, poor, Protestant or Catholic, Jewish. It didn't make any difference what race you were. I was hired to teach football and to win games. It is no different in a classroom. Everybody has that opportunity. And don't give me ''Everybody doesn't have that opportunity.'' They do. You just have to take that opportunity and run with it.

So, at the end of the day, the key to unlock that opportunity is what? It is education. If you can't read and write in our country, in which we are struggling at almost every school—if you can't read and write, you can't make it. You are going to end up living off the government, and that is not what this country is about.

So our future is built on our kids. If we don't educate our kids, we won't have much of a future, and it has really declined. But if we unleash—and I know we have got a lot of problems going on in our world today, in our country, a lot of division. But if we unleash the potential of our young people, there is nothing that we cannot achieve.

So I urge my colleagues to support school choice in the upcoming budget process. Give them the opportunity to compete. Give them the opportunity for a better education. Put the pressure on our public and government schools. Make them compete to keep their students there. And the way you do that is you educate students. Get it to a point where we don't need school choice or homeschooling.

This should not be a partisan issue. This should not be about Republican and Democrat. This is about Americans. This is about Americans, giving them the opportunity to succeed and achieve. This is a huge American issue. We had better wake up and smell the roses. It is about basic American values—the values of education for all, opportunity for all, and letting our people live out their God-given potential, not keeping it locked up. Give everybody that opportunity.

I yield the floor.

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

BORDER SECURITY

Mr. CORNYN. Mr. President, since President Biden took office 3 years ago, Customs and Border Protection has encountered 6.7 million—6.7 million—migrants at the southern border. Just to give you an idea of how that compares to the Obama administration and

President Trump's administration, this is more than those two administrations combined. And that was for a period of 12 years, where President Biden has been in office for 3 years.

The administration still hasn't released the number of illegal border crossings for December, but multiple news outlets have reported that more than 300,000 migrants have crossed the border last month, which would be a new record.

What I have a hard time comprehending is why President Biden thinks that is a good idea. It is his policies that are responsible, because they are like a magnet. They attract people from, literally, around the world, who show up at our border and either claim asylum, only to be put on a docket and wait 10 years before they get heard by an immigration judge—and, in the meantime, they get released into the interior—or they are simply released into the interior of the country, using something called parole.

Now, I think it is a little confusing because, most of the time, we think about parole in the context of criminal law, that if somebody is tried and convicted and goes to prison, they can then be paroled out of prison. But this simply means that, in the immigration context, people come to the border, and they are just released—just released. In other words, there is no consequences associated with people entering the country illegally.

So it should be no surprise to any of us that people still come. And that is why we are seeing higher and higher levels of people coming to the border under President Biden's policies.

The problem isn't just that more migrants than ever are crossing into the United States; it is also that more migrants than ever are being released into the United States.

The Biden administration has gone to great lengths to ensure that people who cross the border illegally can remain in the United States, regardless of whether they have a legitimate reason to be here or not.

To do that, the President and his administration have abused an authority known as parole to facilitate catch-and-release at an unprecedented rate. Parole, in the immigration context, was designed to grant temporary entry to foreign nationals in a rare and dire circumstance such as someone donating a kidney or being a witness in a trial. It was never meant to be categorical or a large-scale immigration authority. It was meant to be used on a case-by-case basis.

The Biden administration has completely abused the parole authority, and it is not just at the southern border. The President's administration has stood up a program that allows individuals from Cuba, Haiti, Nicaragua, and Venezuela to enter or remain in the United States—all under the guise of parole. In other words, these are not individual case-by-case determinations; this is categorical. In other words, you come from a country; we are going to release you into the United States—to the number of 30,000 a month. That is 360,000 a year.

When the administration does so for these four countries, it provides a 2-year legal status and a work authorization. And so, again, it is no surprise people continue to come.

This is also big business for criminal organizations that smuggle people into the United States. And it is as a result of overwhelming the capacity of the Border Patrol and Federal officials on the border that the opportunity to smuggle drugs into the United States becomes so relatively easy—thus, again, enriching the cartels that deal in the poison that took the lives of 108,000 Americans last year alone.

The administration is using—or I should say ''abusing''—parole authority to try to legalize illegal immigration. And they do that so they can cook the books; so they don't have to include these numbers in a total tally of illegal border crossings each month. In other words, that is not even on the list of the 300,000 because they are exempted from that because they are released using—or abusing—this other authority.

This policy allows the administration to roll out the welcome mat for tens of thousands of migrants while making it seem like the numbers have gone down. It is really a shell game.

Thanks to the leadership of my friend Senator GRAHAM, from South Carolina, the American people now have a much better idea about the degree to which parole is being abused by the Biden administration, both at the southern border and beyond.

To provide some comparison, during the two previous administrations—that was 12 years—an average of 5,600 migrants were paroled into the country each year—5,600 each year. When President Biden took office, that number skyrocketed.

For fiscal year 2022 alone, the Biden administration paroled almost 800,000 migrants. In other words, an average of 5,600 became 800,000 under President Biden.

We still don't have full data for fiscal year 2023, but it is already clear that the administration has passed the previous year's total. The Biden administration has paroled more than 802,000 migrants into the United States in only 9 months. In other words, it is going to set a new record.

In total, the administration granted parole to nearly 1.6 million migrants in only 21 months. Is it any wonder that people continue to come to the border outside the legal process if they know they are going to be released, while the human smugglers continue to get richer and richer and the drug cartels continue to get richer each day?

Well, these numbers are hard to get your head around because they are so large as to be incomprehensible. But 1.6 million migrants released into the country in 21 months?

When this many migrants are being released into the country, it creates serious challenges. Migrants arrived at our border with no money and no place to go. They need to be fed. They need clothing. They need a safe place to sleep. They need medical care. And none of these things are cheap or easy to provide. But they are a feature of illegal immigration.

For more than 3 years, communities along Texas's southern border have carried the weight of the President's border crisis. Local governments and nongovernmental organizations provide migrants with basic needs like shelter, food, and clothing. They deliver lifesaving medical care. They provide transportation. In short, they prevent this humanitarian crisis from becoming a humanitarian catastrophe.

It is expensive; it is burdensome; it is extremely time-consuming; and these men and women don't receive nearly enough recognition or gratitude for the work they do each day.

The border crisis continues to have a major impact on border communities in my State. But the scale of the crisis means the burden is now shared by communities across the country.

Given the unprecedented number of migrants released, every State in America is now a border State in terms of the direct impact of the Biden border crisis.

As this crisis has grown and expanded, it has prompted an interesting shift in rhetoric among leaders in blue States and cities.

Liberal enclaves like New York and Chicago are long-time supporters of open border policies. They proudly identify themselves as sanctuary cities and have criticized commonsense measures to enforce our immigration laws.

Until President Biden took office, these and other liberal cities across America could say what they wanted because they didn't have to bear any of the burden. With the U.S.-Mexico border a thousand miles or more away, immigration levels didn't impact their daily lives.

Residents did not see hundreds of migrants sleeping on city sidewalks. Their children's schools weren't used as emergency shelters. Their local ambulances weren't delayed because of a high influx of migrants who needed medical care. So it is easy to weigh in on an issue that has absolutely zero impact on your daily life.

But as more and more migrants have poured into blue States and blue cities in the past few years, the story has changed. One example is Phil Murphy, the Democratic Governor of New Jersey. He campaigned on the promise of making his State a safe place for illegal immigrants and once vowed to turn New Jersey into a sanctuary State.

When it became clear that more States needed to help carry the weight of this national crisis, he quickly changed his tune. When given the opportunity to take care of migrants

with nowhere to go, Governor Murphy said the State didn't have any room for these migrants.

We have seen a similar shift—you might even call it a flip-flop—from leaders in Chicago, which has been a self-proclaimed sanctuary city for decades. The city's mayor, Brandon Johnson, was just sworn in last May and ran on the promise of embracing migrants who arrived in the city. Last spring, he said: Sanctuary means that everyone is welcome here—everyone—whether you come legally or illegally.

When you make that kind of declaration, it is tough to be mad when people take you up on it and show up. But that is exactly what he has done.

As migrants have arrived in Chicago via bus and plane, he has lashed out at Texas Governor Greg Abbott for providing migrants with the transportation to actually take him up on his offer.

At one point, he even accused the Texas Governor of attacking Chicago and other cities that received migrants. Pretty unhinged, if you ask me.

This would be like sending an invitation out to a party that says: Everybody is welcome, and then berating the person who actually shows up with a carload of people.

I think there is a lesson there: Don't say everybody is welcome unless you mean it.

President Biden's border crisis has grown to such a magnitude that even the sanctuary cities and States are turning off or flipping over the welcome sign. The crisis just keeps growing and growing, and the pressure on President Biden is mounting.

And, oh, by the way, he is going to be a candidate for reelection in November 2024. That may have something to do with his newfound attention and concern about the problem. He didn't care about the border crisis when it was just hurting Texas or the communities along the border. He didn't flinch when frontline law enforcement pleaded for more support. He didn't bat an eye when we broke the record for the most border crossings in a single day, month, and year. But now that Democratic voters—voters he is going to need to get reelected in places like New York and Chicago—are sounding the alarm over the border crisis, so it looks like President Biden is finally starting to pay attention.

When asked by a reporter last week if the border was secure, President Biden said: No, it is not.

It is welcome candor.

But given the magnitude of the crisis, it is sad that that statement was actually newsworthy because it marked a much needed change from the President to recognize we have a problem on our hand.

The fact is—and we all know the answer—that the status quo was unsustainable. We have reached a breaking point. And the only way to restore some sense or order is by addressing the current failed policies of the Biden administration—particularly this abuse of parole, which is just simply releasing people, giving them a work permit, even to those who aren't claiming a credible fear of persecution or grounds for asylum.

Now, we all know several of our colleagues are trying to negotiate an agreement on legislation that would create meaningful policy changes to address the crisis. And I appreciate their efforts. I sincerely do. But so far, all we have seen are statements about what is being negotiated. None of us have seen the text of the actual negotiated product. And I, for one, am anxious to see that so we can have a real discussion and maybe a debate and, hopefully, make some significant progress on what has come to be known as the Biden border crisis.

I yield the floor.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 467, Jacquelyn D. Austin, of South Carolina, to be United States District Judge for the District of South Carolina.

Charles E. Schumer, Richard J. Durbin, Angus S. King, Jr., Margaret Wood Hassan, Peter Welch, Mazie K. Hirono, Alex Padilla, Jeanne Shaheen, Jack Reed, Robert P. Casey, Jr., Chris Van Hollen, Richard Blumenthal, Gary C. Peters, Raphael G. Warnock, Christopher A. Coons, Jeff Merkley, Christopher Murphy.

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

The question is, Is it the sense of the Senate that debate on the nomination of Jacquelyn D. Austin, of South Carolina, to be United States District Judge for the District of South Carolina, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO) and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 79, nays 17, as follows:

[Rollcall Vote No. 18 Ex.]

YEAS—79

Baldwin	Butler	Coons
Bennet	Cantwell	Cornyn
Blumenthal	Capito	Cortez Masto
Booker	Cardin	Cotton
Boozman	Carper	Cramer
Brown	Casey	Cruz
Budd	Collins	Daines
Duckworth	Luján	Rubio
Durbin	Lummis	Schatz
Ernst	Manchin	Schumer
Fetterman	Markey	Shaheen
Fischer	McConnell	Sinema
Gillibrand	Menendez	Smith
Graham	Merkley	Stabenow
Grassley	Moran	Tester
Hassan	Mullin	Tillis
Heinrich	Murkowski	Van Hollen
Hickenlooper	Murphy	Warner
Hirono	Murray	Warnock
Hyde-Smith	Ossoff	Warren
Johnson	Padilla	Welch
Kaine	Peters	Whitehouse
Kennedy	Reed	Wicker
King	Ricketts	Wyden
Klobuchar	Romney	Young
Lankford	Rosen	
Lee	Rounds	

NAYS—17

Blackburn	Hawley	Scott (FL)
Braun	Hoeven	Sullivan
Britt	Marshall	Thune
Cassidy	Paul	Tuberville
Crapo	Risch	Vance
Hagerty	Schmitt	

NOT VOTING—4

Barrasso	Sanders
Kelly	Scott (SC)

The PRESIDING OFFICER. On this vote, the yeas are 79, the nays are 17.

The motion is agreed to.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 474, Cristal C. Brisco, of Indiana, to be United States District Judge for the Northern District of Indiana.

Charles E. Schumer, Richard J. Durbin, Angus S. King, Jr., Margaret Wood Hassan, Peter Welch, Mazie K. Hirono, Alex Padilla, Jeanne Shaheen, Jack Reed, Robert P. Casey, Jr., Chris Van Hollen, Richard Blumenthal, Gary C. Peters, Raphael G. Warnock, Christopher A. Coons, Jeff Merkley, Christopher Murphy.

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

The question is, Is it the sense of the Senate that debate on the nomination of Cristal C. Brisco, of Indiana, to be United States District Judge for the Northern District of Indiana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO) and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 68, nays 29, as follows:

[Rollcall Vote No. 19 Ex.]

YEAS—68

Baldwin	Hassan	Reed
Bennet	Heinrich	Romney
Blumenthal	Hickenlooper	Rosen
Booker	Hirono	Rounds
Braun	Hyde-Smith	Rubio
Brown	Kaine	Sanders
Butler	Kennedy	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Lankford	Sinema
Carper	Luján	Smith
Casey	Manchin	Stabenow
Cassidy	Markey	Tester
Collins	McConnell	Tillis
Coons	Menendez	Van Hollen
Cornyn	Merkley	Warner
Cortez Masto	Mullin	Warnock
Cramer	Murkowski	Warren
Duckworth	Murphy	Welch
Durbin	Murray	Whitehouse
Fetterman	Ossoff	Wyden
Gillibrand	Padilla	Young
Graham	Peters	

NAYS—29

Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Britt	Hawley	Schmitt
Budd	Hoeven	Scott (FL)
Cotton	Johnson	Sullivan
Crapo	Lee	Thune
Cruz	Lummis	Tuberville
Daines	Marshall	Vance
Ernst	Moran	Wicker
Fischer	Paul	

NOT VOTING—3

Barrasso	Kelly	Scott (SC)

The PRESIDING OFFICER (Ms. CORTEZ MASTO). On this vote, the yeas are 68, the nays are 29.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Cristal C. Brisco, of Indiana, to be United States District Judge for the Northern District of Indiana.

The PRESIDING OFFICER. The Senator from West Virginia.

BIDEN ADMINISTRATION

Mrs. CAPITO. Madam President, this past Saturday, January 20, marked 3 years since President Biden took his oath of office. Since then, President Biden has had nearly 1,100 days in the White House to enact the policies that he campaigned on.

I can tell you what has been clear to me. The lives of Americans are not better now than they were 3 years ago. Our country is not safer than it was 3 years ago, and the state of the Union is not stronger than it was 3 years ago.

Time and again, President Biden has let his tenure be defined by weakness, as opposed to strength. This lack of leadership has had negative implications across a variety of sectors of American life and left millions of people across the country and the world in situations that were unavoidable.

It just really doesn't have to be this way, President Biden.

Perhaps, none of the Biden administration failures is as glaringly obvious as the one at the southern border, which I have talked about numerous times from this desk, and the continued fallout we are seeing as a result of a President who is, basically, asleep at the switch on this issue or ignoring it or maybe encouraging it.

There have been 6.7 million illegal encounters at the southern border on his watch. It is hard to imagine the scope of what 6.7 million human encounters really mean. But think of it this way: Only 17 U.S. States have a population higher than 6.7 million. Mine, of course, is not one of those. This massive flow of humanity is the equivalent of adding another State to our country that is nearly four times the size of my home State of West Virginia.

But President Biden's border failure just doesn't stop there. Since fiscal year 2021, U.S. Customs and Border Protection has seized 536,000 pounds of meth, 250,000 pounds of cocaine, and 56,000 pounds of the deadly substance fentanyl. With hundreds of thousands of admitted ''get-aways''—those people who aren't in these statistics—it is impossible to know the amount of narcotics that made it across the border into our homeland.

When it comes to the southern border, the only thing President Biden has improved, in my opinion, is the business of the cartels, which are receiving cover to continue their crimes every day, whether it is drug peddling or human smuggling, every day we do not respond to this crisis.

The list of consequences as a result of President Biden's inaction on the border is long and has led to everything from violent crimes committed by individuals not lawfully in this country, to our hospitals and health clinics being pushed to the brink, to our children being forced to vacate their schools and remote learn to make room for migrate shelters; and even calls from the leaders of blue States who sent a letter on Monday asking for Federal assistance to handle this crisis. Rather than properly defending our homeland, President Biden has incentivized a crisis that urgently needs a solution.

Unfortunately, for this administration, when it comes to failures, the border is just the beginning. Let's look at the economy or where the unrelenting pursuit of Bidenomics—which, by the way, I don't think the President uses that term anymore. President Biden and his supporters want the American public to believe that the same positive trends are signs that his policies are working. But if you spent any time in middle-class America over the past 3 years or in the grocery store, you would know our families are continuously being squeezed by high prices, and businesses are being taxed and regulated out of existence.

The quality of life for American families is designed by their ability to put food on the table, to earn an honest living, and to put a roof over their heads, not by these broad microeconomic indicators—arrow going up, arrow going down.

Unfortunately, there is no relief in sight for American families under Bidenomics. Cumulative overall prices since January of 2021 have risen 17 percent. Food prices have increased 20 percent, energy prices have increased 32 percent, and rent prices have increased 19 percent, all while average weekly earnings for all employees have decreased by 4.5 percent. The basic truth is that under the President, Americans are spending more and getting less.

Additionally, these policies defined by Bidenomics are failing our small businesses and manufacturers, as well. Small and medium manufacturing companies continue to have historically low levels of optimism about their future, and 23 percent of small business owners report that inflation was the single most important problem to their business operations. I would say the supply chain and the workforce—all are contributing.

Another area in which this administration continues to fail is our national security and the standing of our country on the world stage. The same President who vowed that ''America is back'' in one of his first addresses has instead come to own a foreign policy record that is marred by botched withdrawals, open displays of weakness, and regretful decision making.

Look no further than the United States' disastrous withdrawal from Afghanistan in 2021, which undoubtedly has damaged the trust between our allies, broadcasted weakness on the world stage, and displayed a lack of resolve that emboldened our adversaries.

When it comes to Iran and the Middle East, President Biden has made disastrous decisions, like the decision to delist the Houthis as an FTO, the same Iranian-backed terror group that has perpetrated more than 30 attacks on vessels transiting the Red Sea; or the administration's willingness to be strung along by Iran with fruitless nuclear negotiations.

Today, it is clear that these negotiations were a waste of time. They are attacking our bases. They are providing dollars for all of these terror attacks in that region. And Iran now is rapidly increasing their production of highly enriched uranium.

And how could we forget the decision to unfreeze $6 billion in assets to Iran—and to do so on 9/11, of all days.

The foreign policy of President Biden has been defined by skyrocketing attacks on U.S. troops by foreign adversaries, a large-scale ground war in Europe, and the unprecedented buildup of China's military, amid concerns about the health of our own defense industrial base here at home.

While there is an undeniable lack of American leadership in our executive branch, we must remind ourselves that it is not too late ever to reverse course. While the congressional Republicans didn't create the issues that we have at hand, we accept the responsibility of trying to solve them. That is why Republicans stand for solutions that

change the border policies—policies, not money—that have allowed this crisis to thrive, rein in our Washington spending, support our small businesses and manufacturers and middle-class families, unleash American energy, and then prove that the true strength and standing of the United States in the world is as good as it could ever be.

Our country cannot—cannot—continue to accept the level of failure that this administration has made normal over the past 3 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. RICKETTS. Madam President, yesterday marked the 1-year anniversary of my joining the U.S. Senate. I wanted to take the opportunity to join this body because I believe America's best days lie ahead of us and that we needn't look any further than in States like mine to find the solutions to our Nation's problems.

I often say that Nebraska is what America is supposed to be. When I was Governor of the State of Nebraska, we spent 8 years delivering on excellence and making government work for the people. We proved that government can work together and put taxpayers first. And we did it while respecting individual freedoms and limiting our spending, running government well, and keeping people safe.

Those are the things I am working on in the U.S. Senate. This year, my team and I got to work for the people of Nebraska by fighting against the Biden administration's overspending and overregulation. It is driving inflation, and it is costing Americans money. Since Joe Biden has been sworn in as President, inflation broadly is up by 17.2 percent. Groceries are up 20 percent. Rent is up 19 percent. Electricity is up 24 percent. Gas is up 34 percent. And your average American home is spending $11,434 more today to have the same standard of living as they did when Joe Biden was sworn in as President. Americans are hurt by Joe Biden's policies.

We made government work better in Nebraska, and I pledge to do the same thing here in DC. My proven solutions for Nebraska work here in DC, and they are small steps to make things better here in Washington and to put taxpayers first.

My SNAP Next Step Act, which I introduced here, will help our families on SNAP get better jobs and get out of welfare.

We have introduced bills to provide tax relief to our veterans and to our seniors, and we are fighting to allow consumers choice. For example, with my Flex Fuel Fairness Act, it would push back against the Biden administration's EV mandate and provide consumers choice with biofuels that we know will save them money at the pump, help clean up our environment, and help make us less energy dependent.

I am also going to keep fighting to help keep Americans safe. Joe Biden's failed border policies have made every State a border State.

Over the weekend, News Channel Nebraska reported on a man from Mexico who was sentenced to prison in Bellevue, NE, after being convicted of conspiracy to distribute methamphetamine.

This 43-year-old man was in the country illegally. He was arrested in a motel room with nearly $15,000 in cash, and 11½ pounds of methamphetamine. It turned out he had been previously deported for drug charges. And if drug trafficking doesn't scare you, the national security threat should.

In years past, we would have single-digit numbers of people crossing our southern border on the Terrorist Watchlist. Last year, 169 crossed our southern border on the Terrorist Watchlist. Over 8.8 million encounters along our southern border since Joe Biden has become President.

That number of encounters with individuals on the Terrorist Watchlist that used to be in single digits pales in comparison with the number of people coming here illegally. And that is why I am working with my colleagues to pass legislation that would attack Biden's failed border policies head-on. We are working to fix our broken asylum system, to build a wall, and to go after the drug cartels.

We are fighting to reform the parole system the administration is abusing. If you look back on the average number of people who were paroled in this country during the Obama and Trump administrations, it was about 5,600 people a year. Last year, Joe Biden paroled into this country 1.2 million people trying to come here illegally. Folks, that is about two-thirds of the population of the State of Nebraska.

We have also got to stop the human trafficking that is going on at the southern border. Children are being recycled. They are being brought across the border by adults who know it is easier to get in if they have a child with them. Yet the Biden administration stopped the DNA testing that would prove that these children belong to the parents, and Customs and Border Protection personnel tell me that sometimes 30 to 50 percent of the kids they used to test did not belong to those adults. And inexplicably, the Biden administration has stopped that, putting these kids at risk.

And President Biden's appeasement-first foreign policy has left us weakened and in a dangerous world.

Our disastrous pullout from Afghanistan emboldened dangerous dictators like Putin in Russia, Xi in China, and Khomeini in Iran. Iran is the world's largest state sponsor of terrorism, and yet this administration has given them over $50 billion in sanctions.

As a result, Houthi rebels sponsored by Iran, funded by Iran, are shooting at our ships in the Red Sea, including our U.S. Navy. Hamas, also backed by Iran, has attacked one of our greatest allies: Israel. Biden's weakness encouraged Putin to invade Ukraine, and the Chinese Communist Party has increased their aggression toward Taiwan. All of this must stop. This world is less safe because of Joe Biden's policy.

I will continue to push back on Washington's overregulation and overspending to introduce measures to make government work well and to keep people safe. I think we have to ask ourselves: Are we better off today versus 3 years ago? And the answer is no.

I will continue to push back on this Biden administration and the way they have driven inflation to bring our proven Nebraska solutions to Washington, DC, and to fight to keep Americans safe both here and abroad.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. SCHMITT. Madam President, I rise to bring attention to the abject failures of the Biden administration 3 years on.

Let's briefly recap the last 3 years from Joe Biden: executed a disastrous withdrawal from Afghanistan that led to the death of 13 brave members of our Armed Forces; targeted parents at school board meetings and floated the idea of deeming them as domestic terrorists in an official memo; declared outright war on domestic energy production and then pillaged our Strategic Petroleum Reserve causing gas prices to soar; attempted to force tens of millions of Americans to get a vaccine or lose their jobs; recklessly spent billions and billions of dollars, which led to historic inflation and soaring prices.

He refused to enforce the laws in place that we currently have at the southern border and proactively fought those laws in court, leading to record-breaking numbers of illegal immigration; created the largest censorship enterprise in American history and worked with Big Tech companies to censor Americans' voices; repeatedly vilified half the country as MAGA extremists in speech after speech; attempted to unilaterally cancel a half a trillion dollars' worth of student loan debt; weaponized agencies like the FBI to go after Catholics and, more broadly, American citizens; projected weakness on the world stage; and has emboldened our enemies.

I could go on, but I think you get the point. Joe Biden has weaponized Federal Agencies against his fellow Americans; worked with Big Tech companies to censor Americans' speech; poured gasoline on the inflation fire; stifled domestic energy production; refused to secure the border; and has supercharged the growth of the administrative state.

Americans can barely afford household items and needs, and they are incurring historic levels of credit card debt. Our national debt is skyrocketing.

The so-called Inflation Reduction Act actually caused inflation to skyrocket. Bidenomics is a failure, no matter how this administration tries to spin it.

Millions and millions of illegal immigrants are flowing across the border and into the interior of the United States. The Biden administration has fought every reasonable tool they could to stem the crisis at our southern border in court and is illegally—currently illegally abusing the parole system.

Fentanyl and other drugs are flowing into our communities as a result. The whole of the Federal Government has been weaponized against the very people it is supposed to serve. Joe Biden was the architect of the largest censorship enterprise our country has ever seen.

The FBI has targeted Catholics, and Joe Biden wanted to label parents who wanted to stick up for their kids in school board meetings as domestic terrorists. And our adversaries can clearly see the weakness that is being projected by Joe Biden.

China is militarizing islands in the South China Sea, and they are playing for keeps. Iran-backed insurgencies are attacking ships in the Red Sea and are launching attacks against our own military installations. There are still hostages being held by Hamas.

The simple fact is, the Biden administration and the Biden Presidency has been a disaster for the American people and for our country as a whole.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

ORDER OF BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent the cloture motion with respect to the Lund nomination be withdrawn, and notwithstanding rule XXII, the Senate vote on confirmation of the nomination at 11:30 a.m. on Thursday, January 25, the year 2024.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. DURBIN. Madam President, I ask unanimous consent that we move immediately to the vote that has been scheduled for 2:15.

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

NOMINATION OF JACQUELYN D. AUSTIN

Mr. DURBIN. Madam President, today, the Senate will vote to confirm Judge Jacquelyn D. Austin to the U.S. District Court for the District of South Carolina.

Born in Sumter, SC, Judge Austin earned her B.S. from the University of South Carolina School of Engineering and her J.D. from the University of South Carolina School of Law. After law school, Judge Austin completed a clerkship for Judge Matthew J. Perry on the U.S. District Court for the District of South Carolina. She then entered private practice as a patent attorney for the Hardaway Law Firm, where she was responsible for drafting and prosecuting patent applications with the U.S. Patent and Trademark Office. Judge Austin also worked in business litigation at Womble Carlyle Sandridge and Rice, PLLC, where she handled matters ranging from intellectual property litigation to Fair Housing Act claims.

In 2011, Judge Austin was appointed to an 8-year term as a federal magistrate judge on the U.S. District Court for the District of South Carolina. She was reappointed to the position in 2019. Throughout her time on the bench, Judge Austin has issued thousands of reports and recommendations. She also presides over the district's drug court program, which identifies criminal defendants whose presence in the criminal justice system is primarily a function of drug abuse rather than independently motivated criminal behavior.

The American Bar Association unanimously rated Judge Austin as ''well qualified,'' and she has the strong support of Senators GRAHAM and SCOTT.

Judge Austin's dedication to service, knowledge of the District of South Carolina, and judicial experience make her an outstanding nominee. I will vote in favor of her confirmation and encourage my colleagues to do the same.

VOTE ON THE AUSTIN NOMINATION

The PRESIDING OFFICER. Under the previous order, The question is, Will the Senate advise and consent to the Austin nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

(Ms. ROSEN assumed the Chair.)

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

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

The result was announced—yeas 80, nays 17, as follows:

[Rollcall Vote No. 20 Ex.]

YEAS—80

Baldwin	Fetterman	Murkowski
Bennet	Fischer	Murphy
Blumenthal	Gillibrand	Murray
Booker	Graham	Ossoff
Boozman	Grassley	Padilla
Brown	Hassan	Peters
Budd	Heinrich	Reed
Butler	Hickenlooper	Ricketts
Cantwell	Hirono	Romney
Capito	Hyde-Smith	Rosen
Cardin	Kaine	Rounds
Carper	Kennedy	Rubio
Casey	King	Schatz
Cassidy	Klobuchar	Schumer
Collins	Lankford	Scott (SC)
Coons	Lee	Shaheen
Cornyn	Luján	Sinema
Cortez Masto	Lummis	Smith
Cotton	Manchin	Stabenow
Cramer	Markey	Tester
Cruz	McConnell	Tillis
Daines	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Moran	Warnock
Ernst	Mullin	Warren
Welch	Whitehouse	Wyden
	Wicker	Young

NAYS—17

Blackburn	Hoeven	Scott (FL)
Braun	Johnson	Sullivan
Britt	Marshall	Thune
Crapo	Paul	Tuberville
Hagerty	Risch	Vance
Hawley	Schmitt	

NOT VOTING—3

Barrasso	Kelly	Sanders

The nomination was confirmed.

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

NOMINATION OF CRISTAL C. BRISCO

Mr. DURBIN. Madam President, today, the Senate will vote to confirm Judge Cristal C. Brisco to the U.S. District Court for the Northern District of Indiana.

Born in Granger, IN, Judge Brisco earned her B.A., cum laude, from Valparaiso University in 2002 and her J.D. from the University of Notre Dame Law School in 2006. After graduating from law school, Judge Brisco worked as an associate in the litigation and labor and employment department at Barnes & Thornburg, LLP from 2006 to 2013.

Following her work in private practice, she was appointed to serve as the corporation counsel for the city of South Bend, IN, by then-Mayor Pete Buttigieg. From 2017 to 2018, Judge Brisco served as the general counsel of the Corporation of Saint Mary's College. After that, Judge Brisco served as a magistrate judge on the St. Joseph Circuit Court—Mishawaka Division, from 2018 to 2021. In July 2021, Judge Brisco was appointed by Indiana Governor Eric Holcomb to serve as a judge on the St. Joseph Superior Court. Then, in February 2022, Judge Brisco was appointed by the Indiana Supreme Court to concurrent service on the Indiana Commercial Court. During her time on the bench, she has issued approximately 1,818 written decisions.

The American Bar Association unanimously rated Judge Brisco as ''well qualified'' to serve as a district judge on the Northern District of Indiana. She has the support of her home State Senators, Mr. YOUNG and Mr. BRAUN.

With deep ties to the Hoosier State, Judge Brisco's experience as a superior court judge and former civil litigator have prepared her to serve honorably on the Federal bench in Indiana.

I am proud to support her nomination, and I urge my colleagues to do the same.

VOTE ON BRISCO NOMINATION

The PRESIDING OFFICER. Under the previous order, The question is, Will the Senate advise and consent to the Brisco nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

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

The result was announced—yeas 67, nays 32, as follows:

[Rollcall Vote No. 21 Ex.]

YEAS—67

Baldwin	Hassan	Reed
Bennet	Heinrich	Romney
Blumenthal	Hickenlooper	Rosen
Booker	Hirono	Rounds
Braun	Hyde-Smith	Sanders
Brown	Kaine	Schatz
Butler	Kelly	Schumer
Cantwell	Kennedy	Shaheen
Capito	King	Sinema
Cardin	Klobuchar	Smith
Carper	Lankford	Stabenow
Casey	Luján	Tester
Cassidy	Manchin	Tillis
Collins	Markey	Van Hollen
Coons	McConnell	Warner
Cornyn	Menendez	Warnock
Cortez Masto	Merkley	Warren
Cramer	Murkowski	Welch
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Fetterman	Ossoff	Young
Gillibrand	Padilla	
Graham	Peters	

NAYS—32

Blackburn	Hagerty	Risch
Boozman	Hawley	Rubio
Britt	Hoeven	Schmitt
Budd	Johnson	Scott (FL)
Cotton	Lee	Scott (SC)
Crapo	Lummis	Sullivan
Cruz	Marshall	Thune
Daines	Moran	Tuberville
Ernst	Mullin	Vance
Fischer	Paul	Wicker
Grassley	Ricketts	

NOT VOTING—1

Barrasso

The nomination was confirmed.

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

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The Senate will resume consideration of the following nomination, which the clerk will report.

The senior assistant executive clerk read the nomination of Gretchen S. Lund, of Indiana, to be United States District Judge for the Northern District of Indiana.

The PRESIDING OFFICER. The Senator from Vermont.

GAZA

Mr. SANDERS. Madam President, I would like to say a few words about the urgent humanitarian catastrophe now unfolding in Gaza. The reason I want to do that is I just have the feeling that most people—maybe here in the Senate and throughout the country—are just not aware of how severe the situation has become.

My staff and I have had a number of conversations in recent days with the United Nations, the World Food Programme, and other humanitarian actors struggling to deal with the horrors unfolding in Gaza. Here is the bottom line: The coming weeks could mean the difference between life and death for tens of thousands of people. If we do not see a dramatic improvement in humanitarian access very soon, countless innocent people, including thousands of children, could die of dehydration, diarrhea, preventable diseases, and starvation. The World Health Organization predicts that the number of deaths from sickness and starvation could exceed the 25,000 people who died from Israeli bombs.

Let's be clear: What is going on in Gaza today is a man-made crisis. This is not a natural disaster. This is not climate change. This is a man-made crisis taking place right now, and it is the direct result of choices made by political leaders—none more than Israeli Prime Minister Benjamin Netanyahu, the leader of Israel's extreme rightwing government.

We all know that Hamas—a terrorist organization—began this war with its horrific attack on October 7, which killed 1,200 innocent Israeli men, women, and children, and took more than 200 hostages. Israel, in my view, had the right to respond to that attack and go after Hamas, but it did not and does not have the right to go after the entire Palestinian people, which is exactly what is happening right now.

Let me try to provide a picture, a snapshot, of what life in Gaza is like today. More than 25,000 Palestinians have been killed in this war so far—and, remember, the population of Gaza is just a bit over 2 million—25,000 are dead already; 62,000 have been wounded. And 70 percent of the dead are women and children—70 percent of the dead are women and children. At least 210 Palestinians have been killed in the last 24 hours. Overall, 152 United Nations aid workers have been killed so far—more U.N. losses than in any previous war.

When we look at what is going on in Gaza now, we must understand that 1.7 million people have been driven from their homes—85 percent of the entire population of Gaza. Imagine that: 85 percent of the population removed from their homes. Then, as a result of Israeli bombardment, 70 percent of the housing units have been damaged or destroyed—an unprecedented level of destruction.

Most of Gaza's critical infrastructure has been destroyed or made inoperable, including many water wells, bakeries, powerplants, hospitals, and sewage treatment facilities.

Importantly, much of the area has been without cell phone service for weeks, making communication very difficult. How do you know what is going on, how do you know what kind of bombing may be taking place if you don't have a cell phone that is working?

The fighting and Israeli restrictions have made it nearly impossible for food, water, fuel, and medical supplies to enter Gaza. Water is scarce, and what little is available is often contaminated. Children are drinking very polluted water. Public wells are operating at just 10-percent capacity, and just one of three water pipelines into Gaza is functioning.

For several months now, children in southern Gaza are surviving on just 1½ or 2 liters of water per day—far, far below what is needed. And that is in the area where the U.N. can reach. The situation is worse elsewhere.

The lack of clean drinking water is leading to a spike in water-borne diseases and diarrhea—a very serious condition which accounts for nearly 10 percent of all deaths among children under the age of 5 worldwide. In Gaza, the U.N. reports 158,000 cases—more than half among children under the age of 5—a 4,000-percent increase in diarrhea from before the war began.

We have heard from humanitarian groups last week that they fear many thousands of children will die from diarrhea before they starve to death. What a horrible reality we are looking at in Gaza right now.

Hunger and starvation are widespread. Before the war, Gaza had 97 bakeries producing the bread and other basics that people need. Right now, just 15 of those bakeries are operating, and none are functioning in the north, closed by the combination of airstrikes and a lack of fuel and flour.

Hundreds of thousands of children go to bed hungry every night. We have all seen the scenes of desperate people mobbing the few U.N. relief trucks that can reach beyond the border crossing. They see food coming, and they mob those trucks.

Right now, the United Nations says that 570,000 people in Gaza, including small kids, are currently facing ''catastrophic hunger''—that is their definition—which is equivalent to famine. This is the most severe category of starvation, but the U.N. reports that ''the entire population of Gaza—roughly 2.2 million people—are in crisis or worse levels of acute food insecurity.'' In other words, virtually every household is regularly skipping meals, and most are down to a single meal a day; often, just bread.

Experts tell us that infants and young people will succumb first to hunger. Without enough food and with no clean water to make formula, their vital organs will begin to shut down. Many will die of infection before they reach that point.

I have difficulty, on a personal level, even using the technical term for this stage. The technical term is ''child wasting.'' I find that term absolutely horrific. Yet that is what we are watching unfold in slow motion as the world looks on: children starving, drinking polluted water, suffering from dehydration, getting sick, and slowly dying.

In the midst of all of this, Gaza's healthcare system is under tremendous strain. Faced with over 87,000 casualties—figures that would overwhelm the

most sophisticated health system in the world—health workers there have worked to save lives amid frequent bombardment in overcrowded hospitals without electricity or adequate fuel or medicine. And in the midst of all of this, over 300 health workers have been killed.

The lack of basic necessities and overcrowded conditions are contributing to a dramatic increase in disease, and 10 percent of the population now has acute respiratory infections. Those with long-term medical conditions that require advanced treatment have little hope of receiving adequate care.

Amidst this devastation, approximately 180 women give birth in Gaza every day, facing unbelievable dangers and completely inadequate medical care. Without enough food or clean water, let alone necessary medications and antibiotics, many of these women face serious complications, and their children will bear lifelong scars from this war.

That is just a bit of the story in terms of what is happening in Gaza right now—a story that we cannot continue to ignore.

Let me say a word about why this is happening, about what the immediate causes of this humanitarian disaster are. The answer is not complicated. At every step of the way, the Israeli Government has failed to provide even the most basic protections to civilians. Every humanitarian move has been extracted only after weeks of delay and outside pressure from the United States and others.

The result of all of this is that today, just 20 to 30 percent of what is needed in humanitarian aid is being brought into Gaza. There is not enough food. There is not enough water. There are not enough medical supplies. There is not enough fuel.

Onerous Israeli border inspections are a major cause of this crisis. Today, there is a 3- to 4-week wait for trucks to get into Gaza, while children are starving. Many trucks are unloaded and reloaded numerous times, often to be searched for the same items.

It is understandable that Israel wants to ensure that no weapons are reaching Hamas. We all understand that. But senior U.S. officials tell us that they have seen no evidence of Hamas theft or diversion of U.N. aid. Meanwhile, Israel is rejecting things like tent poles, feminine hygiene kits, hand sanitizers, water testing kits, and medical supplies. If a single item in a truck is rejected, then the whole truck has to go back to the start of the process, causing enormous delays. Kerem Shalom crossing, the main entry point equipped to process trucks in large numbers, is only open 8 hours a day.

I want to thank our colleagues Senator VAN HOLLEN and Senator MERKLEY for their courage in going to the Egyptian-Gaza border and coming back here and reporting to us their personal observations of the crisis there.

It is hard to see this process and not conclude that what is taking place is a deliberate effort to slow humanitarian aid. Sure enough, just last week, Prime Minister Netanyahu said that Israel is only allowing in the absolute minimum amount necessary.

When trucks do eventually get across the border, they face a whole new set of problems. Israel is bombing targets across Gaza, and its ground forces are fighting across much of the enclave and have closed many major roads. For aid trucks to move safely and avoid being bombed or shot, every movement must be cleared with the Israeli Defense Forces.

This deconfliction process has repeatedly failed. Even when notified, Israel has sometimes hit aid convoys. Medical facilities and humanitarian shelters cleared with Israelis have been struck numerous times. Tragically, the first half of January actually saw a deterioration in humanitarian access. In that period, Israel denied 95 percent of U.N. attempts to bring fuel and medicines to water wells and health facilities in north Gaza.

Netanyahu's rightwing government is starving the Palestinian people. On top of its indiscriminate bombardment, Israel is imposing onerous restrictions that are blocking the delivery of essential humanitarian aid.

All of this is unacceptable. We are running out of time as we face one of the most severe humanitarian catastrophes of recent times.

This should not be seen as just a terrible crisis taking place many thousands of miles away from our shores. This is a tragedy in which we, the United States of America, are complicit.

Much of what is happening right now is being done with U.S. arms and military equipment. In other words, whether we like it or not, the United States is complicit in the nightmare that millions of Palestinians are now experiencing.

In my view, Israel must take urgent steps immediately to open up humanitarian access. The water pipelines must be rapidly repaired and reopened. More border crossings, including in the north, must be opened. Inspections must be streamlined and sped up. Deconfliction of aid deliveries must be prioritized. And Israel must stop blocking essential humanitarian supplies.

These are not new issues. These are concerns that have been repeatedly communicated to the Israeli Government for months by the United States, by the U.N., and, in fact, by the global community. But the Israeli Government has refused—refused—to take these steps.

This has got to change now. Tens of thousands of lives hang in the balance. If we care about human rights and if we believe in the dignity of every human life, as we so often profess, we cannot allow this gruesome and horrible situation to continue. This is an urgent, unspeakable crisis. Every day matters, and we must act and act now.

Israel is not doing what is needed, despite the repeated pleas of the U.S. Government and the President of the United States. That is why, in my view, we need to use every tool at our disposal to make Netanyahu change the direction he has taken.

As part of that effort, last week, the Senate voted on what I consider to be a very modest step, a resolution requiring the State Department to report on any human rights violations that may have occurred in Israel's military campaign in Gaza. The resolution was based on longstanding U.S. law requiring that any security assistance or military equipment provided to any country be used in line with internationally recognized human rights. That is what that resolution was about.

This is not a radical idea: making sure that the weapons we supply any country are used consistent with American law and international law. Yet just 11 U.S. Senators voted for that resolution.

We cannot continue turning a blind eye to the suffering in Gaza and the humanitarian catastrophe that is unfolding there. We cannot continue to ignore the fact that it has been American bombs and military equipment that has helped create this crisis.

Given the scale of the disaster, how could any Member of the Senate tell us that they do not want to know how billions in U.S. military aid is being used? How can we not want to have that very simple information?

My colleagues and I will continue to push for this information, which is absolutely necessary for Congress to conduct its oversight duties. But in addition to getting answers, I believe the United States must use all of our leverage to end this horrific war. And the primary leverage that we have over the Israeli Government is the billions of dollars in military aid we provide to them every year and the $14 billion being proposed for Israel in the supplemental budget.

Madam President, in my view, we must loudly and clearly say no to Netanyahu's indiscriminate bombing, no to this manmade humanitarian catastrophe, and no to the unprecedented level of human suffering that is taking place in Gaza now. We must use our leverage to demand an end to the bombing, a humanitarian ceasefire to allow aid to flow to those who are suffering, and to secure the release of the more than 130 hostages still being held in Gaza. We must also demand that the Israeli Government begin the necessary work to lay the groundwork for a two-state solution.

Bottom line: There is a horrific catastrophe taking place right now. We cannot continue to ignore it. We must act.

I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Rhode Island.

U.S. SUPREME COURT

Mr. WHITEHOUSE. Madam President, let me get to the point at hand. I

am back now for the 27th time to call attention to the rightwing billionaires' scheme to capture and control our Supreme Court and connect it to things that are going on at the Court right now.

The billionaire elite that captured our Supreme Court wants to use it to attack Americans' ability—our ability as a people—through regulation, to protect our own health and safety, and the goal, mostly, is to benefit the big polluters in their midst.

A word on regulation: As modern innovations have raised the standard of living in the United States and around the world and corporations have grown to international behemoths and billionaires have claimed for themselves a larger and larger share of the world's wealth, regulation has come to have a very important role.

Big corporations' well-known motive to maximize profits, I should say, inevitably causes dangers to society. If you think of a big industrial plant that without oversight would leach chemical byproducts into the soil and water, poison wells, and spread cancer, you have got an idea of why regulation is needed.

Over many decades, Congress created administrative Agencies to perform this task, staffed by scientists and other experts to use their expertise to manage and rein in these industrial dangers. The American system of regulation made our society safer and more prosperous. Period.

As heavy equipment and dangerous chemicals came to mines and factories and construction sites, regulators implemented workplace safety standards. The meatpacking jungle led to sanitation requirements in production facilities. Automobile highway carnage produced seatbelts and airbags. Stockjobbing ''boiler rooms'' and insurance fraud provoked regulations to protect investors and insureds.

What has been the result? Workplace illnesses, injuries, and deaths declined. Foodborne illnesses that used to kill thousands of people per year have been practically wiped out. Highways are no longer carnage; boilers rarely explode; and medications and stock offerings and insurance policies are all safer for consumers.

And, by the way, in this environment of safety, corporate profits soared. The S&P 500 has returned an excess of 7,800 percent. Clean air and clean water and safe food and cars are actually good for business. Regulation is good. Regulation is a public good.

But a gang of recalcitrant polluters is in the crew that captured the Supreme Court. And they want not only to pollute for free, they want to pollute without expert regulation.

Well, even Republican Congresses wouldn't go for that so they turned to their captured, unaccountable Court.

First, they got the Court to create a brandnew, so-called major questions doctrine, basically a too-big-to-regulate escape hatch for big polluters. And now they are using their captured Court to attack another precedent, the legal doctrine known as Chevron deference, which is pretty simple: Unless the law is clear, on technical matters courts defer to the Agency experts.

This arrangement makes sense. Congress isn't suited and usually hasn't the expertise to make fine, technical determinations. So to prop up their attack on this commonsense principle, polluters have invented some fake arguments.

A few years ago, these industries and their rightwing front groups began arguing that Chevron deference has a separation-of-powers problem. It may make all the sense in the world, but it has a separation-of-powers problem that courts must attend to because they say it gives unchecked and disproportionate power to the executive branch.

The problem with that argument is that it is just not true. It is flatout false. Congress's legislative grant of administrative authority to Agencies comes with significant checks and balances. I am not going to go into all the details, but for starters, Agency heads are appointed by an elected President and confirmed by an elected Senate. And Agencies may not promulgate rules willy-nilly; they have to take public notice and comments.

And Agency rules are subject to judicial review to make sure they are consistent with the rules and the Administrative Procedures Act and the public information and comment and the evidence. That helps make sure that regulations by law have to be both reasonable and consistent with the evidence and the facts.

And in Congress, when all that is going on, we exercised direct oversight over these administrative Agencies. We do it through our oversight committees that have specific jurisdiction on specific Agencies. We do it through the appropriations process. Very often you see appropriations riders to control Agency behavior.

And we do it through the expedited review of the Congressional Review Act, which we are seeing a lot of now in the Senate, and it allows for a very quick review by Congress of a challenged Agency rule. And, in fact, Congress has used that process to overturn Agency rules 20 times since 2001.

The legal vehicle for the polluters' attack on Chevron comes in a case called Loper Bright Enterprises. As usual, where polluter interests are involved, this case brought out a rogue's gallery of what I would call the ''usual suspects''—front groups that have spent decades trying to dismantle the government's ability to regulate the big industries that secretly fund the front groups.

They arrived at the captured Court at the end of a long process that began with industry-funded think tanks that reverse-engineered fringe ideas and legal theories that will serve rightwing donor interests. Then those fringe ideas and legal theories cooked up in the doctrine factories get taken into other think tanks and around captured trade associations and bounced around and put more and more into the public debate and, ultimately, once they have been credentialed by this echo chamber of front groups, they get pushed—these manufactured legal theories get pushed into courtrooms around the country, very often, through coordinated flotillas of secretly funded amicus briefs.

There is a whole ecosystem of secretly funded corporate front groups that manage this whole process. It seems complicated, but it is less complicated than a piano and people know how to play pianos.

Now, much of this is funded by the Koch Brothers—now one is deceased—but the Koch Industries, a political influence operation, which is a powerful, rightwing, dark money political network.

Look at this Loper case. The lawyers who represent the petitioners in this case are working for free—supposedly—ostensibly for a public interest law firm called Cause of Action.

This supposed public interest law firm discloses no donors and does not report any employees. As the New York Times discovered in this article, those lawyers actually work for Americans for Prosperity, the central battleship of the Koch Brothers' political front group armada.

That armada, by the way, is very cozy with some of the far-right Justices of the Supreme Court. Indeed, ProPublica has reported that Justice Clarence Thomas has repeatedly flown out to serve as the celebrity draw for the Koch political operations fundraisers, including funding that landed at Americans for Prosperity. As is now standard practice in these cases, a flotilla of dark money front groups appeared as amici curiae—purporting to be independent but actually with enormous common funding and orchestration. These front groups are frequent flyers that spout anti-regulation arguments before the Supreme Court regularly, like, for instance, the major questions doctrine I mentioned earlier. From the creation of these doctrines in rightwing hothouses, through their amplification via rightwing front groups, to their insertion into legal arguments by rightwing amici, the common thread through the whole process is massive, secret funding from billionaire special interests.

The amici supporting petitioners in the Loper case include the Buckeye Institute, the Cato Institute, the Competitive Enterprise Institute, the Landmark Legal Foundation, the Mountain States Legal Foundation, the National Right to Work Legal Defense Foundation, the New Civil Liberties Alliance, the Pacific Legal Foundation, and, of course, our friends at the U.S. Chamber of Commerce. All of them have received hundreds of thousands, sometimes millions of dollars from these rightwing donors—from DonorsTrust,

from Donors Capital Fund, from the Koch family foundations, from the Bradley Foundation, and in some cases, from good old ExxonMobil itself.

These two—DonorsTrust and Donors Capital Fund—are donor-advised funds that allow ultrawealthy interests to direct funding anonymously to their pet projects. They are essentially identity laundering operations. The money comes in from the donor who wants to be secret. It lands at DonorsTrust. They in turn give it under their own name. The recipient gets it, and there is no record of who the true donor was.

DonorsTrust has been described as the ''dark-money ATM of the right,'' and, with Donors Capital, it has laundered over a third of a trillion dollars—a third of a trillion dollars—into climate denial operations.

Many of these same amici also received Koch Family Foundation funding and Bradley Foundation funding. Those are two other top-10 funders of climate denial. Fossil fuel corporations like ExxonMobil have also directly funded some of these amici.

This is an operation. This is a part of a scheme.

ExxonMobil has given significant money to the Cato Institute, the Competitive Enterprise Institute, the Landmark Legal Foundation, and the Mountain States Legal Foundation, as well as the Pacific Legal Foundation—and that is what we know. There could be other money that went through DonorsTrust, for instance, and into these groups and the ExxonMobil name was laundered off the funding.

Some of these amici also received funding from groups affiliated with Leonard Leo. Leonard Leo has been the operative for the billionaires in the Court-capture operation.

This is a chart of some—some—of the front groups that Leo coordinates.

This question of capturing the Court in order to undermine public safety regulations? Trump White House Counsel Don McGahn actually called these two operations ''two sides of the same coin.'' We have it from inside the White House that these schemes are coordinated.

The Loper amicus, Advancing American Freedom, received $1.5 million from Leonard Leo's Concord Fund—this group—between 2020 and 2021. Leo's Concord Fund operates under the fictitious name Judicial Crisis Network and, operating under that fictitious name, spent millions of dollars on Court capture—for instance, on advertisements for the rightwing nominees to flood the airwaves with TV ads supporting them.

By the way, it also supports Republican State attorneys general, who then challenge Federal regulations the billionaires don't like before the sympathetic judges who were put on courts through this operation.

Just to give you an idea, the Concord Fund and the 85 Fund are the two kind of base entities. They operate out of the same location with overlapping staff and funders and directors. I would argue that the corporate veil between the two could be pierced with a banana.

The operation of these two entities—a conjoined 501(c)(3) and 501(c)4—then has these different legs. Each one of these six legs is a fictitious name—a fictitious name filed under Virginia corporate law—through which these entities operate. It is not a separate thing. It is just a fictitious name for—in this case, Judicial Education Project for the 85 Fund.

So these eight organizations are, in effect, the same organization, and out of it, money gets pumped up to these entities, which are Leonard Leo's means of extracting wealth for himself for his services provided in making sure that this piece of his operation can go forward and help capture the Court.

So that is the background of all of this.

So when the Judicial Crisis Network shows up here, it is a pretty significant tell that there is more going on here than just independent organizations bringing their views to the Supreme Court.

It is not enough to flood the Supreme Court with this fake onslaught of coordinated amici curiae; there has also been a coordinated editorial campaign. In fact, it has been hard to miss the editorial campaign launched to create favorable ideological terrain for the captured Court's Justices to end Chevron deference.

The rightwing apparatus has cranked out op-eds in just about every major publication across the country in the past week. It has been a surge of propaganda pushing that falsehood about unaccountable bureaucrats.

One particularly odious editorial appeared in the pro-polluter Wall Street Journal editorial page. I refer to it just generally as ''the polluter page'' because that is its reason for being. It was written in the Wall Street Journal editorial page by Mr. David Rivkin.

Mr. Rivkin is described as follows by the Wall Street Journal:

> Mr. Rivkin served at the Justice Department and the White House Counsel's Office in the Reagan and George H.W. Bush administrations.

But he has done so much more. For instance, he is Leonard Leo's personal lawyer. This guy, with what my office refers to as the ''Leo bug'' of phony front groups, has this guy, who authored the Wall Street Journal editorial, as his personal lawyer.

By the way, Rivkin is the same guy who several months back gave Justice Alito a very friendly interview right in this Wall Street Journal editorial page to justify Alito's undisclosed travel on a private jet on a freebie trip accompanied by—oh—Leonard Leo, no less. He is the same guy who, in a current case before the Supreme Court, before Alito, who has not recused himself, is attempting to secure an enormous tax giveaway for billionaires.

Rivkin's cosigner, Mr. Grossman, Andrew Grossman, is described as ''a senior legal fellow at the Buckeye Institute and an adjunct scholar at the Cato Institute.'' OK, that is a pretty fair description.

By the way, if you go back here—there is the Buckeye Institute, and there is the Cato Institute. They have already briefed the case. The lawyer who writes the brief is now just pumping his own amicus brief in the Wall Street Journal editorial page with the lawyer for Leonard Leo, who did Justice Alito the big favor of trying to head off a Senate investigation into Alito's travels. So it is a pretty rich mix.

If you look at all of this, what you discover is that this whole scheme is actually pulled off by a very small number of people on the billionaires' payroll. They are very busy constantly switching hats and running multiple front groups out of the same enterprise so that it looks like there is more, filing multiple briefs in a Supreme Court case so it looks like there is more, but it is actually a pretty small, billionaire-funded operation. It has just been diabolically effective, and it has begun to pay off for the billionaires.

In West Virginia v. EPA, the Supreme Court hobbled Agency authority to regulate for our public health and safety by adopting what they called the major questions doctrine—the same one I mentioned earlier—and that in turn has prompted an onslaught of challenges to administrative regulatory authority from which the administrative law legal landscape is still reeling. There is enormous upheaval from that novel doctrine imported by the billionaire-selected Justices of the Supreme Court into American law.

It would actually add insult to that injury for the Court to break even more precedent by attacking Chevron. Frankly, they may not really even need to because the major questions doctrine is such a powerful weapon in their hands against administrative safety regulation that they may not actually need to do much damage to Chevron. They have a weapon. But it looks from the argument like the Court is actually poised to attack Chevron deference. If it does, it not only will add to the dangers to Americans' health and safety, against which regulation protects, but it will also move the unaccountable Supreme Court further into the policymaking function properly left under the American system of government to the elected political branches.

In short, it is a power grab by the unelected judicial branch at the behest of and for the benefit of polluter billionaires, and they have done this on the specious grounds—the false grounds—that these administrative Agencies are unaccountable.

Well, even if that claim were true, it is hardly solved by moving the locus of decision to the least accountable part of the government—to the U.S. Supreme Court. If your problem is that

decisions are being made in unaccountable fashion by bureaucrats, then moving it to even less accountable judges is not a solution to the problem.

But the fact of the matter is that they are wrong about the bureaucrats because of the CRA, because of the Administrative Procedures Act, because of the appropriations process, because of congressional oversight, and because of executive appointment to the control of these Agencies. It just ain't so, but it is a lie that is repeated and repeated and repeated and begins to be echoed by the Justices of the captured Court.

To sum up, by all appearances, a Koch operation-funded legal theory supported by Koch operation-funded amici is about to be deployed by Koch operation-funded lawyers to convince Koch operation-funded Justices to achieve a longstanding goal of Koch industries: the ability to pollute more easily and more cheaply.

To twist American law through those techniques for that purpose is a deeply degraded thing. It would be a tragedy for the American people. But do you know what? It is the scheme in a nutshell. It is why all the effort was put together—the hundreds of millions of dollars were spent—to capture and control the U.S. Supreme Court for the benefit of a small cabal of creepy billionaires.

To be continued.

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

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

BORDER SECURITY

Mr. LEE. Madam President, we find ourselves in a situation in which every State in America is a border State.

Now, it didn't used to be this way, and as one who has spent 2 years living along the U.S.-Mexico border, where I served as a missionary in my early twenties, I am familiar with border towns; I am familiar with what they go through. And I can tell you from that experience, where I lived and worked among the poorest of the poor along the border, among a lot of people who were recent immigrants themselves—some documented, others not documented—I can tell you that no one fears uncontrolled waves of illegal immigration more than people living along the border, including and especially those who are recent immigrants. It is, after all, their jobs, their neighborhoods, their children's schools, their communities that are placed at risk every time there is an uncontrolled wave of illegal immigration.

Now, since I lived in border communities in the early 1990s in South Texas, things have gotten a lot worse, and they have gotten exponentially worse over the last 3 years. Things got so bad in the last month that we were setting all kinds of the wrong records. Day after day, we were exceeding the maximum number of daily migrant encounters our Border Patrol had ever observed in the history of our country. These are not the kinds of records that we want to break nor are they the kinds of records that, when broken, are without consequence—very real, very tangible consequences—to the American people, starting, of course, with those living in border communities, but extending through all 50 States as all 50 States are seeing, feeling, experiencing, and paying the cost—the high cost—of this wave of lawlessness. It is not a victimless crime.

Just as the drug cartels are being enriched to the tune of many tens of billions of dollars a year—smuggling their human traffic across international boundaries—and just as the human traffic that they carry, it is bringing in enough fentanyl that it killed over 100,000 Americans last year and enough fentanyl that, if distributed to enough people, would kill every American many times over.

When that many people—we are talking somewhere in the range of 8 to 10 million people; maybe it is even more—enter a country unlawfully in such a short period of time—in just 3 short years—there are all sorts of consequences to that. Among them happens to be the erosion of the rule of law. When that many people come into the country and their first experience with this country—their very entry into this country's borders—is itself an unlawful act, it doesn't bode well for the rule of law in America. It doesn't send a positive signal for what kind of country we are becoming.

We have experienced that in every one of our States. We have seen crimes committed that should never have been committed because they were committed by people who should never have been in this country to begin with.

All of this is before we even get to the question of who exactly is coming across our border. Our Border Patrol agents have observed all kinds of things in recent months and years but especially in the last few months. People are not just coming from Central America anymore—and not just coming from Central and South America—but from all over the world, from all kinds of countries that you ordinarily wouldn't expect to be represented in large numbers crossing illegally across our southern border into the United States—countries like Afghanistan, like Syria, like China, and many, many others. We have seen many hundreds coming across who are on the Terrorist Watchlist—known terrorists. We have seen a whole lot of others—many hundreds by some measures, thousands who have likely entered—who are from countries, and otherwise entering under circumstances, that are cause for alarm.

Yet this is going on with the acquiescence—some would say with the blessing—of a Presidential administration which appears to have ordained this very result—invited it and effectively guaranteed it.

This has been really good for the drug cartels, which have been enriched to the tune of tens of billions of dollars every single year that Joe Biden has been in office—every year. But it has been really bad for the American people, especially America's poor and middle class and anyone living on or near a border or in any community where people have been displaced or where people have been ravaged by the effects of criminal activity carried out by those who should never have been in this country to begin with.

The problem got so bad over the last few months that the State of Texas decided that it had to act. You see, Texas has a really long international border at the southern end of its State, and along that border, the State of Texas sought areas that were being traversed constantly—traversed constantly and yet, perhaps, were not patrolled as well as they would have liked. These were places where there were no adequate barriers, natural or otherwise, that could keep people out but that the State of Texas knew could be protected if barriers could be placed there. So the State of Texas started putting up barriers along some of these stretches of border and, in particular, along a particular 27-mile stretch of border.

The Biden administration struggled to process these many thousands of illegal aliens crossing our border every single day, with all kinds of things to do to try to stop this or, at least, act like they are trying to stop it or, at least, process them or whatever it is that they have been ordered to do that day. Apparently, this was too much for the Biden administration, because President Biden directed the Department of Homeland Security and the personnel along the border in Texas to go in and start taking down these barriers. They were putting up ladders across some of the barriers, cutting holes in other barriers, cutting concertina wire in other circumstances.

So the State of Texas said: Good heavens. That doesn't seem right. It doesn't seem right that, you know, we are besieged by these people who want to break our laws in order to enter our country.

The President is the chief executive officer of the Federal Government, and it is the Federal Government that is responsible for protecting us from invasion. Remember, an invasion can occur either by an organized, armed military force or it can be a nonorganized, nonuniformed, nonmilitary force that is just entering another country en masse without authorization. That is the Federal Government's responsibility. It is one of the chief responsibilities, one of the most important responsibilities.

But because the Federal Government wasn't carrying out that responsibility

and because the State of Texas saw a particular 27-mile stretch of border where Texas could make a difference by putting up some barriers, they put it there. But that was not OK with the Biden administration. They had to go take it down. Who knows how many additional illegal immigrants came in as a result of the personnel who had to be deployed to start taking down these barriers and cutting the wire, but they did it.

Now, the State of Texas stepped back for a minute and said: You know, it is really unfortunate that that is what the Biden administration wants to do with its scarce resources. It is really unfortunate that they want to make the State of Texas less safe and, with it, the rest of the country.

But it also doesn't really seem—I don't know—constitutional. You know, there are a couple of provisions in the Constitution that deal specifically with protecting the country against an invasion. One of them can be found in article IV, section 4 of the Constitution, which says, when a State is being invaded—when it is under siege in some way—it should be able to appeal to the Federal Government for help in resisting that. Well, when Texas asked for help, it got quite the opposite.

There is another provision—article I, section 10, clause 3. That provision says, in essence, after telling the States that there are a bunch of things that they cannot do—States are not allowed to wage war, for example; States are not allowed to enter into an international compact with a foreign country and do certain things like that that are akin to what the Federal Government is uniquely empowered to do—that there is an exception at the end, and it is an exception that applies when a State is being invaded; that States have the power to do that.

So, perhaps informed by these and other provisions of the Constitution, the State of Texas filed suit in the U.S. district court in Texas, trying to seek an injunction. That is an order telling the Department of Homeland Security: Look, you can't mess with Texas. You can't mess with Texas's barriers. Don't take them down.

After some initial back-and-forth litigation in the U.S. district court, the matter went to the U.S. Court of Appeals for the Fifth Circuit, which includes the State of Texas. On December 19, 2023, just a little over a month ago, the Fifth Circuit issued an injunction—a preliminary injunction—saying that, while this litigation is pending—while we figure out once and for all whether, to what extent, and under what circumstances the Biden administration may or may not choose to go in and take down these barriers put up by the State of Texas—Homeland Security and the Biden administration just can't do that. Don't do it for now. It doesn't mean don't do it forever. It just means don't do it for now while this litigation is pending, while the courts are ironing this out.

Well, that remained in effect for just over a month. Then this last Monday—just a couple of days ago—the Supreme Court of the United States issued a one-sentence order vacating that preliminary injunction.

What does that mean? Well, that order doesn't do anything. It doesn't tell the State of Texas it can't put barriers in place. It doesn't tell the State of Texas it has to take it down. It doesn't require any action on the part of the State of Texas. All it does is it gets rid of the order that previously was in place telling the Department of Homeland Security and others within the Biden administration that they could not do anything to mess with the barriers put in place by Texas.

Meanwhile, the case is set to be argued before the U.S. Court of Appeals for the Fifth Circuit on February 7. At that argument, the court will consider—the appellate court will consider the merits of the argument and, eventually, make a ruling.

I hope, I expect, I would imagine that in a case of this import and urgency, the Court of Appeals for the Fifth Circuit will probably try to issue something within a few weeks; I would hope not much longer than that, maybe a month or 2. And at that point, if the State of Texas prevails, then there will be a permanent injunction and order telling the Biden administration it can't take that down. I am sure whoever loses will take that to the Supreme Court. That will take some additional time.

But the point is this: Through all this litigation, we have seen one consistent theme through all stages of litigation. We have got the Biden administration going into court, making arguments like the following: pointing to provisions in title 8 of the United States Code dealing with immigration issues, provisions guaranteeing that the Border Patrol must have access to areas 25 miles inland from the border so that they can do their work; so that they can enforce the border; so they can do their jobs.

This is one of the primary arguments they were making before the courts is that this barbed wire or these barriers put in place by the State of Texas interfere with our ability as Border Patrol officers to access the land and to do our jobs.

What is their job? Well, to stop the illegal immigrants from coming across.

So how, exactly, does this 27-mile stretch where these barriers have been put in place by the State of Texas, how exactly does that hinder the Border Patrol from doing the Border Patrol's job?

Call me crazy, but I strongly suspect that if we could bring a handful of the Border Patrol agents up, they would tell us that quite the opposite is true; that the placement of these particular barriers probably makes their job easier.

But do you know whose job this makes harder? It makes the job of the drug cartel, the human smuggler, the sex worker trafficker—remembering that a very substantial portion—estimates vary as to how many, but according to some, a majority of the women and girls trafficked through this network are subjected to sexual assault, many of them used as sex slaves, many of them forced to continue in that capacity even after they get into the United States, where they are working now as indentured servants, yes.

Just a few weeks ago, I went to the border, down in the McAllen sector—not too far from the area where I lived and worked for 2 years as a missionary back in the early 1990s—and Border Patrol officers there informed me that for the first time—for the first time—since the adoption of the 13th Amendment, which got rid of things like slavery and indentured servitude, we have actually got a sizable number of indentured servants in this country—people smuggled in who haven't been able to afford the $4-, $5-, $6-, $7,000, sometimes more, depending on what country they are from and how many risk factors there are. If they can't afford the passage from the cartels, they have got to work it off. So many of them remain as indentured servants. And for many of the girls and women in particular, they remain in sex slavery.

So why exactly is the Biden administration so concerned with all of this happening, with the barrier that could make the job of the Border Patrol more effective, that could lead to the apprehension of more individuals—knowing full well that by breaking up these barriers, all they are doing, the only people whose lives they are really making easier are those of the drug cartels, the people who are subjecting all these people to these horrible, deplorable conditions, and bringing in enough fentanyl into the United States every year to kill every American multiple times. Why are they so concerned about that? And on what planet—on what planet—can you maintain that it is making the job of the Border Patrol harder because you are making it harder for people to enter our country unlawfully? It really defies reason, wisdom, and logic.

It is against this backdrop that we find ourselves today in a position in which we have got a war going on half a world away, a conflict involving Russia and Ukraine. It is a tragic conflict. You got a bad guy, Vladimir Putin, who is messing with Ukraine yet again. Without getting into all of the gory details—because this is not the focus of my speech today of how that war started, why it has been dragging on so long—there is renewed push to send more U.S. assistance to Ukraine, to send some additional aid to Israel. The votes aren't there to get it passed through both Houses of Congress. So for that reason, they have married up the project of getting more money to Ukraine—you know, it is a $106 billion aid package. We still don't know exactly who would get how much; we still

have yet to see bill text on any of that. But we are told that the majority of that money would go to Ukraine. About $12 billion of it would go to fund Ukraine's ongoing civilian government, pay the salaries of its civil servants, and pensions, things like that. A lot of it involves direct military assistance. Overall, we expect about $62 billion or so of the $106 billion would go to Ukraine.

The votes aren't there to get it, so some Members of Congress, some Members of the Senate, including both the Democratic leader and the Republican leader, have decided to try a somewhat innovative approach: combine the supplemental aid package with a border security package; marry them up, and then maybe you can get enough votes for both of them.

I understand why they have come to the general conclusion. I understand that sometimes you have to pair one thing up with another thing in order to build a consensus necessary to get either passed. It is a common technique used, and I understand it. It is understandable, certainly, why they would want to use it here.

But I believe there are some real problems with the manner in which we are going about that particular effort, starting with the fact that it presupposes on the border security front that the reason for the current border surge, for the absolute humanitarian crisis unfolding along our southern border over the last 3 years and over the last few months in particular, is somehow the product of inadequate legislative authority on the part of the President of the United States and those answerable to him and charged with enforcing Federal law.

It is not. It is not for want of adequate legislative authority and the executive officials charged with administering those laws; it is not for lack of any legislative authority on their part that we have this border security crisis.

The exact same statutes were in place when Donald Trump was President of the United States. Donald Trump faced, as we all recall, some rather significant border surges as the cartels were pushing people increasingly into this country and making a lot of money smuggling them into the country. He utilized existing law to bring that crisis under control. Those same laws are in effect today.

President Biden could, should, and would be able to fix this if only he had the will, the willingness, to do it. In fact, if only he didn't have this defiant attitude that convinces him that he would rather help the drug cartels and poor middle-class Americans living in border communities and everywhere else in the United States. Shame on him for not using those.

Now, the skeptic will immediately say: Oh, yes, yes. But that was title 42 authority. Title 42 authority kicked in only because of the COVID pandemic in 2020.

That is not really true. Look, he did use title 42 authority, and that was pegged to the pandemic. But the crisis was mostly resolved. He was bringing it to a close by the time anyone had even heard the cursed word ''COVID'' or ''coronavirus'' in 2020. It was already well on its way to being a thing of the past, all without title 42. Sure, title 42 didn't hurt, and it helped close the gap even further to the point where we had effectively ended illegal border crossings in 2020. We were well on our way in that direction.

The biggest single step with that was not, in fact, title 42; it was the ''Remain in Mexico'' program, also known as the Migrant Protection Protocols—an international agreement whereby the United States effectively entered into a safe third-country agreement with Mexico. If you crossed into our southern border—into our country across our southern border by land—and thereafter claimed asylum, you were asked where you were from, and you were returned back to Mexico because you were deemed eligible to apply for asylum in the first safe country that you crossed into, or at least the country through which you were crossing before entering the United States. So they were returned to Mexico. Asylum applicants applying for asylum, appearing, crossing over land, were told that they would have to wait while their asylum application remained pending in Mexico.

This worked like a dream. This dramatically reduced illegal border crossings. It took a significant amount of time by President Trump, by Secretary of State Mike Pompeo, by various Department of Homeland Security officials, and a number of other members of the President's team in order to negotiate the terms of the ''Remain in Mexico'' program. And once in place, it worked like a charm. It worked really, really well.

You see, because this is where a lot of this migrant surge phenomenon comes from. We have laws in place that offer asylum. Asylum is something that we offer to people who are wanting or needing to come to the United States because they have been targeted for some type of persecution based on their status. You know, we are a nation of immigrants. We always have been. I hope we always will be a nation that welcomes immigrants. And we do. We welcome them a lot. We want them to come the legal way.

One of the ways in which we welcome immigrants is through our asylum laws. Now, you do have to satisfy certain statutory criteria in order to even be deemed eligible for asylum.

Over the last few years, the vast majority of the people who cross our borders without documentation and thereafter apply for asylum are, ultimately, deemed ineligible for it. I have heard numbers ranging from about 90 percent to 98 or 99 percent. I don't know where the actual numbers shake out. I think they vary from time to time. But we are talking about at least 9 out of 10—often more than that—who are not eligible.

So when you have people come in and apply for asylum, the way that it is supposed to work is they are supposed to be detained until such time as their asylum claims can be adjudicated by an immigration judge. They can be found either eligible or not eligible for asylum. If they are eligible: Welcome to America. You are now a refugee. Come on in. And we welcome them.

But if they are not, they are supposed to be removed—removed—sent outside the United States; typically, back to their country of origin.

The problem has been that we have somehow gotten confused. We have gotten confused over the fact that we are, in fact, supposed to detain them until such time as their asylum application could be adjudicated.

We have got it so confused that, over the years, it has morphed into this monster that the drafters of the asylum laws who put it in place would scarcely recognize. It has morphed into this weird thing where they come in, they say: I want asylum.

And today they are told: OK. Fill out the paperwork. Tell us why you want asylum.

Then they are told: OK. We are going to hold you for a few days.

Then they are told: Oh, our bed space is all full so we can't detain you any longer.

Then they are told not that they are going to be sent back to their own country, not that they are going to be sent back to Mexico, as they would have been, as they were being under the Trump administration, under the migrant protection protocols, also known as ''Remain in Mexico,'' but here is a plane ticket. We will fly you anywhere you want in the United States, on us.

And unlike, amazingly, American citizens, all of whom have to produce a driver's license in order to board a plane, you don't have to worry about that. We don't really know who you are, whether you are who you say you are. But, yeah, go ahead. Here is the plane ticket. We will make sure you get on that plane, and we will fly you anywhere you want. And as for your asylum application, don't worry about that. We just humbly, politely, ask that—at some point, you are going to have an immigration hearing. We ask you to show up to it.

And, by the way, if you enter the United States without documentation right now and apply for asylum and get one of these plane tickets and they tell you, ''We hope you will show up for your asylum hearing before the immigration judge someday,'' guess when that will occur? A week? No, longer. Six weeks? No, longer. Six months? Longer. Now it is in the mid-2030s. We are talking a decade or more away from today. So have fun. Enjoy the plane ticket on us. Go to wherever you want in the United States.

Oh, by the way, after 180 days, we will even send you a work permit allowing you to work while you are here, even though you are without documentation. We will fix that. We will just make you documented just because you have said you would like to apply for asylum.

This is insane. Of course, we have had 10 million people come into this country illegally. When we run it like that, who wouldn't want to come to America? It is the greatest country on Earth. But the problem is, this is really dangerous. It is dangerous for those being human trafficked. It is dangerous for all the people in America who are being killed—100,000 last year killed by the fentanyl these guys are bringing across. It is dangerous for our communities. It is dangerous for people who are losing their jobs because their jobs are being replaced by people who shouldn't be here to begin with. It is dangerous for those who are the victims of crimes that those people who shouldn't be here in the first place commit while they are here—like 10 million people.

Among 10 million people, you are going to have some bad ones. I am sure you will have a lot of good people, too, who are just trying to get by, just trying to make a living and not be in a country where they feel they can't get ahead, but it doesn't give them a right to be here. Our asylum laws sure don't.

I will tell you why. It is because our asylum laws do not confer an individual right on anyone to asylum—no. This is a discretionary authority given to the Secretary of Homeland Security that he may—he may—grant asylum to those people who fit the criteria for asylum. He may.

Remember, you are supposed to keep them locked up. You are supposed to detain them until such time as you can adjudicate the legitimacy of their asylum claims in an immigration hearing, and then you are supposed to deport them if they are not eligible and let them in only if they are.

But, instead, we run out of bed space, processing capacity, and we say: Ah, forget it. Here you go. Come on in. We will send you a work permit in 180 days.

So, of course, we are going to have this problem.

Then, somehow, that wasn't even enough by itself. I don't know exactly why because the asylum track was working real well for the Biden administration to invite more and more drug cartel activity, enriching the drug cartels to the tune of tens of billions of dollars a year. But maybe it wasn't quite enough for the big guy. Maybe he wanted more to come in.

So what did he do? Well, he looked for other loopholes to exploit in our immigration laws. So he turned to the parole provisions. Now, parole, when we use it in the immigration context, is typically not talking about what you think about when somebody is out on parole from prison.

This is immigration parole. It involves a very specific type of relief that the President and those working under him in the area of homeland security may grant. Again, there is no right to parole any more than there is any right on the part of any individual to asylum. It is a discretionary grant of authority.

But it is a narrow one. It is one pursuant to which the President or those answerable to him in the homeland security arena may allow someone in for two possible purposes: either for a discrete, distinct, individualized humanitarian need—now, the classic example of this, the longtime understanding of what that encompasses, it would involve someone outside the United States who doesn't have a visa to come into the United States but whose grandmother is dying or has just died, and he needs to attend the funeral. Parole authority can be granted for humanitarian purposes in that circumstance, with the understanding that he will leave in a few days after the funeral is over.

It could maybe be somebody outside the United States who doesn't have a visa here who has a rare medical condition, treatment for which is available exclusively in the United States. He needs to come in for a few days to get that procedure, be treated, with the understanding he will leave soon after getting the treatment.

The other prong of parole, immigration parole, exists in the public need, the public purpose arena, where, for example, someone speaks an obscure language not typically spoken in the United States and somebody is on trial in a court somewhere; they need an interpreter, someone who can speak that very rare language. They can't find one in the United States. They want to bring an interpreter in from another country who can speak that language so the person can be afforded due process and a fair trial. That is the type of public need that can be filled with the parole authority loophole.

But it has always been understood, it has always been the law that parole is not to be granted en masse. It is to be granted on a case-by-case, individualized basis with individualized findings in all circumstances, nor is it supposed to be open-ended. Parole is not a visa. It is a temporary grant of permission to enter the country for a brief period of time, with the understanding that when that need is over, in a finite period of time, the person will leave.

So the Biden administration has now used parole—I believe, last year, last year alone, it was about 700,000 people, undocumented, who were brought into the United States specifically using this parole authority. Now, these were not individualized determinations. These were not 700,000 individual people saying: I have a specific need. My grandma is dying or I need a kidney transplant or whatever it was—or I speak this obscure language nobody else speaks, and I am going to provide interpretation services in a court, and I need to get in so I can get out after doing the job. No. These were massive-scale grants of authority—of permission to enter the United States under the parole authority.

So it is against this backdrop that we have to get back to this supplemental aid package. The supplemental aid package promises, OK, let's make lemonade out of lemons. We have got a lemon in that the Ukraine aid can't pass by itself. So let's make lemonade out of it by getting those who want to make sure that we give lots of money to Ukraine—let's pair that up with votes from people who really want to make sure the border is secure.

It is really sad, if you think about it, that we are not all in that boat. I mean, look, people can reach different conclusions. Reasonable people can take a different conclusion as to whether, to what extent, in what way we are going to help Ukraine enforce Ukraine's border. That part is considered sort of optional in that it is not our border.

Our border shouldn't be optional. That is not an extracurricular activity for us. That is the core of what we are supposed to be doing. Article I, section 10, clause 3 and article IV, section 4 will make that clear, as will a number of other provisions of the Constitution and in Federal statute. This is not optional.

But getting back to that compromise: So the idea is to marry up those who really want border security—unfortunately, it is not all of us—with those who want to make sure that we get money to Ukraine so that Ukraine's border can be protected. It is against that backdrop that I have just been describing that we are faced with that set of issues.

So we are told that what we are going to do is negotiate our way into passing new border security statutes and that those statutes will then end the border security crisis created willfully by the Biden administration's vehement, defiant refusal to enforce the law.

Wait a minute. Why would we expect them to enforce a new law when they are not enforcing the old law? I am confused. Moreover, if we are going to negotiate this, doesn't that send the message to the rest of the country—the incorrect message—that if this project fails, that President Biden is somehow justified in not doing it because, oh, well, Congress didn't pass the law. I would have enforced the law. I haven't enforced the border for years, the whole 3 years I have been President of the United States, so I guess I can't enforce it now, but I would have under a new law, but I won't under existing law.

Why should we take that seriously? Heck, there are a lot of Americans who are looking at this, asking: Why we are willing to spend so much money on other countries and securing their borders but not our own? How can we look

those constituents in the eye, knowing full well that, so far, according to the Heritage Foundation's estimates, this war, our support of this war, of Ukraine since this war started, the $113 billion that we have provided, more than any other country on Earth by far, $113 billion of hard-earned American taxpayer dollars—that is real stuff. According to the Heritage Foundation, that amounts to about—it is over $900 per American taxpayer on that conflict.

Even at the height of the multiple wars that we were facing in 2008, where we were fighting wars not through a proxy, not just by providing military aid, but we ourselves were fighting wars, in Iraq, in Afghanistan, and to a degree in Syria—even that year, at the height of that conflict, the cost per taxpayer was more in the range of $700 or so.

But just so far, in the existence of this conflict, we have spent $113 billion already on Ukraine. The American taxpayer is now being asked to spend another $62 billion on Ukraine when we still haven't secured our own border. And it is against that backdrop that we are saying: OK, then we will negotiate into this new border security laws.

Now, look, I would imagine there are a few of us who wouldn't vote for all kinds of things, wouldn't at least consider voting for all kinds of things if we were assured, if we really were certain, if we could see the future and predict with a high degree of certainty that if we voted for x, y, or z, whether it is Ukraine funding or something else, that the border would be secure and that it wouldn't be secure if we didn't vote for that thing.

But I don't know how I can look my constituents in the face and tell them: Yes, we have got to spend this additional money here in order to get new laws so that President Biden can now enforce the border when I know full well and many of them know full well that he could enforce the border now if he chose to do so.

So I struggle with the premise of this at the outset, and I think it does send the wrong message. But the wrong message is only the beginning of my concern with this. The next step: We have got language that has been under negotiation I believe since October. October, November, December, and we are most of the way through the month of January. So we are like 4 months into this thing, into this negotiation. Yet we still have yet to see legislative text. It is a little frustrating.

But what little we do know about it, what little we have been told, what little we have been allowed to see—I mean, I feel like a character in ''Oliver Twist,'' asking, ''Please, sir, may I have some more?'' when I am told just crumbs of details about what is in this legislation.

What we do know is a little concerning; I will be honest. So we have the asylum problem. We have the parole problem. As far as I can tell, there is no agreement at all. There is not even hope of an agreement on the immigration parole issues, such that we would shut down the 700,000 or so people who were unlawfully brought in under parole authority in the last year alone. From my understanding, there is no agreement at all that would shut that down.

And what discussions have occurred around parole deal with custodial parole issues, involving some of these illegal immigrants, which is different than the immigration parole provisions that we are describing. It doesn't deal with that.

It does, apparently, tighten the asylum standards in ways that I am told will be helpful but in ways that I have yet to be able to evaluate because I haven't seen the text of the language. It tightens the asylum standard. That might prove to be a nice thing to have. I don't dispute that.

But is that what is going to make the difference between the utter defiant nonenforcement of our border and the laws that govern our border and the admissibility of individuals outside of the United States who want to come into the United States? No. No, it doesn't because it remains the case today that asylum is a permissive grant of authority to the Secretary of Homeland Security and not a right—not a right on the part of any individual.

And when the system is overwhelmed, the proper remedy should, in fact, be: You are not coming in. We are shutting this down. I, the Secretary of Homeland Security, am declining to grant or process any more asylum applications until we can get this under control. So it is shut down.

That leads me to another feature that we have been told just a little bit about as to the new proposal: that it creates a new authority whereby the President and the Homeland Security Secretary can just shut down illegal crossings along the southern border; that they can do it, if they choose, once we have 4,000 migrant crossing encounters per day. And they shall do it once we have at least 5,000 migrant crossing encounters per day.

It sounds intriguing. I really want to see this language. There are a thousand different ways that could be written. And that, too, could be helpful, but there are things about it that also scare me to death—things that, if they are written just a little bit wrong, could actually make matters worse. Let me explain.

Let's suppose, for example, maybe—just maybe—this is written in such a way as to say that, once we have reached 5,000 migrant encounters per day, the requirement is perhaps—I don't know this; again, I am having to speculate because they won't share the language with me or with anyone else—we will not process any more asylum applications once we have more than 5,000 migrant encounters per day.

Let's suppose that that is what it says. If that is what it says—and that is a change compared to existing law—that would seem, perhaps, a change in the assumption—not just the assumption but the reality—that this is a permissive grant of authority. And once you say, ''You may shut that down only after you have reached that level,'' then, at that point, you have changed the ''may-shall'' nature of asylum, and the government is not required to stop processing them, if that is how it is written, until we achieve that ''5,000 migrant encounter per day'' number.

By the way, that is a lot of people. That is a lot of people. A lot of people live in communities that are a fraction of that size, cities or towns that are smaller than that. And when you multiply 5,000 people by 365 days, it comes up to 1.825 million people a year. That is a lot of people. Is this just resetting the norm, saying that, until that point, it is not really a problem? I don't know because I can't see the text, but it certainly could mean that.

And, by the way, even once this authority kicks in—this authority to supposedly shut down the border in whatever capacity, whether through asylum, parole, or whatever other means they throw in there—they limit the number of days in which that can remain in effect.

I believe the authority, as it was explained to me, would apply for up to 14 consecutive days. And what, then they have to reopen it, regardless of whether the number of migrant encounters has dipped meaningfully? I don't know. But it gets even worse than that.

They set a maximum number of days in every year that the border can remain shut down, under whatever weird instruction they have adopted. Initially, I am told, it is 275 days per year. That is at the end. At that point, let's suppose you have made it through 275 days total in a particular year of the border being ''shut down,'' not being able to process more asylum applications or parole, or exercise parole authority or whatever it is. But on the 276th day, all the way through the end of day 365, it is immigration Mardi Gras. It is a carnival ride. It is everybody onboard the fun train; this is going to be great. And the cartels are going to make even more money.

And they say: Well, the cartels won't put up with that.

Nonsense, the cartels are sophisticated enterprises that make tens of billions of dollars a year just on Joe Biden alone. You are telling me they are not going to counter around this thing to make even more money? I have a bridge to sell you if you think they are not.

It gets even worse than that. You see, 275 days per year is only the limit in year one. From there, it ratchets down. By the second or third year, it ratchets down to a maximum of 180 days a year that the border can be deemed shut down under this new authority.

Why in the Sam Hill would we agree to that? Why would we do that? Why

would you want to limit to less than half of the total number of days in a year, regardless of what is happening along the southern border, the time in which that border authority can be deemed shut down? I don't understand it. And it gets even worse than that.

With regard to parole authority, the number ''180'' appears, apparently, in this legislation not once but twice—once in the one that I just mentioned, a maximum of 180 days that the border can be shut down under this new authority that, apparently, allows them to stop processing asylum applications, which they already have the power to do, but it appears a second time. You see, currently, there is a 180-day wait between the time an asylum application is processed and then given a plane ticket to the destination of their choice in the United States. On the plane, they can board without providing any documentation of their identity—not even a driver's license from their home country. They just get onboard. There is a 180-day wait from the time that they board that plane until the moment they receive their work permit, which they really shouldn't have because we shouldn't be processing them and letting them in unless or until such time as they have been deemed eligible for asylum and granted asylum—but whatever.

They are at least given this 180-day mandatory wait period under current practice. They get rid of that in this proposal—no 180-day wait. You show up, and, as long as you are not in one of those 180 days of the year when it is going to be shut down, we will get you processed, and we will send you away from that detention facility, before you board the plane, with your work permit already in hand.

This is nuts—absolutely nuts.

Now, look, I have great respect for my colleagues who are trying in good faith to work through this. I love my colleague, the senior Senator from Oklahoma, Senator LANKFORD. He is one of my favorite people, not just in the Senate but one of my favorite people, period. I know he is doing the best job he can, and he is working under strict orders, not of his own choosing. I have deep respect for him, and that remains despite any differences we may end up having on how we vote on this legislation.

Nonetheless, I don't understand. I don't understand, in part, because they haven't been willing to share the text with me when I ask why we can't see the text. It is typically something we do because we make laws here. That is our job. We make laws. Laws consist of words. Words have meaning. We need to see the words well in advance of the time when we plan to pass them. But when I have asked for legislative text on this one, I am told: Well, it is not all in one place. It is in lots of different documents.

Well, that is fine. Look, for many years, as a lawyer, I was constantly dealing with documents that we were putting together that contained input for many, many lawyers. And I had to deal with 5, 10, 15 different documents at one time and try to synthesize them all. I can handle that. Everyone here can. Those who have practiced law or engaged in some other occupation have had training that allows us to read and understand things. And we have smart people who work for us who can help us put it all together. But, no, we still can't see it.

So, anyway, my point is, I have great respect for Senator LANKFORD, and I absolutely love the guy. But I have deep concerns with what little I know about this, and this is all I have to go on.

I hope he can understand my frustration with the process that tells me I can't see it, even though I know darn well the day is going to come when, if they get a deal, we may not have much time to review this thing—it happens from time to time—when the law firm of SCHUMER, MCCONNELL, JOHNSON, and JEFFRIES, as it is currently comprised, spits out legislation, and we are given hours, or maybe a couple of days, to read it.

That is not cool. It happens all the time with spending legislation. It shouldn't. It is a barbaric practice. It is exactly why we are $34 trillion in debt. It should never happen when we are dealing with something as fundamental to our safety and security as this legislation.

To put it in context, the last time we undertook a major border security or immigration law overhaul, about a decade ago, we had that pending before the Senate Judiciary Committee in markup for an entire month. A Judiciary Committee markup usually takes an hour or 2, sometimes 3 or 4, for a really long one. This one took a month because this stuff is really complicated. And so it is staggering to me that they would even consider rushing this through if and when they have a deal.

Other things that concern me within what little we know about the legislation: I am told that there will be 50,000 additional new immigrant visas granted in this provision and then an additional number of people—some have estimated in the tens of thousands and others have estimated in the hundreds of thousands—of work permits that will be issued, attached to other nonpermanent visa holders who are members of the nonpermanent visa holders' family, who are adults but not authorized to work. This would allow them to work. Some may have concerns with that.

I remember, over the years, one of the many things that I have tried to fix in the immigration system. It has long been my belief that you can fix our immigration code best if you target each particular issue as narrowly as possible and don't load everything up all in one bill or else the thing is going to fail.

I have tried for many years to end a discriminatory provision in our immigration laws that is strongly biased against people born in heavily populated countries, like India, for example. If you have two immigrants who were eligible for an immigrant visa, whether work-based or otherwise—but, for the work-based immigrant visas, you have two people equally eligible for a visa. One was born in Luxembourg and the other in India. The person born in Luxembourg, just by virtue of the fact that that immigrant came from a small country, with a small population, might have that visa application processed and be in the United States in under a year. The person from India might be on a waiting list for 80 years simply because of this discriminatory feature put in place, most likely for racist reasons many decades ago, to keep certain people that perhaps race-minded lawmakers—the racist lawmakers at the time—might have considered undesirable. I have been trying to fix that for a long time.

We finally passed something out of the Senate a couple of years ago that fixed this. It was a miracle. It took forever to get this done. I have been working on it for about a decade. It should have been a real layup to pass in the House because there were 350 cosponsors of the same legislation in the House, and they couldn't and wouldn't get it done.

Anyway, I bring all that up to say that we moved Heaven and Earth to get that fixed without adding a single new visa—not a single new visa—to the visas allocated under existing law. Why? Because a lot of people were opposed to that.

I was falsely accused at the time by people who misinterpreted it as granting all kinds of new visas. It didn't grant a single visa because we knew that would be very controversial. But to add 50,000 immigrant visas and perhaps tens to hundreds of thousands of additional work permits on top of that is not going to be noncontroversial.

You add to all of that the fundamental fact that Joe Biden could end this border security crisis right now. He could do it.

First, stop taking down the barrier in Texas. You are embarrassing yourself, and you are endangering our country. Don't do that. You know better. Shame on you, sir.

Secondly, after he does that, he could and he should restore the migrant protection protocol, the ''Remain in Mexico'' program. This was in place the day Joe Biden was sworn into office back in January of 2021. It was doing great. President Trump handed over the cleanest border we have had in many decades to Joe Biden, and he messed it all up with the stroke of a pen. He backed out of the ''Remain in Mexico'' program. He canceled it. He was later ordered to reinstate it after lengthy litigation concluded that he acted unlawfully in getting rid of it. He continued to drag his feet. To this day, he hasn't done it. He could do it. He won't, but he should. I ask him to reconsider today.

The fact that he is not doing this indicates that he and those who stand with him in this body are not acting in good faith. They are not negotiating in good faith. They cannot—must not—be deemed to be good-faith negotiators on this issue. Why? Because he refuses to enforce the laws that he has.

If for the sake of tightening some language here or there in yet-to-be-seen, yet-to-be-understood ways—in ways some have described as ambiguous and uncertain—if that is the primary thing we are getting, is the tightening of the asylum standard, but we might also be limiting the ability of the current or a future President to halt the abuse of asylum and parole, then we can't do this. We shouldn't be doing this at all. It sends the wrong message.

Look, the bottom line is this: I think we are back to the point where maybe we ought to just try to pass these separately. If you can get Ukraine supplemental aid passed, fine. Go at it. If you can somehow come up with a deal that actually closes the border security gaps and actually forces the President's hand and places some accountability on him, then I will consider that, too. I may even vote for it if it does the job, notwithstanding the fact I have concerns about sending another $62 billion to a country where we have already spent $113 billion—$900 per U.S. taxpayer. But I would consider it if it actually fixed the problem.

I think there are ways to do it. One good way to start as a starting point is to take border security language already passed by the House of Representatives. I know people have said: Well, that can't pass here. Well, we don't know that because we never tried attaching that to other legislation, like the Ukraine-Israel supplemental aid package. Then add to that border security measures that would tie the expenditure of this $62 billion that is supposed to go to Ukraine—tie the release of that in phased packages over the next year—or whatever the increment is—to the achievement of certain border security metrics, goals. They can bring that down to what they themselves have said is tolerable.

I believe the Border Patrol has said they maxed out when they get about 500 daily migrant encounters. If we could reduce it down to that and the administration starts enforcing the law and actually starts refusing to let people in after they can no longer process them and reinstates the migrate protection protocols—the ''Remain in Mexico'' program—that will help bring this down to less than 500 migrant encounters per day. If you phased the release of the Ukraine funding under the legislation that way, then Members of both parties could have some assurance that this might make a difference.

But, alas, there is no provision in this, no provision being negotiated. It is stunning to me that there isn't. There should be. The reason I say that is because we have had countless conversations within the Senate Republican conference where Member after Member after Member will propose something like that.

My friend and colleague, the senior Senator from North Dakota, JOHN HOEVEN, is one of the first to raise the idea and has been among the most impassioned advocates for it, saying: Let's tie the Ukraine funding to the achievement of certain border security metrics and other border security measures we might add to it. That will give everybody the confidence that we need that this will make an actual difference.

I believe he was the first one to suggest it. He has probably made that argument as often as or more often than any other Member of the conference, but he is not alone. I think I have heard dozens of Republican Senators say something similar. It is true. I have heard maybe one or two—three at the most—Republican Senators express reservations with that, but many multiples of that speak out, saying: Yes, this would be a good thing. Yes, this could bring a lot of us on board.

Yet, regrettably, my friend from Oklahoma was instructed not to even seek that. Why? Why do that? If we can't even tie the expenditure of the Ukraine funds, which we know the administration cares about dearly for reasons I cannot comprehend. He cares so much more about Ukraine's border security than ours. I understand his desire to stop Vladimir Putin. Vladimir Putin is a bad guy.

I wish he would recognize, by the way, the things we could do with energy policy that might help in that direction. If the United States had been exporting this whole time large quantities of LNG, maybe that would help, because Russia is funding this war and so many other things through its hegemony of the European energy market. There are all sorts of things we could do to help him.

He remains concerned about this and wants to spend more and more money on military aid to Ukraine. But if he really cares as much as he does about Ukraine and he wants to get that funding done, I strongly advise him to consider an option like what I just described.

Let us tie the release of the Ukraine funding. Let it be rolled out in staggered phases as the Biden administration achieves certain border security metrics and restores confidence—the confidence not just of Members of the Senate and the House but of the American people. I think that might work.

If something like that gets packaged right and contains the right reforms, it might even get my vote. I am not somebody who is eager to vote for that, but I really want to secure the border because America is a less safe place every day Joe Biden continues to enrich drug cartels and subject women and children to sex slavery and indentured servitude.

We have a duty here to make sure we pass good laws and to make sure those laws are enforced as they are supposed to be. When they don't enforce them, we shouldn't reward them by funding every pet project that the incumbent administration deems important. Sometimes we need to insist that they do their jobs. If we reward bad behavior, we are going to get more bad things, and it will be dangerous for the American people.

I believe in this country. I believe in the American dream. That dream is becoming more distant every day lawlessness prevails. We can restore it. We can recapture it. But we do have to insist that our border be secure. It is not. May we make it secure once again is my entire endeavor in giving these remarks tonight.

I yield the floor.

The PRESIDING OFFICER (Ms. HASSAN). The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Madam 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.

TRIBUTE TO PASTOR CHRIS HARRIS

Mr. DURBIN. Madam President, during this week when we remember the staggering number of loved ones we have lost to gun violence, I want to acknowledge a spiritual and community leader who is working to end the terrible cycle of gun violence in Chicago.

Pastor Chris Harris is pastor of Bright Star Church in Chicago's storied Bronzeville neighborhood and senior pastor of St. James Church in the City's historic Roseland-West Pullman community. He is a leader of creative vision, compassion, and action. And when it comes to ending gun violence, Pastor Harris has no time for handwringing or finger-pointing or political scapegoating.

One of his frequent admonitions is: ''Say nothing about violence and trauma until you do something about violence and trauma.'' As one of the most passionate and charismatic leaders in our community, both his words and his actions have helped to turn lives around. Fifteen years ago, Pastor Harris founded a nonprofit organization called Bright Star Community Outreach.

Its purpose is not simply to help heal victims of gun violence, but to prevent gun violence by treating its deep and often complex causes, including poverty, lack of opportunity, despair, and trauma. Bright Star Community Outreach does this by offering a myriad of services, from afterschool programs to job counseling, financial literacy classes, and workshops on homebuying and

entrepreneurship. As Pastor Harris often says, ''The best violence prevention program is access to good schools and good jobs,'' the kinds of jobs you can raise a family on.

Bright Star also offers counseling and other forms of support to help heal from the trauma that is often at the root—not only of gun violence but also addiction and so many other deadly ills. And he has been at the forefront of this field, being involved in Federal grants from the Centers for Disease Control and Prevention.

Over the years, Bright Star Community Outreach has grown from Pastor Harris and a few volunteers to now 115 employees. They are working directly with Chicago Public School students to understand their needs and experiences. I have visited their programs many times, and I am always inspired by the work they do.

And when I set out to introduce legislation to address the role that trauma plays in fueling our cycle of violence, Pastor Harris was one of my first calls. His guidance helped shape the legislation I have worked on for nearly a decade, parts of which have become law and are funding school mental health efforts in Chicago.

Recently, Pastor Harris decided to step back as executive director. He will remain CEO of BSCO, and he will have a bit more time to focus more on his many other duties. The new executive director of Bright Star Community Outreach is LaKreisha Kindred. She is a lifelong Chicagoan with a background in the financial industry—and a member of the famed Alpha Kappa Alpha sorority. I wish her well. And I want to say to my friend Pastor Chris Harris, thank you for your unflagging efforts to save lives and bring new hope to the city of Chicago.

VOTE EXPLANATION

Mr. PADILLA. Madam President, I missed a vote on December 18, 2023. Had I been present, I would have voted yea on rollcall vote No. 347 to confirm Martin O'Malley to serve as Commissioner of the Social Security Administration.

I congratulate Commissioner O'Malley on his confirmation, and I look forward to his strong leadership at the SSA.

REMEMBERING FRANK Q. NEBEKER

Mr. TESTER. Madam President, today I would like to honor the life and service of a dedicated public servant, distinguished American, and champion for veterans: the Honorable Frank Q. Nebeker.

Judge Nebeker served as the first chief judge of the U.S. Court of Veterans Appeals, now known as the U.S. Court of Appeals for Veterans Claims. A long-time Federal judge and legal pioneer, he established the landmark court in 1988 before hearing the first case and issuing the first opinion in 1989. His work ensured that, for the first time ever, veterans had a dedicated court to hear their appeals for their earned Department of Veterans Affairs—VA—benefits.

While Judge Nebeker is no longer with us, his legacy lives on. On behalf of myself and my fellow Americans, I would like to extend our deepest gratitude for his life and service to this nation.

Judge Nebeker grew up in the West. He was born in Salt Lake City and grew up in Ogden, UT, before graduating from the University of Utah and marrying his wife Lou. Together, they moved to Washington, DC, where he studied law and worked in President Eisenhower's White House. Working as a correspondence secretary, he began his career in public service that would last the rest of his life.

After serving as an attorney for the Department of Justice, he was appointed to the District of Columbia Court of Appeals in 1969. He presided on that bench until President Reagan nominated him to be the Director of the Office of Government Ethics in 1987, a position he held for 2 years.

Soon after, Judge Nebeker continued his service to this country when President George H.W. Bush appointed him to be the chief judge of the newly created United States Court of Veterans Appeals. In this role, he was tasked with standing up this new court from the bottom up.

Judge Nebeker's sharp legal mind and unpretentious demeanor made him an ideal person to bring the court to life. He, along with many other dedicated individuals who established the court, provided an opportunity for the men and women who served our country to appeal for the VA benefits they earned for the first time ever. Many veterans live a better life today because of the judicial system Frank helped establish.

He oversaw the court until his retirement in 2000 and served in senior status on the District of Columbia Court of Appeals until 2021. While he left the court, his enduring legacy of serving veterans lived on at the U.S. Court of Appeals, where the Veterans Appeals courtroom is named in his honor.

On January 4, 2024, Judge Nebeker passed away at the age of 93 years old. He is survived by his wife of 70 years, Lou, his children Melia and William, three grandchildren, and one great-grandchild.

It is my honor to recognize Judge Nebeker's decades of public service and commitment to serving our veterans and their families. His work will continue to benefit generations of veterans nationwide for years to come, and he will be sorely missed.

REMEMBERING FRANK Q. NEBEKER

Mr. MORAN. Madam President, today, I want to honor the life and mourn the loss of Judge Frank Nebeker, who was not only the first judge of the Court of Appeals for Veterans Claims but also the court's first chief judge. In Kansas, we know the value of community and helping others, and Judge Nebeker took these traits to heart as a dedicated and long-serving public servant for more than 70 years.

He began his legal career in 1956 as a trial attorney in the Internal Security Division of the Department of Justice. From there, he took on multiple jobs and roles within the executive and judicial branches of government. In October 1989, he was nominated to the Court of Veterans Appeals by President George H. W. Bush.

The court was created in 1988 under President Reagan to allow veterans and their families to appeal benefits decisions from the Department of Veterans Affairs and the Board of Veterans Appeals. This court was the first of its kind and provided a forum for veterans and their dependents to advocate for themselves when they disagreed with VA. It currently consists of seven permanent judges and two temporary judges.

Judge Nebeker served on the court from the first day it opened until November 2000, when he then became a ''Recall-Eligible Senior Judge.'' He still continued his public service to veterans and periodically performed recall service until December 2022, when he fully retired from the court.

Judge Nebeker was a powerful and influential advocate for veterans. He lived a life of purpose and loved bettering the lives of those who have sacrificed for our country. He often held education programs for attorneys and appellate judges throughout the country in his pursuit to improve the lives of veterans and military families through the next generation of public servants.

He is an example for each of us to follow as we seek to care for our veterans. I know his legacy will live on in the court and in the community and people he loved. My prayers are with his family, friends, and colleagues.

MESSAGE FROM THE PRESIDENT

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

PRESIDENTIAL MESSAGE

REPORT OF THE VETO OF S.J. RES. 32, A JOINT RESOLUTION THAT WOULD DISAPPROVE UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, AN ACTION BY THE FEDERAL HIGHWAY ADMINISTRATION RELATING TO ''WAIVER OF BUY AMERICA REQUIREMENTS FOR ELECTRIC VEHICLE CHARGERS''—PM 35

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to be printed in the RECORD, spread in full upon the Journal, and held at the desk:

To the Senate of the United States:

I am returning herewith without my approval S.J. Res. 38, a resolution that would disapprove under chapter 8 of title 5, United States Code, an action by the Federal Highway Administration (FHWA) relating to ''Waiver of Buy America Requirements for Electric Vehicle Chargers.''

This resolution would eliminate the domestic manufacturing standards for electric vehicle (EV) chargers funded by the FHWA, thereby harming domestic manufacturing and American jobs. If enacted, it would weaken Buy America requirements by reverting to FHWA's general waiver for manufactured products, allowing Federal dollars—including $7.5 billion from the Bipartisan Infrastructure Law—to be spent on chargers made in competitor nations like the People's Republic of China. Additionally, if enacted, this resolution would undermine the hundreds of millions of dollars that the private sector has already invested in domestic EV charging manufacturing, and chill further domestic investment in this critical market.

Finally, if enacted, this resolution would undermine efforts to ensure that the national network of EV chargers, being funded with Federal dollars, must be manufactured in the United States. Specifically, in 2023, my Administration issued a new policy for EV chargers that restores Buy America protections that are consistent with the Build America, Buy America Act (BABA) standards included in the Bipartisan Infrastructure Law. This policy immediately required that EV chargers purchased through FHWA grants be manufactured in the United States and that EV charger housing comprised of iron and steel must use iron and steel produced in the United States. Based on information gathered through public outreach, the policy phases in full Buy America coverage by requiring full BABA compliance starting on July 1 of this year. These actions ensure that Federal dollars for EV chargers are used to purchase American-made products, while allowing newly announced manufacturing capacity for EV charger components the necessary time to ramp up production.

If enacted, this resolution would harm my Administration's efforts to encourage investment in critical industries and bring high-quality jobs back to the United States. It would not only thwart the collective goal of the Congress and the Administration to establish a domestic EV charger manufacturing industry, but it would also delay the significant progress being made by my Administration and the States in establishing the EV charging network. Establishing resilient supply chains is critical to our national economic and energy security, and my Administration will not support policies that would undermine efforts to bring this critical manufacturing back to the United States.

Therefore, I am vetoing this resolution.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, *January 24, 2024.*

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 1:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3222. An act to ensure the security of office space rented by Senators, and for other purposes.

S. 3250. An act to provide remote access to court proceedings for victims of the 1988 Bombing of Pan Am Flight 103 over Lockerbie, Scotland.

The enrolled bills were subsequently signed by the President pro tempore (Mrs. MURRAY).

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, January 24, 2024, she had presented to the President of the United States the following enrolled bills:

S. 3222. An act to ensure the security of office space rented by Senators, and for other purposes.

S. 3250. An act to provide remote access to court proceedings for victims of the 1988 Bombing of Pan Am Flight 103 over Lockerbie, Scotland.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–3380. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order for Oranges, Grapefruit, Tangerines, and Pummelos Grown in Florida'' (Docket No. AMS–SC–21–0054) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3381. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Potato Research and Promotion Plan; Changes to Board Membership and Administrative Committee'' (Docket No. AMS–SC–22–0041) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3382. A communication from the Director of Legislative Affairs, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Long-Term Financial Assurance for Mining'' (RIN0596–AD58) received in the Office of the President of the Senate on January 11, 2024; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3383. A communication from the Director of the Regulations Management Division, Rural Development Innovation Center, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Guaranteed Loanmaking and Servicing Regulations'' (RIN0570–AB07) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3384. A communication from the Director of the Regulations Management Division, Rural Development Innovation Center, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Rural Business Development Grant (RBDG) Regulation: Tribes and Tribal Business References To Provide Equitable Access'' (RIN0570–AB10) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3385. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Establishing the Summer EBT Program and Rural Non-Congregate Option in the Summer Meal Programs'' (RIN0584–AE96) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3386. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Methoxyfenozide; Pesticide Tolerances; Correction'' (FRL No. 8525–02–OCSPP) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3387. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Linuron; Pesticide Tolerances'' (FRL No. 11402–01–OCSPP) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3388. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Baicalin in Pesticide Formulations; Tolerance Exemption'' (FRL No. 11656–01–OCSPP) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3389. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Consolidation of DoD Government Property Clauses (DFARS Case 2020–D029)'' (RIN0750–AL14) received in

the Office of the President of the Senate on January 22, 2024; to the Committee on Armed Services.

EC–3390. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice and Procedure; Civil Money Penalty Inflation Adjustment'' (RIN2590–AB31) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Banking, Housing, and Urban Affairs.

EC–3391. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Prudential Management and Operations Standards Amendments'' (RIN2590–AB10) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Banking, Housing, and Urban Affairs.

EC–3392. A communication from the Deputy Director of Congressional Affairs, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Export Administration Regulations Based on 2018, 2019, and 2021 Missile Technology Control Regime Plenary Agreements; Revisions to License Exception Eligibility'' (RIN0694–AI66) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Banking, Housing, and Urban Affairs.

EC–3393. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Adjustments to Civil Monetary Penalty Amounts'' received in the Office of the President of the Senate on January 22, 2024; to the Committee on Banking, Housing, and Urban Affairs.

EC–3394. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the Department's activities during calendar year 2022 relative to the Equal Credit Opportunity Act; to the Committee on Banking, Housing, and Urban Affairs.

EC–3395. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, two (2) reports relative to vacancies in the Department of Housing and Urban Development, received in the Office of the President of the Senate on January 22, 2024; to the Committee on Banking, Housing, and Urban Affairs.

EC–3396. A communication from the Deputy Director of Congressional Affairs, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Proposed Enhancements and Simplification of License Exception Strategic Trade Authorization'' (RIN0694–AJ32) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Banking, Housing, and Urban Affairs.

EC–3397. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Beneficial Ownership Information Access and Safeguards'' (RIN1506–AB59) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Banking, Housing, and Urban Affairs.

EC–3398. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Annual Update of Filing Fees'' ((RIN1902–AG13) (Docket No. RM24–2–000)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Energy and Natural Resources.

EC–3399. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Civil Monetary Penalty Inflation Adjustment Rule'' (Docket No. RM24–3) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Energy and Natural Resources.

EC–3400. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for Consumer Furnaces'' (RIN1904–AD20) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Energy and Natural Resources.

EC–3401. A communication from the Assistant General Counsel for Legislation, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Inflation Adjustment of Civil Monetary Penalties'' received in the Office of the President of the Senate on January 22, 2024; to the Committee on Energy and Natural Resources.

EC–3402. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for Refrigerators, Refrigerator-Freezers, and Freezers'' (RIN1904–AF56) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Energy and Natural Resources.

EC–3403. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Civil Penalties for Inflation for Fiscal Year 2024'' (RIN3150–AK73) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Environment and Public Works.

EC–3404. A communication from the Chief of the Branch of Domestic Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Species Status With Section 4(d) Rule for North American Wolverine'' (RIN1018–BH27) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Environment and Public Works.

EC–3405. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''US–Mexico-Canada Agreement Section 821: Tijuana River Watershed and Adjacent Coastal Transboundary Wastewater Flows''; to the Committee on Environment and Public Works.

EC–3406. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Ohio; Canton, Cleveland, and Steubenville Second 10-Year 2006 24-hour PM2.5 Limited Maintenance Plans'' (FRL No. 11003–02–R5) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Environment and Public Works.

EC–3407. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Florida; Miscellaneous SIP Changes'' (FRL No. 11572–02–R4) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Environment and Public Works.

EC–3408. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Indiana; Lake and Porter 2008 Ozone NAAQS Maintenance Plan Revision'' (FRL No. 11618–02–R5) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Environment and Public Works.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CARDIN for the Committee on Foreign Relations.

Nicole Shampaine, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during her tenure of service as United States Representative to the Organization for the Prohibition of Chemical Weapons.

Nominee: Nicole Shampaine.

Post: Rank of Ambassador during her tenure of service as U.S. Representative to the Organization for the Prohibition of Chemical Weapons (OPCW)

The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

Self: $100, 7/4/22, Dave Harden; $100, 4/30/22, Elissa Slotkin; $300, 11/12/21, Abigail Spanberger; $50, 12/21/20, Elissa Slotkin; $50, 1/16/20, Jackie Gordon.

Note: I discovered an error on the FEC site. A donation attributed to me made on July 16, 2022 actually was a donation by my mother to Raphael Warnock.

Spouse: None.

Sean Patrick Maloney, of New York, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador.

Nominee: Sean Patrick Maloney.

Post: OECO Representative/Amb.

[The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.]

Contributions, amount, date, and donee:

None for each: Randy Florke, spouse; Reiniel Jesus Florke, son; Daley McKelghan Florke, daughter; Essex Rose Florke, daughter.

Jeffrey Prescott, of the District of Columbia, to be U.S. Representative to the United Nations Agencies for Food and Agriculture, with the rank of Ambassador.

Nominee: Jeffrey Prescott.

Post: U.S. Representative to the United Nations Agencies for Food and Agriculture, with the Rank of Ambassador.

(The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

Self: $100, 03/26/2019, Andy Kim for Congress; $50, 03/30/2019, Slotkin for Congress; $50, 03/30/2019, Tom Malinowski for Congress; $100, 04/15/2019, Dan for Colorado; $400, 04/16/2019, Dan for Colorado; $50, 05/31/2019, Slotkin for Congress; $100, 09/14/2019, Fair Fight, Inc. PAC; $100, 09/20/2019, Andy Kim for Congress;

$50, 09/28/2019, Slotkin for Congress; $50, 09/30/2019, Biden for President; $50, 10/09/2019, Biden for President; $50, 10/22/2019, Jamie Harrison for US Senate; $50, 10/30/2019, Scott Cooper for Congress; $50, 11/02/2019, Democratic Party of Wisconsin; $50, 11/16/2019, Committee to Elect Tedra Cobb; $25, 12/16/2019, Democratic Nominee for NJ–02; $25, 12/18/2019, Peters for Michigan; $25, 12/19/2019, Slotkin for Congress; $1000, 01/05/2020, Biden for President; $25, 01/31/2020, Warnock for Georgia; $25, 02/05/2020, Doug Jones for US Senate; $25, 02/09/2020, Biden for President; $25, 02/13/2020, Peters for Michigan; $50, 02/24/2020, Claire Russo for Congress; $100, 02/29/2020, Biden for President; $95, 03/08/2020, Biden for President; $9.50, 03/08/2020, Actblue; $22.72, 03/12/2020, Cal for NC; $22.73, 03/12/2020, Democratic Nominee for AK; $22.73, 03/12/2020, Democratic Nominee for AZ; $22.73, 03/12/2020, Democratic Nominee for CO; $22.73, 03/12/2020, Democratic Nominee for GA; $22.73, 03/12/2020, Democratic Nominee for IA; $22.72, 03/12/2020, Democratic Nominee for KY; $22.73, 03/12/2020, Democratic Nominee for ME; $22.73, 03/12/2020, Democratic Nominee for SC; $22.72, 03/12/2020, Democratic Nominee for TX; $22.73, 03/12/2020, Doug Jones for US Senate; $100, 04/02/2020, Democratic Party of Wisconsin; $95, 04/16/2020, Biden for President; $9.50, 04/16/2020, Actblue; $25, 04/18/2020, Peters for Michigan; $2.50, 04/22/2020, Biden for President; $2.50, 04/22/2020, Katie Porter for Congress; $50, 04/23/2020, Tom Malinowski for Congress; $23.96, 05/28/2020, Biden for President; $100, 06/05/2020, Andy Kim for Congress; $50, 06/05/2020, Evelyn for NY; $38, 06/06/2020, Texas Democratic Party; $35.25, 06/06/2020, Biden for President; $100, 06/15/2020, Biden for President; $100, 06/21/2020, Jon Ossoff for Senate; $500, 07/12/2020, Andy Kim for Congress; $500, 07/12/2020, Elissa Slotkin for Congress; $50, 07/15/2020, Julie Oliver for Congress; $100, 07/30/2020, Biden Victory Fund; $100, 07/30/2020, Mark Kelly for Senate; $100, 08/04/2020, Warnock for Georgia; $50, 08/06/2020, Warnock for Georgia; $50, 08/07/2020, Bollier for Kansas; $250, 08/09/2020, Biden Victory Fund; $25, 08/09/2020, Actblue; $50, 08/12/2020, Hattersley for Congress; $250, 08/28/2020, Biden for President; $500, 08/28/2020, Biden for President; $100, 09/13/2020, Montanans for Bullock; $500, 09/17/2020, Tom Malinowski for Congress; $19.23, 09/18/2020, Warnock for Georgia; $19.23, 09/18/2020, Bollier for Congress; $19.23, 09/18/2020, Cal for NC; $19.23, 09/18/2020, Doug Jones for US Senate; $19.23, 09/18/2020, Dr. Alan Gross for U.S. Senate; $19.23, 09/18/2020, Hickenlooper for Colorado; $19.24, 09/18/2020, Jamie Harrison for US Senate; $19.23, 09/18/2020, Jon Ossoff for Senate; $19.23, 09/18/2020, MJ for Texas; $19.23, 09/18/2020, Montanans for Bullock; $19.23, 09/18/2020, Peters for Michigan; $19.23, 09/18/2020, Sara Gideon for Maine; $19.23, 09/18/2020, Theresa Greenfield for Iowa; $100, 09/24/2020, Ohio Democratic Party; $17.86, 09/29/2020, Warnock for Georgia; $17.86, 09/29/2020, Bollier for Kansas; $17.86, 09/29/2020, Cal for NC; $17.86, 09/29/2020, Doug Jones for US Senate; $17.86, 09/29/2020, Dr. Alan Gross for U.S. Senate; $17.86, 09/29/2020, Hickenlooper for Colorado; $17.86, 09/29/2020, Jamie Harrison for US Senate; $17.85, 09/29/2020, Jon Ossoff for Senate; $17.86, 09/29/2020, Mike Espy for Senate; $17.86, 09/29/2020, MJ for Texas; $17.86, 09/29/2020, Montanans for Bullock; $17.85, 09/29/2020, Peters for Michigan; $17.85, 09/29/2020, Sara Gideon for Maine; $17.86, 09/29/2020, Theresa Greenfield for Iowa; $100, 09/30/2020, Andy Kim for Congress; $100, 09/30/2020, Biden for President; $100, 10/04/2020, Dr. Alan Gross for U.S. Senate; $50, 10/08/2020, Bollier for Kansas; $100, 10/12/2020, Peters for Michigan; $10, 10/17/2020, Actblue; $100, 10/17/2020, Doug Jones for US Senate; $100, 10/17/2020, Warnock for Georgia; $100, 10/21/2020, Bollier for Kansas; $25, 11/02/2020, Bollier for Kansas; $2.50, 11/02/2020, Actblue; $100, 11/04/2020, Biden Fight Fund; $83.33, 11/08/2020, Jon Ossoff for Senate; $83.33, 11/08/2020, Fair Fight, Inc. PAC; $83.34, 11/08/2020, Warnock for Georgia; $83.34, 11/16/2020, Jon Ossoff for Senate; $83.33, 11/16/2020, Fair Fight, Inc. PAC; $83.34, 11/16/2020, Warnock for Georgia; $125, 11/18/2020, Jon Ossoff for Senate; $125, 11/20/2020, Warnock for Georgia; $300, 11/30/2020, Fair Fight; $250, 12/01/2020, America Votes Action Fund; $33.33, 12/07/2020, Jon Ossoff for Senate; $33.33, 12/07/2020, Georgia Federal Elections Committee; $33.34, 12/07/2020, Warnock for Georgia; $100, 11/15/2022, Warnock for Georgia;

Susan Jakes, $100, 03/20/2019, Pete for America.

Charlie Crist, of Florida, to be Representative of the United States of America on the Council of the International Civil Aviation Organization, with the rank of Ambassador.

Nominee: Charles Joseph Crist Jr.

Post: Representative of the United States of America on the Council of the International Civil Aviation Organization with the rank of Ambassador.

(The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

Self: $1000.00, 06/09/2022, Annette Taddeo for Congress; $1000.00, 05/13/2022, Connor Lamb for Senate; $5600.00, 12/31/2019, Joe Biden for President; $5600.00, 06/29/2019, Charlie Crist for Congress.

Joann M. Lockard, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Burkina Faso.

Nominee: Joann Lockard.

Post: Ambassador to Burkina Faso.

[The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.]

Contributions, amount, date, and donee:

None, Joann Lockard.

None, Aaron Lockard (spouse).

Robert David Gioia, of New York, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

Cardell Kenneth Richardson, Sr., of Virginia, to be Inspector General, Department of State.

Kurt Campbell, of the District of Columbia, to be Deputy Secretary of State.

Mr. CARDIN. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Foreign Service nomination of Joan Polaschik.

Foreign Service nominations beginning with Christopher Allen and ending with Alicia P. Allison, which nominations were received by the Senate and appeared in the Congressional Record on November 1, 2023.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. WARNOCK (for himself and Mr. VANCE):

S. 3647. A bill to amend the Justice for United States Victims of State Sponsored Terrorism Act to use funds in the lump sum catch-up payment reserve fund to make payments to Iran hostages and their families; to the Committee on the Judiciary.

By Mr. PETERS (for himself and Mr. KENNEDY):

S. 3648. A bill to amend the Post-Katrina Management Reform Act of 2006 to repeal certain obsolete requirements, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO:

S. 3649. A bill to require the Secretary of Housing and Urban Development to provide a disclosure notice to homebuyers of properties owned by the Department of Housing and Urban Development that are located in special flood hazard areas, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO:

S. 3650. A bill to amend the Biggert-Waters Flood Insurance Reform Act of 2012 to improve mapping under the National Flood Insurance Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASSIDY (for himself, Ms. SMITH, Mr. THUNE, and Mr. CARDIN):

S. 3651. A bill to amend title XVIII of the Social Security Act to ensure coverage of mental health services furnished through telehealth; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 3652. A bill to require owners of covered federally assisted rental dwelling units to install temperature sensors in such units, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. SHAHEEN (for herself, Ms. MURKOWSKI, Mr. DURBIN, Mr. ROMNEY, Ms. BALDWIN, and Ms. COLLINS):

S. 3653. A bill to apply user fees with respect to tobacco products deemed subject to the requirements of chapter IX of the Federal Food, Drug, and Cosmetic Act; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3654. A bill to amend the Presidential Transition Act of 1963 to require the timely appointment of agency transition officials, to ensure adequate performance and oversight of required transition-related preparation, to require new guidance for agencies and possible transition teams, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BUDD (for himself, Mr. SULLIVAN, Mr. RICKETTS, Mr. SCHMITT, and Mr. BRAUN):

S. 3655. A bill to prohibit a drawdown and sale of petroleum products from the Strategic Petroleum Reserve if the President has withdrawn certain land from oil and gas leasing, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KAINE (for himself, Mr. CORNYN, and Mr. BOOKER):

S. 3656. A bill to direct the President to designate a month as African Diaspora Heritage Month; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. WYDEN, Mrs. MURRAY, Ms. BALDWIN,

Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Ms. CANTWELL, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. KING, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PADILLA, Mr. REED, Mr. SCHATZ, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WARNOCK, Mr. WELCH, and Mr. WHITEHOUSE):

S. 3657. A bill to amend the Internal Revenue Code of 1986 to enhance the Child and Dependent Care Tax Credit and make the credit fully refundable for certain taxpayers; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SCOTT of South Carolina (for himself, Mr. COTTON, Mr. BUDD, Mr. JOHNSON, Mr. HAGERTY, Mr. TUBERVILLE, Mr. CASSIDY, Mrs. BLACKBURN, Mr. CRAMER, Mr. SCOTT of Florida, Mr. RUBIO, Mr. TILLIS, Mrs. HYDE-SMITH, Mr. BOOZMAN, Mr. RISCH, Mr. ROMNEY, Mrs. BRITT, Mr. CRAPO, Mr. BRAUN, Mr. LEE, Mr. WICKER, Mr. RICKETTS, Mr. CRUZ, Mr. CORNYN, Mr. MCCONNELL, and Mr. YOUNG):

S. Res. 531. A resolution designating the week of January 21 through January 27, 2024, as ''National School Choice Week''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 644

At the request of Mr. MARKEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 644, a bill to expand the take-home prescribing of methadone through pharmacies.

S. 815

At the request of Mr. TESTER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor 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. 866

At the request of Ms. HASSAN, the names of the Senator from New Mexico (Mr. LUJÁN) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 866, a bill to amend the Internal Revenue Code of 1986 to enhance tax benefits for research activities.

S. 1237

At the request of Ms. ERNST, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 1237, a bill to restore the exemption of family farms and small businesses from the definition of assets under title IV of the Higher Education Act of 1965.

S. 1529

At the request of Mr. BOOKER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1529, a bill to amend the Animal Welfare Act to provide for greater protection of roosters, and for other purposes.

S. 1706

At the request of Ms. ERNST, her name was added as a cosponsor of S. 1706, a bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for qualified business income.

S. 2003

At the request of Mr. RISCH, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2003, a bill to authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation, and for other purposes.

S. 2085

At the request of Mr. CRAPO, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2224

At the request of Mr. BROWN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2224, a bill to amend the Internal Revenue Code of 1986 to deny interest and depreciation deductions for taxpayers owning 50 or more single family properties.

S. 2757

At the request of Mr. TESTER, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2757, a bill to limit the Secretary of Veterans Affairs from modifying the rate of payment or reimbursement for transportation of veterans or other individuals via special modes of transportation under the laws administered by the Secretary, and for other purposes.

S. 2825

At the request of Mr. CORNYN, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Arizona (Ms. SINEMA) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 2825, a bill to award a Congressional Gold Medal to the United States Army Dustoff crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and life-saving actions in Vietnam.

S. 2928

At the request of Mr. KELLY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2928, a bill to amend the Water Infrastructure Finance and Innovation Act of 2014 to establish payment and performance security requirements for projects, and for other purposes.

S. 3192

At the request of Mr. DAINES, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 3192, a bill to designate Ansarallah as a foreign terrorist organization and impose certain sanctions on Ansarallah, and for other purposes.

S. 3193

At the request of Mr. WHITEHOUSE, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 3193, a bill to amend the Controlled Substances Act to allow for the use of telehealth in substance use disorder treatment, and for other purposes.

S. 3231

At the request of Mr. HEINRICH, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 3231, a bill to enable the people of Puerto Rico to choose a permanent, nonterritorial, fully self-governing political status for Puerto Rico and to provide for a transition to and the implementation of that permanent, nonterritorial, fully self-governing political status, and for other purposes.

S. 3312

At the request of Mr. THUNE, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Wyoming (Ms. LUMMIS) were added as cosponsors of S. 3312, a bill to provide a framework for artificial intelligence innovation and accountability, and for other purposes.

S. 3459

At the request of Ms. CORTEZ MASTO, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3459, a bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with consumer claim awards.

S. 3556

At the request of Ms. KLOBUCHAR, the names of the Senator from Maine (Mr. KING) and the Senator from North Carolina (Mr. BUDD) were added as cosponsors of S. 3556, a bill to direct the Federal Communications Commission to issue reports after activation of the Disaster Information Reporting System and to make improvements to network outage reporting, to categorize public safety telecommunicators as a protective service occupation under the Standard Occupational Classification system, and for other purposes.

S. 3558

At the request of Mr. PETERS, the name of the Senator from Utah (Mr. ROMNEY) was added as a cosponsor of S. 3558, a bill to prohibit contracting with certain biotechnology providers, and for other purposes.

S. 3575

At the request of Mr. BRAUN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 3575, a bill to amend the Public Health Service Act to give a preference, with respect to project grants for preventive health services, for States that allow all trained individuals to carry and administer epinephrine, and for other purposes.

S. 3580

At the request of Mr. CASSIDY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3580, a bill to require institutions of higher education participating in Federal student aid programs to share information about title VI of the Civil Rights Act of 1964, including a link to the webpage of the Office for Civil Rights where an individual can submit a complaint regarding discrimination in violation of such title, and for other purposes.

S. 3589

At the request of Mr. MARKEY, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 3589, a bill to amend title 18, United States Code, to prohibit unauthorized private paramilitary activity, and for other purposes.

S. 3591

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 3591, a bill making appropriations to improve border security, imposing new reporting requirements relating to border security, and enhancing criminal penalties for destroying or evading border controls.

S. 3595

At the request of Mr. SCHATZ, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 3595, a bill to award grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language, and early language programs.

S. 3598

At the request of Mr. RUBIO, his name was added as a cosponsor of S. 3598, a bill to require the Secretary of Veterans Affairs to establish a comprehensive standard for timing between referrals and appointments for care from the Department of Veterans Affairs and to submit a report with respect to that standard, and for other purposes.

S. 3624

At the request of Mr. LEE, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 3624, a bill to restrict the availability of Federal funds to organizations associated with the abortion industry.

S. RES. 158

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

S. RES. 528

At the request of Mr. GRASSLEY, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Res. 528, a resolution raising awareness and encouraging the prevention of stalking by designating January 2024 as ''National Stalking Awareness Month''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 531—DESIGNATING THE WEEK OF JANUARY 21 THROUGH JANUARY 27, 2024, AS ''NATIONAL SCHOOL CHOICE WEEK''

Mr. SCOTT of South Carolina (for himself, Mr. COTTON, Mr. BUDD, Mr. JOHNSON, Mr. HAGERTY, Mr. TUBERVILLE, Mr. CASSIDY, Mrs. BLACKBURN, Mr. CRAMER, Mr. SCOTT of Florida, Mr. RUBIO, Mr. TILLIS, Mrs. HYDE-SMITH, Mr. BOOZMAN, Mr. RISCH, Mr. ROMNEY, Mrs. BRITT, Mr. CRAPO, Mr. BRAUN, Mr. LEE, Mr. WICKER, Mr. RICKETTS, Mr. CRUZ, Mr. CORNYN, Mr. MCCONNELL, and Mr. YOUNG) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 531

Whereas providing a diversity of choices in K-12 education empowers parents to select education environments that meet the individual needs and strengths of their children;

Whereas high-quality K-12 education environments of all varieties are available in the United States, including traditional public schools, public charter schools, public magnet schools, private schools, online academies, and home schooling;

Whereas talented teachers and school leaders in each of these education environments prepare children to achieve their dreams;

Whereas more families than ever before in the United States actively choose the best education for their children;

Whereas more public awareness of the issue of parental choice in education can inform additional families of the benefits of proactively choosing challenging, motivating, and effective education environments for their children;

Whereas the process by which parents choose schools for their children is nonpolitical, nonpartisan, and deserves the utmost respect; and

Whereas tens of thousands of events are planned to celebrate the benefits of educational choice during the 14th annual National School Choice Week, held the week of January 21 through January 27, 2024: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of January 21 through January 27, 2024, as ''National School Choice Week'';

(2) congratulates students, parents, teachers, and school leaders from kindergarten through grade 12 education environments of all varieties for their persistence, achievements, dedication, and contributions to society in the United States;

(3) encourages all parents, during National School Choice Week, to learn more about the education options available to them; and

(4) encourages the people of the United States to hold appropriate programs, events, and activities during National School Choice Week to raise public awareness of the benefits of opportunity in education.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have seven 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 ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, January 24, 2024, 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 Wednesday, January 24, 2024, at 10 a.m., to conduct a business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, January 24, 2024, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, January 24, 2024, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Wednesday, January 24, 2024, at 2:15 p.m., to conduct a hearing.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, January 24, 2024, at 2:15 p.m., to conduct a hearing.

COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, January 24, 2024, at 2:30 p.m., to conduct a closed briefing.

PRESIDENTIAL MESSAGE

VETO OF S.J. RES. 38, A JOINT RESOLUTION PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE FEDERAL HIGHWAY ADMINISTRATION RELATING TO ''WAIVER OF BUY AMERICA REQUIREMENTS FOR ELECTRIC VEHICLE CHARGERS''

The PRESIDING OFFICER laid before the Senate, pursuant to the previous order of January 22, 2024, the following message from the President of the United States, which was ordered to be considered as having been read, printed in the Record, and spread in full upon the Journal, as follows:

To the Senate of the United States:

I am returning herewith without my approval S.J. Res. 38, a resolution that would disapprove under chapter 8 of title 5, United States Code, an action by the Federal Highway Administration (FHWA) relating to ''Waiver of Buy America Requirements for Electric Vehicle Chargers.''

This resolution would eliminate the domestic manufacturing standards for electric vehicle (EV) chargers funded by the FHWA, thereby harming domestic manufacturing and American jobs. If enacted, it would weaken Buy America requirements by reverting to FHWA's general waiver for manufactured products, allowing Federal dollars—including $7.5 billion from the Bipartisan Infrastructure Law—to be spent on chargers made in competitor nations like the People's Republic of China. Additionally, if enacted, this resolution would undermine the hundreds of millions of dollars that the private sector has already invested in domestic EV charging manufacturing, and chill further domestic investment in this critical market.

Finally, if enacted, this resolution would undermine efforts to ensure that the national network of EV chargers, being funded with Federal dollars, must be manufactured in the United States. Specifically, in 2023, my Administration issued a new policy for EV chargers that restores Buy America protections that are consistent with the Build America, Buy America Act (BABA) standards included in the Bipartisan Infrastructure Law. This policy immediately required that EV chargers purchased through FHWA grants be manufactured in the United States and that EV charger housing comprised of iron and steel must use iron and steel produced in the United States. Based on information gathered through public outreach, the policy phases in full Buy America coverage by requiring full BABA compliance starting on July 1 of this year. These actions ensure that Federal dollars for EV chargers are used to purchase American-made products, while allowing newly announced manufacturing capacity for EV charger components the necessary time to ramp up production.

If enacted, this resolution would harm my Administration's efforts to encourage investment in critical industries and bring high-quality jobs back to the United States. It would not only thwart the collective goal of the Congress and the Administration to establish a domestic EV charger manufacturing industry, but it would also delay the significant progress being made by my Administration and the States in establishing the EV charging network. Establishing resilient supply chains is critical to our national economic and energy security, and my Administration will not support policies that would undermine efforts to bring this critical manufacturing back to the United States.

Therefore, I am vetoing this resolution.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, *January 24, 2024.*

UNANIMOUS CONSENT AGREEMENT—READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. SCHUMER. Madam President, I ask unanimous consent that notwithstanding the order of January 24, 1901, the traditional reading of Washington's Farewell Address take place on Monday, February 26, 2024, following the prayer and pledge.

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

APPOINTMENT OF SENATOR CARDIN TO READ WASHINGTON'S FAREWELL ADDRESS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, as modified by the order of January 24, 2024, appoints the Senator from Maryland, Mr. CARDIN, to read Washington's Farewell Address on Monday, February 26, 2024.

TRAIN MORE NURSES ACT

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2853 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2853) to require the Secretary of Health and Human Services and the Secretary of Labor to conduct a study and issue a report on grant programs to support the nursing workforce.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill 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 bill (S. 2853) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 2853

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 ''Train More Nurses Act''.

SEC. 2. REVIEW OF AND REPORT ON PROGRAMS SUPPORTING THE NURSING WORKFORCE.

The Secretary of Health and Human Services and the Secretary of Labor, jointly, shall—

(1) conduct a review of all grant programs carried out by the Department of Health and Human Services or the Department of Labor that support the nurse workforce; and

(2) not later than 1 year after the date of enactment of this Act, submit to Congress a report on the review under paragraph (1) that includes recommendations for changes to such grant programs to improve upon the goals of—

(A) increasing nurse faculty, particularly in underserved areas;

(B) providing pathways for nurses who have more than 10 years of clinical experience to become faculty at schools of nursing; and

(C) encouraging and increasing the nursing pipeline through pathways for licensed practical nurses to become registered nurses.

ORDERS FOR THURSDAY, JANUARY 25, 2024

Mr. SCHUMER. Madam President, in conclusion, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Thursday, January 25; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Lund nomination; further, that the cloture motion on the Sherriff nomination ripen upon the disposition of the Lund nomination, and that if cloture is invoked on the Sherriff nomination, all time be considered expired and the confirmation vote be at a time to be determined by the majority leader in consultation with the Republican leader; further, that following the cloture vote on the Sherriff nomination, the Senate resume consideration of the Kolar nomination and that the cloture motion ripen at 1:45 p.m.; finally, that if any nominations are confirmed during Thursday's session, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Madam 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 7:10 p.m., adjourned until Thursday, January 25, 2024, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 24, 2024:

THE JUDICIARY

JACQUELYN D. AUSTIN, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA.

CRISTAL C. BRISCO, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 25, 2024 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 31

10 a.m.
Committee on Banking, Housing, and Urban Affairs
Subcommittee on Housing, Transportation, and Community Development
To hold hearings to examine Artificial Intelligence and housing.
SD–538

Committee on the Budget
To hold hearings to examine expanding housing affordability.
SD–608

Committee on Environment and Public Works
To hold hearings to examine avoiding, detecting, and capturing methane emissions from landfills.
SD–406

Committee on the Judiciary
To hold hearings to examine Big Tech and the online child sexual exploitation crisis.
SD–G50

10:15 a.m.
Committee on Finance
To hold hearings to examine the nominations of Corey Anne Tellez, of Illinois, to be a Deputy Under Secretary of the Treasury, and Andrew G. Biggs, of Oregon, Kathryn Rose Lang, of Maryland, and Sharon Beth Lewis, of Oregon, each to be a Member of the Social Security Advisory Board.
SD–215

Committee on Homeland Security and Governmental Affairs
Business meeting to consider S. 3626, to clarify task and delivery order solicitation and contract requirements, S. 3635, to improve the President's Cup Cybersecurity Competitions, S. 3613, to require Facility Security Committees to respond to security recommendations issued by the Federal Protective Service relating to facility security, S. 3558, to prohibit contracting with certain biotechnology providers, S. 1524, to ensure that whistleblowers, including contractors, are protected from retaliation when a Federal employee orders a reprisal, S. 3139, to ensure that Federal contractors comply with child labor laws, S. 2367, to improve border security through regular assessments and evaluations of the Checkpoint Program Management Office and effective training of U.S. Border Patrol agents regarding drug seizures, S. 3594, to require Governmentwide source code sharing, S. 3015, to amend title 5, United States Code, to address telework for Federal employees, S. 2143, to designate the facility of the United States Postal Service located at 320 South 2nd Avenue in Sioux Falls, South Dakota, as the ''Staff Sergeant Robb Lura Rolfing Post Office Building'', S. 2274, to designate the facility of the United States Postal Service located at 112 Wyoming Street in Shoshoni, Wyoming, as the ''Dessie A. Bebout Post Office'', S. 2717, to designate the facility of the United States Postal Service located at 231 North Franklin Street in Greensburg, Indiana, as the ''Brigadier General John T. Wilder Post Office'', S. 3267, to designate the facility of the United States Postal Service located at 410 Dakota Avenue South in Huron, South Dakota, as the ''First Lieutenant Thomas Michael Martin Post Office Building'', S. 3357, to designate the facility of the United States Postal Service located at 5120 Derry Street in Harrisburg, Pennsylvania, as the ''Hettie Simmons Love Post Office Building'', S. 3419, to designate the facility of the United States Postal Service located at 1765 Camp Hill Bypass in Camp Hill, Pennsylvania, as the ''John Charles Traub Post Office'', S. 3639, to designate the facility of the United States Postal Service located at 2075 West Stadium Boulevard in Ann Arbor, Michigan, as the ''Robert Hayden Post Office'', S. 3640, to designate the facility of the United States Postal Service located at 155 South Main Street in Mount Clemens, Michigan, as the ''Lieutenant Colonel Alexander Jefferson Post Office'', H.R. 292, to designate the facility of the United States Postal Service located at 24355 Creekside Road in Santa Clarita, California, as the ''William L. Reynolds Post Office Building'', H.R. 996, to designate the facility of the United States Postal Service located at 3901 MacArthur Blvd., in New Orleans, Louisiana, as the ''Dr. Rudy Lombard Post Office'', H.R. 2379, to designate the facility of the United States Postal Service located at 616 East Main Street in St. Charles, Illinois, as the ''Veterans of the Vietnam War Memorial Post Office'', H.R. 3944, to designate the facility of the United States Postal Service located at 120 West Church Street in Mount Vernon, Georgia, as the ''Second Lieutenant Patrick Palmer Calhoun Post Office'', an original bill entitled, ''Royalty Transparency Act'', an original bill entitled, ''Government Spending Oversight Act'', an original bill entitled, ''Agency Preparation for Transitions Act'', an original bill entitled, ''Helping Eliminate Limitations for Prompt Response and Recovery Act'', and the nominations of Adrienne Jennings Noti, Tanya Monique Jones Bosier, Danny Lam Hoan Nguyen, Kenechukwu Onyemaechi Okocha, Katherine E. Oler, Judith E. Pipe, and Charles J. Willoughby, Jr., each to be an Associate Judge of the Superior Court of the District of Columbia.
SD–562

11 a.m.
Committee on Health, Education, Labor, and Pensions
Business meeting to consider an Authorization for Investigation into the High Costs of Prescription Drugs for Patients in the United States Compared to Other Countries, an Authorization for Subpoena of Joaquin Duato, Chief Executive Officer, Johnson and Johnson, for Testimony Relating to the Committee Investigation into the High Costs of Prescription Drugs for Patients in the United States Compared to Other Countries, an Authorization for Subpoena of Robert Davis, Chief Executive Officer, Merck, for Testimony Relating to the Committee Investigation into the High Costs of Prescription Drugs for Patients in the United States Compared to Other Countries, and other pending calendar business.
SD–430

2:30 p.m.
Committee on Foreign Relations
Subcommittee on Europe and Regional Security Cooperation
To hold hearings to examine the North Atlantic Treaty Organization at 75, focusing on past successes and planning for the future.
SD–419

3 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH–219

3:30 p.m.
Committee on Veterans' Affairs
To hold hearings to examine Vet Centers, focusing on supporting the mental health needs of servicemembers, veterans and their families.
SR–418

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S227-S253

Measures Introduced: Eleven bills and one resolution were introduced, as follows: S. 3647–3657, and S. Res. 531. **Pages S250–51**

Measures Passed:

Train More Nurses Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 2853, to require the Secretary of Health and Human Services and the Secretary of Labor to conduct a study and issue a report on grant programs to support the nursing workforce, and the bill was then passed. **Page S253**

Appointments:

Washington's Farewell Address: The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, as modified by the order of January 24, 2024, appointed Senator Cardin to read Washington's Farewell Address on Monday, February 26, 2024. **Page S253**

Washington's Farewell Address—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the order of January 24, 1901, the traditional reading of Washington's Farewell Address take place on Monday, February 26, 2024, following the Prayer and Pledge of the Flag. **Page S253**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to the Constitution, the report of the veto of S.J. Res. 38, a joint resolution that would disapprove under chapter 8 of title 5, United States Code, an action by the Federal Highway Administration relating to "Waiver of Buy America Requirements for Electric Vehicle Chargers"; ordered to be printed in the Record, spread in full upon the Journal, and held at the desk. (PM–35) **Page S248**

Lund Nomination—Agreement: Senate resumed consideration of the nomination of Gretchen S. Lund, of Indiana, to be United States District Judge for the Northern District of Indiana. **Pages S236–46**

A unanimous-consent agreement was reached providing that the motion to invoke cloture with respect to the nomination, be withdrawn, and that, notwithstanding Rule XXII, Senate vote on confirmation of the nomination at 11:30 a.m., on Thursday, January 25, 2024. **Page S253**

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 10 a.m., on Thursday, January 25, 2024; that the motion to invoke cloture on the nomination of Kirk Edward Sherriff, of California, to be United States District Judge for the Eastern District of California, ripen upon disposition of the nomination of Gretchen S. Lund, and that if cloture is invoked on the nomination of Kirk Edward Sherriff, all time be considered expired and the vote on confirmation of the nomination be at a time to be determined by the Majority Leader, in consultation with the Republican Leader; that following the cloture vote on the nomination of Kirk Edward Sherriff, Senate resume consideration of the nomination of Joshua Paul Kolar, of Indiana, to be United States Circuit Judge for the Seventh Circuit, and that the motion to invoke cloture on the nomination ripen at 1:45 p.m. **Page S253**

Nominations Confirmed: Senate confirmed the following nominations:

By 80 yeas to 17 nays (Vote No. EX. 20), Jacquelyn D. Austin, of South Carolina, to be United States District Judge for the District of South Carolina. **Page S235**

During consideration of this nomination today, Senate also took the following action:

By 79 yeas to 17 nays (Vote No. EX. 18), Senate agreed to the motion to close further debate on the nomination. **Page S232**

By 67 yeas to 32 nays (Vote No. EX. 21), Cristal C. Brisco, of Indiana, to be United States District Judge for the Northern District of Indiana. **Page S236**

During consideration of this nomination today, Senate also took the following action:

By 68 yeas to 29 nays (Vote No. EX. 19), Senate agreed to the motion to close further debate on the nomination. **Page S233**

Messages from the House: Page S248
Enrolled Bills Presented: Page S248
Executive Communications: Pages S248–49
Executive Reports of Committees: Page S249
Additional Cosponsors: Pages S251–52
Statements on Introduced Bills/Resolutions: Page S252
Additional Statements:
Authorities for Committees to Meet: Page S252

Record Votes: Four record votes were taken today. (Total—21) Pages S232–33, S235–36

Adjournment: Senate convened at 10 a.m. and adjourned at 7:10 p.m., until 10 a.m. on Thursday, January 25, 2024. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S253.)

Committee Meetings

(Committees not listed did not meet)

OCEAN INDUSTRIES

Committee on the Budget: Committee concluded a hearing to examine how the climate crisis threatens ocean industries, after receiving testimony from Andrea Dutton, University of Wisconsin, Madison; Rashid Sumaila, University of British Columbia, Vancouver, Canada; Thomas K. Frazer, University of South Florida, St. Petersburg; Phil Levy, Flexport, New York, New York; and Kyle Schaefer, Kittery Point, Maine.

TOXIC SUBSTANCES CONTROL ACT OVERSIGHT

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine the Toxic Substances Control Act amendments implementation, after receiving testimony from Michal Freedhoff, Assistant Administrator, Office of Chemical Safety and Pollution Prevention, Environmental Protection Agency.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 2003, to authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation, with an amendment in the nature of a substitute; and

The nominations of Kurt Campbell, of the District of Columbia, to be Deputy Secretary, Cardell Kenneth Richardson, Sr., of Virginia, to be Inspector General, Nicole Shampaine, of California, for the rank of Ambassador during her tenure of service as United States Representative to the Organization for the Prohibition of Chemical Weapons, Sean Patrick Maloney, of New York, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador, Jeffrey Prescott, of the District of Columbia, to be U.S. Representative to the United Nations Agencies for Food and Agriculture, with the rank of Ambassador, Charlie Crist, of Florida, to be Representative of the United States of America on the Council of the International Civil Aviation Organization, with the rank of Ambassador, and Joann M. Lockard, of Virginia, to be Ambassador to Burkina Faso, all of the Department of State, Robert David Gioia, of New York, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada, and routine lists in the Foreign Service.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Susan M. Bazis, to be United States District Judge for the District of Nebraska, who was introduced by Senator Fischer, Ernest Gonzalez, and Leon Schydlower, both to be a United States District Judge for the Western District of Texas, Ann Marie McIff Allen, to be United States District Judge for the District of Utah, Kelly Harrison Rankin, to be United States District Judge for the District of Wyoming, who was introduced by Senators Barrasso and Lummis, and Robin Michelle Meriweather, of Virginia, to be a Judge of the United States Court of Federal Claims, after the nominees testified and answered questions in their own behalf.

AI IN CRIMINAL INVESTIGATIONS AND PROSECUTIONS

Committee on the Judiciary: Subcommittee on Criminal Justice and Counterterrorism concluded a hearing to examine AI in criminal investigations and prosecutions, after receiving testimony from Karen L. Howard, Director, Science, Technology Assessment, and Analytics, Government Accountability Office; Armando R. Aguilar, Miami Police Department, Miami, Florida; and Rebecca Wexler, Berkeley Center for Law and Technology, Berkeley, California.

USE OF AI AT LOC, GPO, AND SMITHSONIAN INSTITUTION

Committee on Rules and Administration: Committee concluded a hearing to examine the use of Artificial Intelligence at the Library of Congress, Government Publishing Office, and Smithsonian Institution, after receiving testimony from Carla Hayden, Librarian of

Congress; Hugh Nathanial Halpern, Director, Government Publishing Office; and Meroe Park, Deputy Secretary and Chief Operating Officer, Smithsonian Institution.

SUCCESSION PLANNING

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine succession planning, focusing on opportunities to build wealth and keep jobs in local communities, including S. 1108, to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, after receiving testimony from Scott Snider, Exit Planning Institute, Westlake, Ohio; Theresa Hildreth, Martin Hildreth Company, Inc., Rockwell City, Iowa; Tabitha Croscut, Devine, Millimet and Branch, P.A., Manchester, New Hampshire; and Palmer Schoening, Family Business Coalition, Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

The House was not in session today. The House will meet in Pro Forma session at 3 p.m. on Thursday, January 25, 2024.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, JANUARY 25, 2024

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine reauthorization of the National Flood Insurance Program, focusing on local perspectives on challenges and solutions, 10 a.m., SD–538.

Committee on Foreign Relations: to hold hearings to examine the nominations of Kamala Shirin Lakhdhir, of Connecticut, to be Ambassador to the Republic of Indonesia, and Courtney Diesel O'Donnell, of California, to be United States Permanent Representative to the United Nations Educational, Scientific, and Cultural Organization, with the rank of Ambassador, Laura Stone, of Utah, to be Ambassador to the Republic of the Marshall Islands, all of the Department of State, Andrew William Plitt, of Maryland, to be an Assistant Administrator of the United States Agency for International Development, and other pending nominations, 10 a.m., SD–419.

Special Committee on Aging: to hold hearings to examine assisted living facilities, focusing on understanding long-term care options for older adults, 10 a.m., SD–106.

House

No hearings are scheduled.

Next Meeting of the **SENATE**

10 a.m., Thursday, January 25

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of Gretchen S. Lund, of Indiana, to be United States District Judge for the Northern District of Indiana, and vote on confirmation thereon at 11:30 a.m. Following disposition of the nomination, Senate will vote on the motion to invoke cloture on the nomination of Kirk Edward Sherriff, of California, to be United States District Judge for the Eastern District of California.

At 1:45 p.m., Senate will vote on the motion to invoke cloture on the nomination of Joshua Paul Kolar, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

3 p.m., Thursday, January 25

House Chamber

Program for Thursday: House will meet in Pro Forma session at 3 p.m.

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at *www.govinfo.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.