

Ladies and gentlemen, peace is only possible when the United States is strong. That means a strong military, a strong economy, a strong educational system, and a strong border.

Unless we reverse our course soon, it will be too late to stop the violence and aggression President Biden's weakness has invited across the globe and here at home.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Ketanji Brown Jackson, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. President, I rise today to offer a resolution expressing support for the Pledge of Allegiance as a historic and significant expression of patriotism.

By the way, I did the same thing last year.

In 2002, 19 years ago, Senator Tom Daschle raised a similar resolution with unanimous support from the Senate, and it passed on the floor uneventfully, without amendment.

In a few days, this body can choose to do the same, to reaffirm our support for the Pledge of Allegiance.

I rise today, too, to honor a Hoosier who understood the innate value of the Pledge of Allegiance to civic education.

In 1969, Red Skelton, the American comedian and entertainer who was well-known for his program on CBS, "The Red Skelton Hour," wrote a speech on the importance of the Pledge. Reflecting on his time in Vincennes, a neighboring community to where I live, he spoke about the value instilled by one of his high school teachers in the words of the Pledge of Allegiance.

After the performance of the speech, CBS received several hundred thousand requests for copies. The speech would go on to be sold as a single by Columbia Records and performed at the White House for President Nixon.

I think it would be an honor to Mr. Skelton's memory and to the importance of the Pledge of Allegiance if it were recited today on the Senate floor in the words of Red Skelton.

When I was a small boy in Vincennes, [Indiana,] I heard, I think, one of the most outstanding speeches I ever heard in my life. I think it compares with the Sermon on the Mount, Lincoln's Gettysburg Address, and Socrates' Speech to the Students.

We had just finished reciting the Pledge of Allegiance, and he [Mr. Lasswell, the Principal of Vincennes High School] called us all together, and he says, "Uh, boys and girls, I have been listening to you recite the Pledge of Allegiance all semester, and it seems that it has become monotonous to you. Or, could it be, you do not understand the meaning of each word? If I may, I would like to recite the pledge, and give you a definition of each word:

I—Me, an individual; a committee of one.  
Pledge—Dedicate all of my worldly good to give without self-pity.

Allegiance—my love and my devotion.  
To the Flag—Our standard. "Old Glory"; a symbol of courage. And wherever she waves, there is respect, because your loyalty has given her a dignity that shouts "Freedom is everybody's job."

Of the United—That means we have all come together.

States—Individual communities that have united into 48 great states; 48 individual communities with pride and dignity and purpose; all divided by imaginary boundaries, yet united to a common cause, and that's love of country—

Of America.

And to the Republic—a Republic: a sovereign state in which power is invested into the representatives chosen by the people to govern; [us] and the government is the people; and it's from the people to the leaders, not from the leaders to the people.

For which it Stands  
One Nation—Meaning "so blessed by God."  
Indivisible—Incapable of being divided.

With Liberty—Which is freedom; the right of power for one to live his own life without fears, threats, or any sort of retaliation.

And Justice—The principle and qualities of dealing fairly with others.

For All—For All. That means, boys and girls, it's as much your country as it is mine.

Afterwards, Mr. Lasswell asked his students to recite the Pledge of Allegiance together, with newfound appreciation for the words.

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

Mr. Red Skelton concluded his speech by saying:

Since I was a small boy, two states have been added to our country, and two words have been added to the Pledge of Allegiance: [If you listened closely] "Under God." Wouldn't it be a pity if someone said, "That is a prayer"—and that be eliminated from our schools . . . ?

Just as those students that day, Mr. Skelton included, recommitted to the meaning of the words of the Pledge of Allegiance, I call upon the U.S. Senate to recommit to the meaning of these words.

There are times today that the words of the pledge are tossed around without too much care. Other times, they are altered to remove what today is deemed offensive or antiquated. But

Americans should not misuse or abuse our Pledge of Allegiance. The Pledge of Allegiance is meant to remind Americans of our guiding principles and inspire adherence to those ideas which make our country great: equality under the law, recognized rights to life, liberty, and the pursuit of happiness. This is why today I am requesting that in a few days we pass this resolution with unanimous consent, and I am hopeful that occurs.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

VOTE ON BROWN JACKSON NOMINATION

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the vote begin immediately on the nominee.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Brown Jackson nomination?

Mrs. SHAHEEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Florida (Mr. RUBIO), and the Senator from Nebraska (Mr. SASSE).

Further, if present and voting, the Senator from Nebraska (Mr. SASSE) would have voted "nay".

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 231 Ex.]

YEAS—53

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warnock
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Hassan	Padilla	

NAYS—44

Barrasso	Grassley	Portman
Blackburn	Hagerty	Risch
Boozman	Hawley	Romney
Braun	Hoeben	Rounds
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tillis
Crapo	Lummis	Toomey
Cruz	Marshall	Tuberville
Daines	McConnell	Wicker
Ernst	Moran	Young
Fischer	Paul	

NOT VOTING—3

Blunt	Rubio	Sasse
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. OSSOFF). Under the previous order, the

motion to reconsider is considered made and laid upon table, and the President will be immediately notified of the Senate's action.

### CLOTURE MOTION

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

The 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. 119, Lina M. Khan, of New York, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2017.

Charles E. Schumer, Patty Murray, Alex Padilla, Sheldon Whitehouse, Jeff Merkley, Jack Reed, Debbie Stabenow, Benjamin L. Cardin, Patrick J. Leahy, Elizabeth Warren, Jacky Rosen, Richard Blumenthal, Tina Smith, John Hickenlooper, Michael F. Bennet, Tim Kaine, Brian Schatz.

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 Lina M. Khan, of New York, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2017, 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. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Florida (Mr. RUBIO), and the Senator from Nebraska (Mr. SASSE).

The result was announced—yeas 72, nays 25, as follows:

[Rollcall Vote No. 232 Ex.]

#### YEAS—72

Baldwin	Grassley	Ossoff
Bennet	Hassan	Padilla
Blumenthal	Hawley	Peters
Booker	Heinrich	Portman
Braun	Hickenlooper	Reed
Brown	Hirono	Rosen
Burr	Hoehn	Rounds
Cantwell	Hyde-Smith	Sanders
Capito	Johnson	Schatz
Cardin	Kaine	Schumer
Carper	Kelly	Shaheen
Casey	King	Sinema
Cassidy	Klobuchar	Smith
Collins	Leahy	Stabenow
Coons	Lujan	Tester
Cornyn	Manchin	Thune
Cortez Masto	Markey	Van Hollen
Cramer	Marshall	Warner
Duckworth	Menendez	Warnock
Durbin	Merkley	Warren
Feinstein	Moran	Whitehouse
Fischer	Murkowski	Wicker
Gillibrand	Murphy	Wyden
Graham	Murray	Young

#### NAYS—25

Barrasso	Cruz	Kennedy
Blackburn	Daines	Lankford
Boozman	Ernst	Lee
Cotton	Hagerty	Lummis
Crapo	Inhofe	McConnell

Paul	Scott (SC)	Toomey
Risch	Shelby	Tuberville
Romney	Sullivan	
Scott (FL)	Tillis	

#### NOT VOTING—3

Blunt	Rubio	Sasse
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The PRESIDING OFFICER. On this vote, the yeas are 72, the nays are 25. 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 Lina M. Khan, of New York, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2017.

The PRESIDING OFFICER (Ms. SMITH). The Senator from New York.

#### UNANIMOUS CONSENT REQUEST—S. 1520

Mrs. GILLIBRAND. Madam President, I rise for the eighth time to call for this entire body to have the opportunity to vote on and consider the Military Justice Improvement and Increasing Prevention Act.

This commonsense reform would ensure that people in the military who have been subjected to sexual assault and other serious crimes get the justice they deserve.

I ask for this vote because I want to ensure that this important reform, which is backed by a bipartisan filibuster-proof majority of the Senators, becomes law. If we leave this debate and this reform to the national defense authorization committee review, I have no doubts that that will not happen.

We all know how a bill becomes a law. It passes the Senate and the House, and is signed by the President. And we all know how this process can be subverted. We have seen popular provisions that have passed both the House and the Senate be minimized, watered down, or removed in conference altogether. And I have certainly seen good proposals killed behind closed doors of the NDAA markup. In 2019, I introduced a much smaller reform called Safe to Report. That provision was designed to improve reporting rates by allowing survivors of sexual assault to report the assault without fear of retaliation in the form of misconduct charges for related minor offenses, things like underage drinking or breaking a curfew.

That commonsense reform, which could have allowed more survivors to come forward, passed in both the House and the Senate, but it was removed in conference. We had to reintroduce the very same bill the following year in order for it to be included and become law in the next year, the fiscal year 2021 NDAA.

If a program focused solely on helping to make it easier for survivors to report their assault was removed in conference, I have little reason to believe that this once-in-a-generation reform will survive.

Given the lack of progress we have made on sexual assault in the military

and the entrenched problems with the military justice system, we cannot allow this widely supported reform to be left to the whims of those working behind closed doors in conference—a process with a rich history of subverting reforms on behalf of the Department of Defense. Let us have this vote in the Senate, and let us send it to the House to become law.

Every day we delay this vote is another day we deny justice to the survivors of sexual assault. We deny justice to servicemembers who have been affected by serious crimes. We deny justice to the men and women who do so much for this country. We owe it to them to not wait another minute longer.

As if in legislative session, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate Committee on Armed Services be discharged from further consideration of S. 1520 and the Senate proceed to its consideration; that there be 2 hours for debate, equally divided in the usual form, and that upon the use or yielding back of that time, the Senate vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Madam President, reserving my right to object.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, like the Senator from New York, I believe that we should transfer crimes regarding sexual misconduct to a special prosecutor, as the Senator of New York has outlined, and that is a decision that many of my colleagues have made over the last few months. In the past, they have been opposed, as I have opposed that approach.

The difficulty is the transfer of other crimes like burglary, arson, financial mismanagement, misappropriation of government funds or properties. Those issues have not been carefully studied, and they should be studied, and that is the purpose of the committee.

We will take this up. We will study it very closely. We will also look at something that I think has to be looked at seriously: How do we implement this reform, and how much time do we need? The last time that we made a major change to the Uniform Code of Military Justice, we allowed the Department of Defense 2 years, and they took all of it. The present legislation would allow 18 months. This is something we have to look at.

We also have to look at the resources that are needed. This involves a change in the structure of the military legal system, and the committee is a place where we will get the best views of people who have dedicated themselves in the Senate to thinking hard and thoroughly about issues of military justice, issues of military preparedness, and all of these things.

Looking forward to a debate, but looking also forward to, I think, what