

capital-starved. If the right messages were being sent to the markets, we could pick up another 200,000 to 400,000 barrels of oil per day. In January of 2022—this year—North Dakota produced 1.1 million barrels per day. To put this in context, Europe imports 2.3 million barrels per day from Russia. At North Dakota's peak, we produced 1.5 million barrels per day. North Dakota alone could provide two-thirds of the product Europe imports from Russia. It would be cleaner than Russian oil, and it would lessen Putin's malign leverage over Europe and, really, the rest of the world.

Investors in domestic oil and gas have to receive the right market signals in order to invest their capital. The administration seems to believe energy production is simply a switch you turn on or a valve you turn when you need it. Then, if you don't need it, you just turn it off—no harm, no foul. It is very capital-intensive, as I said, and it is reliant on regulatory certainty. I am not talking about 6 days of certainty or 6 months of certainty but more like 6 years of certainty. No sane energy CEO would invest millions or billions of dollars in a project with the backdrop of an administration that is seeking to “transition” them out of existence within months.

Let's take a walk down memory lane on some of the signals this administration has sent to the industry.

First, the President himself said during a campaign stop in 2019:

I guarantee you, I guarantee you we are going to end fossil fuel, and I am not going to cooperate with them.

Well, congratulations, Mr. President. You kept the promise.

Secretary Granholm appeared in a video and called for leaving fossil fuels “in the ground,” she said. She then spoke to reporters at the Energy and Environmental Research Center in Grand Forks, ND. It is an exceptional organization at the forefront of promoting carbon capture and other innovative solutions to reduce CO<sub>2</sub> emissions.

During her comments, she proclaimed the United States doesn't—get this now. The Secretary of Energy proclaimed, We don't have “much moral authority” to criticize China over its emissions. We, the United States of America, don't have moral authority over China?

Really, Madam Secretary? That is what you believe about the country you serve?

How about the climate czar John Kerry? He flies around the world while making outlandish comments like “the United States won't have coal in 2030,” and he discourages the world from buying our products—U.S. energy—while fanning the flames of radicalism and proclaiming Ukrainian war refugees are nothing compared to climate refugees. It is like he is the bishop of the Church of Climatology or something. He has even expressed concern that the pesky war crimes that are going on

over there by Vladimir Putin are taking the focus away from the real tragedy: climate change. Then he gets in his jet and flies home.

Meanwhile, recent reports indicate the administration has turned to despots, like Iran and Venezuela, instead of to producers right here in America in order to help bring the Biden inflation under control by producing more of their dirty oil instead of our cleaner production. It makes no sense, and it is offensive to every American worker.

We have a geopolitical opportunity right now to cut Putin's malign influence, and we should be taking full advantage of it. What we ought to be doing is encouraging production not just with our rhetoric but with our actions. Producing more U.S. oil and gas will—believe it or not, proclaim it or deny it as it is the truth—will reduce global greenhouse gas emissions.

Now, if you don't want to take my word for it or trust the extensive studies, science, and documentation of this fact, Biden EPA Administrator Michael Regan, just last week, told the Financial Times that recent calls for increased oil output are compatible—get this now, this is from Biden EPA Administrator Regan—with goals to cut CO<sub>2</sub> emissions.

In fact, he specifically said:

These are not mutually exclusive goals.

Administrator Regan is exactly right. Producing more U.S. oil and gas will reduce the West's reliance on dirtier fuels from our adversaries. Doing so also avoids unilaterally disarming our economy and losing ourselves to a 2050 fantasy that has come straight up to being a 2022 reality. Some in the Biden administration may finally be starting to understand: Energy security is national security and economic security. And so I say: Let's make the world safer, let's make the world cleaner, and let's unleash American energy production.

With that, I yield the floor.

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

#### NOMINATION OF KETANJI BROWN JACKSON

Mr. SCOTT of Florida. Mr. President, in my 8 years as Governor, I had the opportunity to appoint more than 400 Floridians to the bench. I interviewed thousands of applicants for these seats, and my standards in each of those interviews were the same. I asked them if they understood that they intended to be part of the judiciary and not part of the legislature. And I asked them if they intended to interpret the law and enforce the law but not make new laws. If they couldn't convince me that they believed that was their duty as a member of the judicial branch, then I wouldn't appoint them.

We need qualified jurists committed to fairly and accurately interpreting our Constitution and our laws as they are written, not activist judges who will rewrite the laws according to their own policy preferences.

Now, I have had the chance to meet with Judge Jackson. We had a nice conversation, and she seems like a nice person. But I have very serious concerns about her record as a Federal judge, which includes numerous instances of the type of judicial activism that we cannot and should not tolerate from the Federal judiciary.

The fact is that Judge Jackson has written only two appellate opinions in her current position. So we have no evidence of how she will approach serious constitutional issues as an appellate judge. And she has refused to disclose how she would interpret the Constitution as a Supreme Court Justice, despite being repeatedly and directly asked by Senators on the Judiciary Committee.

And while serving as a district court judge, she had a high rate of being reversed on appeal for applying the wrong legal standards, exceeding her authority, or simply ignoring clear law in her decisions.

And a peek into her history shows an alarming pattern of being weak on sex offenders, including easier sentences in child pornography cases. Judge Jackson imposed sentences that were 47 percent shorter than the national average in cases of child pornography distribution, and 57 percent shorter than the national average in cases of child pornography possession. She has even apologized from the bench when issuing such sentences—not to the victims of those heinous crimes. Of course, they never got an apology. She apologized to the offenders for the “anguish” the sentences for their horrific crimes would cause them.

What about the anguish of their victims—innocent children?

These are individuals who harm children. They don't deserve easy sentences or our sympathies.

And this sympathy for child predators has consequences. We recently learned that a child rapist, someone to whom Judge Jackson gave a very lenient sentence, sexually abused another victim after his light sentence. Had Judge Jackson given him the sentence he deserved and the one that the prosecution recommended, he would have been in prison, not out in the streets.

These are crimes that Judge Jackson has the power to prevent, but she has chosen every time to give these gross criminals easier sentences. That is why I have joined Senator HAWLEY to introduce the Protect Act, which protects children from sexual exploitation by enhancing the penalties for possessing child pornography and preventing judges from sentencing offenders below Federal guidelines. Our communities must be protected from sick individuals who exploit and victimize children, and also from liberal activist judges who abuse their sentencing guidelines to let offenders off the hook. Federal sentencing guidelines for these heinous crimes are critical, and we

must ensure guidelines are strictly enforced. I hope the Senate quickly passes this good bill.

We can't have a soft-on-crime Justice on the Supreme Court, and we can't have activist judges in the highest Court in the land.

I also don't think it is too much for the nominee to the highest Court in the land to be able to say what a woman is or to take a stand against partisan Court packing, which even liberal Justices like Ruth Bader Ginsburg and Stephen Breyer have done. We have the right to be concerned and demand answers on behalf of the American people. I think our country deserves better.

That is why I can't support the nomination of Judge Jackson to the Supreme Court. I am committed to giving the American people qualified judges who understand their role in government and who apply the law as it is written, not as they want it to be. It is a simple standard, and it is one that Floridians expect. Unfortunately, based on my best assessment of her record on the bench, that is unfortunately not the case with Judge Jackson.

The Democratic Party needs to understand that the Supreme Court is not just another institution to infiltrate with their leftist ideology. I have no hope that they will, but, until they do, I will continue fighting to uphold the Constitution and ensure that there remains a separation of powers between branches of Government, and that judges who are appointed to the bench understand that they are there to interpret the law, not to make the law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, throughout 2 days of questioning in front of the Judiciary Committee on which I sit, Judge Jackson proved, without a shadow of a doubt, what we all knew to be true: She is eminently qualified to serve on the Supreme Court of our country.

Judge Jackson has the intellect, the integrity, and the temperament befitting an Associate Justice of the U.S. Supreme Court, and she doesn't have an ideological axe to grind. Judge Jackson is exceptionally qualified and well regarded across the political spectrum.

And yet not a single Republican voted to advance Judge Jackson's nomination out of the Senate Judiciary Committee, and only three Republicans have publicly expressed support for her.

So I ask my Republican colleagues: What is it going to take? What is it going to take to put politics aside to support a nominee like Judge Jackson? Because, clearly, intelligence, extraordinary breadth of experience, and support from prominent conservatives—conservatives—did not suffice. Clearly, a candidate who has support from organizations from across the political

spectrum—from the Black and Hispanic U.S. Chambers of Commerce to the National Education Association, with thousands of teachers; to the Fraternal Order of Police, the largest police union—they would not be supporting somebody who is soft on crime—to child advocacy groups that would not be supporting her, either, if she was not being appropriate in her sentencing of child pornography defendants. So even with this breadth of support, she didn't make the cut with the Republicans on the Judiciary Committee. So, clearly, a nominee who was uniformly called “brilliant,” “beyond reproach,” “first rate,” and “impeccable” by her colleagues across the Nation was not enough.

So, truly, what will it take?

Sadly, some of my Republican colleagues resorted to unfounded and misleading attacks in an unsuccessful attempt to smear her character. To highlight how ridiculous the attacks around the sentencing of child pornography offenses were, I asked Judge Jackson about the history of the sentencing guidelines for these crimes and the concerns that these guidelines do not reflect what is happening with child pornography offenses.

And these facts bear repeating. A decade ago, the U.S. Sentencing Commission first addressed the issue of sentencing in this area. Even way back then, only 40 percent of convicted offenders were receiving sentences within the guidelines. Now, 10 years later, even fewer offenders are receiving sentences within the guidelines. In 2019, just 30 percent of non-production offenders were sentenced within the guidelines. In the DC Circuit, in which Jackson served, the average goes down to just 20 percent of offenders. This puts Judge Jackson well within the mainstream in her sentencing in this area. She is not an outsider.

I named numerous other judges nominated by President Trump and supported by the Republicans on the Judiciary Committee who have also sentenced offenders to sentences well below the sentencing guidelines. So these judges also expressed concern about how the sentencing guidelines do not reflect the circumstances in the child pornography cases of today.

I will repeat this. Judge Jackson is a mainstream judge. She has issued decisions and sentences similar to other judges across the Nation, including those nominated by both Republicans and Democratic Presidents. Despite some of my Republican colleagues' attempts to distort the truth to get more likes on Twitter, what Americans across the country saw was an incredibly impressive, highly qualified individual demonstrate that she has the intellect and the temperament to serve on our highest Court. Throughout the course of this week, Americans also learned about her character.

I was particularly moved to hear the testimony of an individual who has known Judge Jackson for nearly 38

years—when they were in elementary school. He said, in part:

Ketanji's incandescent brilliance was obvious to all of us from day one. But even more importantly, she has always been one of the kindest, warmest, most humble and down-to-earth people I have ever met. All this, while still possessing boundless charisma, drive, maturity, and grace.

These qualities, apparently from a young age, have clearly guided her throughout her life and her career, particularly when it comes to treating every single person she encounters with dignity and respect.

During the hearing, I asked Judge Jackson the same two questions on sexual assault and harassment that I ask of all nominees—male and female. In follow-up questioning, I named judges who had committed such misconduct and asked Judge Jackson what she does to ensure her court is a safe and inclusive place to work. After Judge Jackson's hearing concluded, a woman who had clerked for one of the judges I named who had engaged in this kind of harassing behavior reached out to me. And this is a person who had clerked for one of the judges that I had named. During her clerkship with this judge, she endured extreme and pervasive sexual harassment. She came forth publicly about this judge's conduct, an experience she described as “a harrowing ordeal.”

She went on to a second clerkship, this time for Judge Jackson. In Judge Jackson's court, she said, she was treated like a valued and talented employee who could make meaningful contributions to the law. She says clerking for Judge Jackson was the most meaningful professional experience she has ever had. She stated:

Judge Jackson is the reason I am still a lawyer. I have no doubt I would have left the profession were it not for the way she treated me the year after my ordeal.

Judge Jackson is exactly the kind of judge and individual we need on the U.S. Supreme Court: experienced, evenhanded, with dignity, integrity, and humanity. Moreover, Judge Jackson is not just extremely qualified to serve on the Supreme Court; her nomination is a historic one.

The Supreme Court has existed for over 233 years, and of the 115 Justices in the history of the Court, only 5 of them have been women, only 2 have been Black, and not a single one has been a Black woman. This is the Court that has decided cases that have had sweeping impacts on our lives, including decisions that have solidified rights for LGBTQ-plus people, empowered women, strengthened unions, and more. But this is also the same Court that has throughout the course of history upheld slavery, Jim Crow, and the unlawful internment—incarceration—of Japanese Americans in World War II.

So it is about time. It is about time we have a highly qualified, highly accomplished Black woman on the Supreme Court. It is about time our highest Court better reflects the country it

serves. It is about time that Black women and girls across the country can finally see someone who looks like them sitting on the highest Court, making decisions that will impact their lives—our lives. And they will know that the possibility is there for them.

I close by noting that during the hearing, Judge Jackson told the committee that as a freshman at Harvard, she wondered whether she could fit in or whether she could make it, and a Black woman she didn't know leaned into her as they were walking by, probably in Harvard Yard, and said to Judge Jackson—she wasn't a judge then: "Persevere." That is something that a lot of us can relate to: perseverance, including myself, who came to this country as a poor immigrant kid, persevering to learn the language, to learn the culture of a country I knew nothing about. Judge Jackson being on the Supreme Court would send such a powerful message of perseverance to everyone in this country.

I will be honored to vote to confirm Judge Jackson. I look forward to calling her Justice Jackson.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

**COMMENDING AND CONGRATULATING THE UNIVERSITY OF KANSAS JAYHAWKS MEN'S BASKETBALL TEAM FOR WINNING THE 2022 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION BASKETBALL NATIONAL CHAMPIONSHIP**

Mr. MORAN. Mr. President, I am on the floor of the U.S. Senate today to congratulate and to commend the University of Kansas men's basketball team on its national championship victory. This is KU's fourth NCAA national championship title, the second under the tenure of Hall of Fame Head Coach Bill Self.

The University of Kansas's men's basketball program boasts a storied history and track record of excellence and success, and the inventor of the game of basketball, Dr. James Naismith, served as the program's first coach.

KU can also now boast having the most NCAA victories of any Division I basketball program in the country in addition to now four—four—NCAA championships.

It is moments like this that Kansans remember forever. Whether you are watching the game from your living room, on the jumbotron at Allen Fieldhouse, or from your favorite hangout on Mass Street, 10, 20, 30 years from now, Kansans from across the country will remember where they were on April 4, 2022, when KU clinched the national title in a nail-biting game against North Carolina's Tar Heels.

It was the KU men's basketball team that inspired me to go to the University of Kansas when I was in high

school. I am a first-generation college graduate, and the University of Kansas was probably not the place that most of my peers and friends from my small town in Northwest Kansas went to. But, no, it wasn't because I was recruited to play basketball for the basketball team; it was that I had the opportunity to attend on my first visit to the University of Kansas a basketball game in Allen Fieldhouse. From that one game, I knew this was where I wanted to go to college. The energy and excitement of KU basketball inspired me, encouraged me, caused me to wonder—and I think it is true of countless others, to decide they wanted to be a Jayhawk.

On Monday night, KU rallied to overcome a deficit of 15 points at halftime to beat North Carolina 72 to 69—the largest comeback in an NCAA basketball national championship game. I am not sure what Coach Bill Self—but I am going to ask him—I am not sure what Coach Self said to his players in the locker room during that halftime, but in true Kansas fashion, the KU Jayhawks came back and beat the odds to clinch the championship. The team showed tremendous heart, determination, and resolve in that comeback victory.

KU's Ochai Agbaji scored 12 points and was named "Most Outstanding Player" of the Final Four.

Kansas forward David McCormack scored 15 points and had 10 rebounds and made 2 critical baskets late in the game.

Kansas forward Jalen Wilson scored 15 points and had 4 rebounds.

Kansas guard Remy Martin contributed 14 points to help the Jayhawks secure the title.

Kansas guard Christian Braun of Burlington, KS—a smalltown, middle-of-the-State native—scored 12 points and had 12 rebounds, demonstrating to other smalltown athletes like him that they, too, could be a star in the Nation's biggest tournament in college basketball.

Jordan Juenemann, a former walk-on for the Jayhawks men's basketball team from my hometown of Hays, noted that this 2022 championship team might not be the best according to the stats, but they played like a team. They care about the game, and they care about each other. Only a team that sees the glass half full could come back after being down 16 points and clinch the victory. This speaks to the team's perseverance and belief in themselves.

Coach Keith Riley, a basketball coach from Hill City, KS, in the western part of our State—I visited with him the other day, and he pointed out to me the lesson that kids around the State will take away from Monday night: You may not always have all of the best players on the court at the same time, and you may not have all the talent that is out there on that court, but you can still find ways to be successful because of how hard you work.

My guess is that kids, ever since Monday, back home in Kansas and maybe across the country, are in their driveway, they are at the school basketball court, and they are shooting free throws or 3-point shots one after another. It inspires us to know that we can do more, and the University of Kansas basketball team is inspiring kids today to go out and work harder.

I commend these players and the entire Kansas Jayhawks men's basketball team, as well as the coaches and staff, for their hard work which culminated in this victory.

While these young men on the team may be known for their talent on the court, many should be recognized for the adversity they faced off court. Dajuan Harris, KU's point guard, has overcome tremendous loss in his 21 years. He lost both his father and his brother just a few years apart, and Sunday night, he came out and he played for them.

These young men came to college to play some great basketball, but along the way, they are learning how to give back to their community. At Christmas time, this team goes to the local Walmart and purchases Christmas presents for families who might be facing financial hardship. They learn the important lesson of giving back to their community.

Finally, to Coach Bill Self, I know you are probably still feeling that very deep loss—and maybe even more so on Monday night—of your father, who died just recently—Bill Self, Sr.—but you can be sure he is smiling down with pride on you and your whole team. You took his advice. He advised you:

Don't worry about the mules, just load the wagon.

As a graduate of the University of Kansas, as a Kansan, I share the excitement of Jayhawks fans across the world in Sunday night's stunning achievement, and I am pleased to introduce this resolution with Senator MARSHALL to honor this achievement.

To my fellow Jayhawks, "Rock Chalk."

Mr. President, I am pleased that on such a bipartisan basis, in cooperation between Republicans and Democrats—something I know Kansans and Americans don't see enough of—this resolution normally would take a few more days than it has taken to get to the U.S. Senate this week. I am pleased that both the Republican and Democrat leadership and their staff worked with us in cooperation to be able to commend the Jayhawks this early this week.

So, Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to consideration of S. Res. 578, which is at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 578) commending and congratulating the University of Kansas