

felt herself when she was a kid: Nobody can stop me. I can do this too. I am brilliant too. I belong too.

For all of these reasons, increasing the diversity of the Court has been one of my highest priorities and one of the highest priorities of our Senate Democratic majority of whom I am so proud.

Justice Jackson is the most important example, but we have been working on this for over a year. Of the 58 Senate-confirmed Federal judges since we took the majority, three-quarters have been women, and two-thirds have been people of color. It is not just racial and gender diversity that matters. We have strived to lift up judges who bring diversity through their experience: more public defenders in our courts, more civil rights lawyers, more election lawyers.

When Americans of all walks of life come before the court, they should have confidence that those who don the robes have the ability to walk in their own shoes, to see and understand their side of the story, and then apply the law properly according to the facts.

One judge at a time—one judge at a time—this majority is expanding the possibility of who merits consideration to the Bench; and I would be remiss if I didn't acknowledge my Republican colleagues who joined us on this occasion and over the year to achieve this goal.

In closing, I want to thank Chairman DURBIN for beautifully executing this nomination process. It was equal parts fair, thorough, and expeditious—no easy feat in this modern Senate.

I want to thank all of my Democratic colleagues on the Judiciary Committee. You were just fabulous—every one of you—in your respectful and insightful examination of the judge's record.

And I want to thank my Republican colleagues who chose to take this process seriously no matter which side you voted on.

The President sent us an impressive nominee. She merited robust and thoughtful and lively examination. I thank the Members who did precisely that.

In short, this is one of the great moments of American history. At the time of our Constitution's ratification, in most States, you had to be a White male, Protestant landowner to be considered part of American society. So, from the get-go, generations of Americans have sought to establish the United States as a full democracy. We fought a bloody civil war to end slavery. Women organized and reached for the ballot. The civil rights movement brought an end to the vicious segregation of the mid-20th century. And, today, we are taking a giant, bold, and important step on the well-trodden path to fulfilling our country's founding promise.

This is a great moment for Judge Jackson, but it is an even greater moment for America as we rise to a more perfect Union.

I thank my colleagues for their work. I yield the floor.

#### VOTE ON BROWN JACKSON NOMINATION

The VICE PRESIDENT. Under the previous order, all postcloture time has expired.

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

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

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 53, nays 47, as follows:

[Rollcall Vote No. 134 Ex.]

#### YEAS—53

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

#### NAYS—47

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Rounds
Boozman	Hawley	Rubio
Braun	Hoeben	Sasse
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	

The nomination was confirmed.

(Applause, Senators rising.)

The VICE PRESIDENT. 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.

Mr. SCHUMER. Madam President, very happily, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. SCHATZ. Mr. President, I am here today to speak in support of the nomination and confirmation of Christopher Lowman to be the Assistant Secretary of Defense for Sustainment. We are in a fight for the free world and

that requires maintaining a robust military presence of our allies, including and especially NATO countries.

Any U.S. mission also needs a strong logistics chain. That means being able to move troops, medical supplies, fuel, tents, anything else throughout the world at any given time. And this is no longer an abstraction. We have seen what happens when it isn't in place. We are seeing it in real time with Russia's equipment and training problems in Ukraine.

And that is why we have an Assistant Secretary of Defense for Sustainment to lead on logistics. As we are watching the Ukrainians bravely push back this unprovoked Russian war, part of the reason that they are having success is that the Russian logistics chain is absolutely broken. We, in the United States, and our Armed Forces take logistics extraordinarily seriously. But we don't have the person in charge of that confirmed to lead the Department on logistics.

This position is left unfilled because JOSH HAWLEY is blocking Mr. Lowman's nomination. Senator HAWLEY apparently disagrees with the Biden administration policy on Afghanistan, and so he is punishing our servicemembers and our NATO allies while a war in Europe is raging. It is worth repeating. Senator HAWLEY is mad about what happened 6 months ago in a different part of the world, and in response, he is harming the Department of Defense and our national security.

Mr. HAWLEY. Will the Senator yield?

Mr. SCHATZ. I will not yield.

Mr. Lowman is well-qualified for this job, and no one is disputing that. He is a Marine Corps veteran who spent nearly four decades working for the Army. He has the exact expertise necessary to help support our logistics chain and help to make sure that our military remains the best fighting force on the planet. It is time for Senator HAWLEY to release this hold and move the nomination forward.

This is preposterous. You can do a hold. Members do a hold. The Presiding Officer has done a hold. I have done a hold. I voted no on nominees. I retaliated against Democratic and Republican administrations when I disagreed with policy. But a blanket hold on the Department of Defense and holding the person in charge of our logistics chain is absolutely inexcusable.

Mr. President, I ask unanimous consent that the Senate consider the following nomination, Calendar No. 777, Christopher Joseph Lowman, of Virginia, to be an Assistant Secretary of Defense, and that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table, and statements related to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

The Senator from Missouri is recognized.

Mr. HAWLEY. Reserving the right to object, now that I have the floor, will the Senator from Hawaii answer a question?

Do you agree with this administration's policy to denying MiGs to the Ukrainians?

The PRESIDING OFFICER. The Senator may not interrogate the other Senator.

Mr. HAWLEY. Well, the Senator doesn't want to answer any questions. I see. He denied my request to ask a question a moment ago.

Mr. SCHATZ. Is there an objection? Does he object or not?

The PRESIDING OFFICER. Regular order has been called.

Is there objection?

Mr. HAWLEY. I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Missouri is recognized.

Mr. HAWLEY. Mr. President, thank you for finally giving me an option to speak. It is interesting, the Senator will come to the floor but doesn't want to engage in a colloquy or answer questions.

Let's talk a little bit about the policy—disastrous policy—that he is supporting. This is the White House's latest talking points that their failure in Ukraine is now due to some logistics problem and the Department of Defense—they, of course, can't be responsible for what they are doing, just like they are not responsible for anything. They are not responsible for what happened in Afghanistan—their policy. They are not responsible for what has happened in Ukraine—their policy.

Let's talk about their policy in Ukraine.

Mr. SCHATZ. Will the Senator yield to a question?

Mr. HAWLEY. So what has President Zelenskyy been asking for for weeks, indeed, months on end? He said: "Send us planes."

What has this administration done? No. Actually, first they said yes, then they said maybe, then they said no.

Today, the Secretary of Defense testified before the Armed Services Committee, under oath, that even though this Congress has appropriated \$3 billion in military lethal aid to the people of Ukraine, the Defense Department has so far given them less than one-third of it. Why, because of logistics? No. He was asked that. No, because of policy. His comment was: We are giving them what we think they need.

I would just point out that that is not what the Ukrainians think. If you listen to President Zelenskyy, if you listen to the Ukrainian parliamentarians who have been here, if you talked to them, what they will say is they need more military aid; they need more help.

This administration won't give it to them, not because of logistics but because of policy. We don't have a logistics problem; we have a Joe Biden prob-

lem, and we have had that problem in Ukraine from day one.

This administration's policy was to deter a Russian invasion of Ukraine. It failed. Why did it fail? It is not hard to see. President Biden came to office, what did he do?

Mr. SCHATZ. Will the Senator yield?

Mr. HAWLEY. When Ukraine asked for military assistance, he denied it.

Can we have order?

Mr. SCHATZ. I am asking, will the Senator yield.

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. HAWLEY. When Joe Biden came to office, the people of Ukraine asked for military assistance a year ago—a year ago. Did he give it to them? No. He denied them military stance. He denied them lethal aid. What did he do, though, for Vladimir Putin? When he came to office, he green-lighted Vladimir Putin's pipeline. He turned their pipelines on. He turned our pipelines off. What did he do with American energy production? He throttled it down. He turned it off.

His first actions in office were to, among other things, cancel the Keystone Pipeline, halt the leasing program in ANWR, issue a halt to new oil and gas leases and drilling permits on Federal lands, impose tougher regulations on oil and gas and methane emissions, and a host of new regulations on other energy production.

And that had the desired effect. Russian energy production—up. Russian revenues—up. What has happened since then, since the invasion of Ukraine? It has been one gaffe after another. He won't send them planes.

Today, the Secretary of Defense also confirmed that this administration has, in fact, not been sharing intelligence with the Ukrainians. In fact, today the Secretary of Defense had to admit that the administration was going to be forced to change policy—his words—change policy in Ukraine because of the fact we had not been sharing all the intelligence we might have with Ukrainian soldiers and the Ukrainian military despite their request for that. Whose decision was that? Joe Biden's. It is his policy.

The President hasn't been entirely silent. He did have this to say:

For God's sake, this man cannot remain in power.

Now Joe Biden doesn't appear to know whether we are fighting or struggling to help the Ukrainians defend themselves or whether we are launching a war of regime change in Russia, itself.

You know, the bottom line is this: On one issue after another, when it comes to Ukraine, this President has been wrong. On every aspect of policy that has mattered, he has been wrong. Is it any wonder the Ukrainians are saying: Change policies, share your intelligence, send us the aid that we have requested.

I say again, we don't have a logistics problem. The White House shouldn't

point fingers and shift the blame. We have a Joe Biden problem. That is the nub of the issue here.

There was Joe Biden's comment sounding like we are going to send ground troops:

You're going to see when you go there—

He said to servicemembers.

And you . . . some of you have been there. You're going to see—you're going to see women, young people standing . . . in front of a damn tank, just saying, "I'm not leaving. I'm holding my ground."

The President—it is one gaffe after another. It is one switch in policy after another. It is disaster from beginning to end. And let's not forget where these foreign policy disasters really kicked off in a big way. Yeah, I was in Afghanistan. Am I concerned about Afghanistan? You are darn right I am. Thirteen servicemembers were killed at Abbey Gate, including one from my home State. I will never forget talking to his father as soon as we learned of the attack—before, in fact, the official notice of his son's death had been released. His father asked me to do everything in my power to hold this administration accountable, and that is exactly what I am going to do.

Has anyone been held accountable yet for Afghanistan? Has somebody been fired? Has somebody been relieved of command? No. Has somebody been shown the door? No. Has there been a change in policy at the Department of Defense? No.

We just stumble from one crisis to another. Why? Because we have a Joe Biden problem. This administration is doing exactly what their Commander in Chief wants them to do and it is wrong, again and again and again and again.

Until we see some change in policy from this administration, until this Senate gets serious about its oversight responsibilities at the Department of Defense, I am going to ask that for senior defense leaders, we at least observe regular order. I can't block a nomination. I can't halt it, but I can ask that regular order be followed. That is exactly what I am going to ask with regard to this nomination and other senior leaders until there is accountability, until we have a change in policy, and until this administration admits that on issue after issue, in virtually every aspect of its foreign policy, it is just dead wrong.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. What Senator HAWLEY wants is an excuse to go through his litany of criticisms of the Biden administration. And the truth is that every Senator has that right without blocking the logistics guy from the Department of Defense.

He could have brought his floor charts out here and given a withering speech about all of the things that he thought went wrong. But he is doing a very specific thing: He is damaging the Department of Defense. We have senior

DOD leaders, we have the Armed Services Committee coming to us and saying: I don't know what to tell him. I don't know how to satisfy him, but he is blocking the staffing of the senior leadership at the Department of Defense.

This comes from a guy who raised his fist in solidarity with the insurrectionists. This comes from a guy who, before the Russian invasion, suggested that maybe it would be wise for Zelenskyy to make a few concessions about Ukraine and their willingness to join NATO. This comes from a guy who, just about a month ago, voted against Ukraine aid. He is saying it is going too slow. He voted no. He voted no on Ukraine aid, and now, he has the gall to say it is going too slow.

And this final insult is that until—what—Secretary Austin resigns? That is not a serious request. People used to come to me during the Trump administration all the time: Do you think Trump should resign? Do you think Tillerson should resign? That is stupid. Of course, I think all the people I disagree with should quit their jobs and be replaced with people I love; of course, I think they should all resign. That is not how this world works. That is not a reasonable request from a U.S. Senator: Until the Secretary of Defense quits his job, I am going to block all his nominees. That is preposterous—and coming from a person who exonerated Donald Trump for extorting Zelenskyy for withholding lethal aid.

They withheld lethal aid until—unless—Zelenskyy would release false smears against Joe Biden's son, and then he voted to exonerate President Trump for this. So spare me the new solidarity with the Ukrainians and with the free world, because this man's record is exactly the opposite.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

UKRAINE

Mr. CASEY. Mr. President, I just want to make some comments regarding what the junior Senator from Missouri was just talking about on the floor, and I know that my colleague from Hawaii was providing commentary as well.

It is hard to comprehend how any Member of Congress, House or Senate, could come to the floor and make the criticism of the Biden administration regarding its Ukraine policy, especially with regard to the military assistance provided by this administration, and that same Senator, along with a long list of Republican Senators, voted against all the money for Ukraine just a couple weeks ago, \$13.6 billion.

But, unfortunately, it is entirely consistent with what those same 31 Senators have been doing for the last couple of weeks. They voted against all the money in March, and then they criticize President Biden. In fact, the day of President Zelenskyy's speech to the Congress—that inspiring speech—that so many of us were moved by, peo-

ple in both parties, both Houses, all across the country, in fact, across the world were moved by what he said and, frankly, challenged by what he said.

We have to do more, even in my judgment, than the \$13.6 billion. But as the junior Senator from Missouri should know—I hope he knows this—since the beginning of this administration, just on the military assistance, we have provided \$2.6 billion. So more than \$2.5 billion dollars just in military assistance, but the bulk of that is in that spending bill that we passed a couple of weeks ago that has the \$13.6 billion.

Here is what the Washington Post says, and I will read the headline and the date, and then ask consent to enter it into the RECORD. Here is the headline:

More than two dozen Senate Republicans demand Biden do more for Ukraine after voting against \$13.6 billion for Ukraine.

Mr. President, dated March 17, 2022, a story by Mariana Alfaro and Eugene Scott, I ask unanimous consent that this article be printed in the RECORD.

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

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

[March 17, 2022]

MORE THAN TWO DOZEN SENATE REPUBLICANS DEMAND BIDEN DO MORE FOR UKRAINE AFTER VOTING AGAINST \$13.6 BILLION FOR UKRAINE

(By Mariana Alfaro and Eugene Scott)

THIRTY-ONE SENATE REPUBLICANS VOTED LAST WEEK AGAINST THE \$1.5 TRILLION SPENDING BILL TO FUND THE GOVERNMENT, INCREASE U.S. DEFENSE SPENDING AND PROVIDE HUMANITARIAN AND MILITARY ASSISTANCE TO UKRAINE. IN RECENT DAYS, MANY OF THEM HAVE CLAMORED FOR MORE WEAPONS AND AID.

More than two dozen Senate Republicans are demanding that President Biden do more to aid war-torn Ukraine and arm its forces against Russia's brutal assault, after voting last week against \$13.6 billion in military and humanitarian assistance for Ukraine. Consider Sen. Rick Scott (R-Fla.), who heard Ukrainian President Volodymyr Zelenskyy's emotional plea in a virtual address to Congress on Wednesday for more weapons and a no-fly zone over Ukraine.

"President Biden needs to make a decision TODAY: either give Ukraine access to the planes and anti-aircraft defense systems it needs to defend itself, or enforce a no-fly zone to close Ukrainian skies to Russian attacks," Scott said in a statement. "If President Biden does not do this NOW, President Biden will show himself to be absolutely heartless and ignorant of the deaths of innocent Ukrainian children and families."

Last week, Scott was one of 31 Republicans to vote against a sweeping, \$1.5 trillion spending bill to fund government agencies and departments through the remainder of the fiscal year, a bill that also included \$13.6 billion in assistance for Ukraine. Biden signed the bill into law Tuesday, saying the United States was "moving urgently to further augment the support to the brave people of Ukraine as they defend their country."

After casting a "no" vote, Scott assailed the overall spending bill as wasteful, arguing that it was filled with lawmakers' pet projects. "It makes my blood boil," Scott said last week.

Democrats quickly condemned what they saw as glaring hypocrisy among the Republicans who voted against the aid but were quick to criticize Biden as a commander in chief leading from behind in addressing Ukraine's needs. "We should send more lethal aid to Ukraine which I voted against last week" is making my brain melt," tweeted Sen. Brian Schatz (D-Hawaii).

The Russian invasion of Ukraine has highlighted divisions in the Republican Party on U.S. involvement overseas and the standing of the NATO alliance. For decades, during the presidencies of Ronald Reagan, George H.W. Bush and George W. Bush, the GOP embraced a hawkish view, with robust military spending and certainty about coming to the aid of allies.

President Donald Trump's "America First" outlook and efforts to undermine NATO, including questioning why the military alliance even existed, secured a foothold in the GOP, reflected in the response of Rep. Marjorie Taylor Greene (R-Ga.) to Ukraine. In a video Wednesday, Greene blamed both Russia and Ukraine, and warned against U.S. intervention. Biden has said repeatedly that he would not send U.S. troops to fight.

Potential 2024 presidential candidates such as Scott have been highly critical of Biden, who also announced Wednesday that the Pentagon was sending nearly \$1 billion in military equipment to Ukraine, including 800 Stinger anti-aircraft systems, 100 drones, 25,000 helmets and more than 20 million rounds of small-arms ammunition and grenade launcher and mortar rounds.

In early February, Sen. Josh Hawley (R-Mo.), another possible White House candidate, sent a letter to Secretary of State Antony Blinken suggesting that the United States would be worse off if Ukraine were admitted to NATO, the military alliance of 30 mainly Western countries—including the United States—bound by a mutual defense treaty, and argued that the United States should instead focus on countering China.

Hawley, who voted against the spending bill with billions for Ukraine, said Wednesday that Biden needs to "step up" and send MiG jet fighters and other weapons to Ukraine, accusing the administration of "dragging its feet."

The Pentagon has rebuffed Poland's offer to send MiG fighter jets to Ukraine amid fears of further escalation involving a NATO country.

In a statement Thursday, Hawley said, "Aid for Ukraine should not be held hostage to the Democrats' pet projects and I did not support the massive \$1.5 trillion omnibus spending bill stuffed with billions in earmarks."

Sen. Ben Sasse (R-Neb.), a member of the Senate Intelligence Committee who also voted against the spending bill, told MSNBC on Thursday that the United States "can do more" for Ukraine.

"There were all sorts of particular ways where the administration yesterday said a lot of the right things, but just because the pen was in President Biden's hand yesterday doesn't mean that weapons are in Zelenskyy's hands today. And at every point we're too slow, and it feels like a huge part of the administration's audience is internal lawyers, and they do these offensive and defensive legal-hairsplitting arguments," Sasse said.

On the Senate floor Thursday, Sasse argued that the spending bill wasn't "really about Ukrainian aid," but a "whole bunch of schlock."

"Ukrainian aid was a little bit of sugar on the larger medicine of a \$1.5 trillion bill that nobody would actually want to go home and to defend to the voters, and to the taxpayers of America, as well thought out," he said.

Sen. Chris Murphy (D-Conn.) countered that the only way to deliver aid to Ukraine