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Senate

(Legislative day of Tuesday, May 17, 2022)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

Almighty God, our strong tower, continue to be our defender and guide. Lead our lawmakers in their work so that they will make Your priorities their priorities. Provide them with the patience, integrity, and compassion to become instruments of Your providence. Strengthen and protect them. Keep them safe from evil. Give them such courage and loyalty that they will passionately embrace Your precepts. Lord, infuse them with the spirit of wisdom, sympathy, and godliness as they grow in grace and in a deeper knowledge of Your providential love.

And, God, continue to sustain Ukraine.

We pray in Your powerful 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 (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 18, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

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 Barbara A. Leaf, of Virginia, to be an Assistant Secretary of State (Near Eastern Affairs).

RECOGNITION OF THE MINORITY LEADER

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

CRIME

Mr. MCCONNELL. Mr. President, Americans' concern about violent crime is the highest it has been in 6 years, and the statistics plainly show why that is. Between 2019 and 2020, the murder rate shot up by the largest 1-year increase in over a century, and the rate has kept on rising.

Nearly 60 percent more law enforcement officers were killed in 2021 compared to 2020. Cities all across America set alltime record highs for homicides last year. My hometown of Louisville, KY, was one of those cities. We also now average more than one carjacking every 48 hours.

Innocent citizens across America know this situation has literally spiraled out of control, but, unfortunately, the Biden administration and Senate Democrats continue to team up and find new ways to go soft on crime. The nomination and confirmation of Judge Jackson to the Supreme Court crowns a deliberate effort by Democrats to make the Federal judiciary literally softer on crime. They are specifically intentionally stuffing the Federal bench full of men and women whose starting perspective tilts toward sympathy for criminals rather than victims.

Even the New York Times had to admit this "concerted push by the Biden administration" to prefer nominees with "experience in criminal defense work" is "a sea change in the world of judicial nominations."

The Times continued:

The type of high-profile murder cases handled by some of Mr. Biden's nominees would have been considered disqualifying only a few years ago; now the president, who himself served briefly as a public defender early in his legal career, is actively seeking to name more jurists who have [that kind of] experience.

So, Mr. President, we are not arguing that public defenders ought to be excluded from the nomination process. Clearly, their work is important. Everyone deserves a lawyer, even the most heinous criminals. But the American people are not exactly clamoring for President Biden to dramatically tilt the entire judiciary toward the criminal-friendly perspective—least of all during this historic crime surge.

This week, with a long list of serious problems facing the country, the Democratic majority has decided to spend floor time on another judicial nominee with this one particular background, a second nominee who appeared during her committee hearing to be unfamiliar with a basic concept in trial law, and a third nominee whose

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



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pro bono record includes helping sue the New York City government over policing and trying to reverse another person's robbery conviction. So I would urge Senators to oppose these controversial nominees.

I am proud to be one of many Republicans joining a new resolution from Senator CASSIDY begging this all-Democratic government to prioritize solutions for the violent crime wave. To start, the administration should stop this willful—willful—campaign to make the judiciary systemically softer on crime. Innocent Americans can't afford it.

UKRAINE

Mr. President, now on an entirely different matter, the Ukraine people and their fight to repel Russian invaders from their sovereign territory has been inspiring. The world is watching Ukraine respond to gut-wrenching violence with bravery and with unity.

I encourage President Biden to do more to strengthen Ukraine and NATO's defenses well in advance so as to deter Putin and improve Ukraine's initial ability to resist aggression. Many Republicans shared my view that President Biden should have done more to help Ukraine more quickly.

Fortunately, as the Ukrainians have stood strong, President Biden has done more and more to help them in the fight. We are now investing to ensure Ukraine's forces are equipped to win and the arsenals of NATO allies who have joined in support can be replenished.

As I explained yesterday, American support for Ukraine is not mere altruism. The outcome of Ukraine's fight to preserve its sovereignty will have massive consequences for our own strategic interests, both in Europe and much farther afield.

So let's start with just that continent. Europe is home to some of America's longest-standing friendships and deepest trading partnerships. If Vladimir Putin's thuggish imperialism found success in Ukraine, America and our allies would certainly feel the effects. Prior to the current conflict in Ukraine, Putin's creeping expansionism, his interventions and manipulations of so-called frozen conflicts from Georgia and Crimea and Transnistria, only emboldened him. He must be stopped.

Beyond Europe's borders, Putin's fellow strongmen are watching all this to find out whether it is safe to follow his lead. In Beijing, President Xi's Communist Party is looking for a green light to apply the Russian model to their own wish list of sovereign territories to subjugate, starting, of course, with Taiwan. For their part, the Taiwanese people know they are in the crosshairs. As they demonstrated in solidarity with the people of Ukraine, the warning on the island in recent months has been "Today Ukraine. Tomorrow, Taiwan."

As Taiwan's Foreign Minister put it recently in the Washington Post,

"[T]he war in Ukraine has made it clear to the world how important it is for democracies to stand shoulder to shoulder against authoritarian aggression."

Fortunately, fellow democracies in the Indo-Pacific are doing exactly that. Earlier this month, Japan's Defense Minister acknowledged that China has been "carefully observing" both "Russia's aggression" and the reactions of the international community. And Prime Minister Kishida reaffirmed that we must "never tolerate a unilateral attempt to change the status quo by the use of force in the Indo Pacific."

From Kyiv to Taipei and to Tokyo, America's friends and partners see Russia's behavior for exactly what it is: a dangerous spark to be stamped out. Ukraine is succeeding in large part because it took its security seriously. Especially since the 2014 invasion, Ukraine reformed its military training, doctrine, and operations. They abandoned the outdated Soviet model for a more dynamic Western approach. With help from the West, Ukraine invested in its capabilities.

Other allies and partners should heed these lessons sooner rather than later. They should invest in their own defenses, seek interoperability with like-minded partners, and seize opportunities to train with top-tier militaries like our own. We must continue to help them do exactly that.

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. SCHUMER. 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 MAJORITY LEADER

The majority leader is recognized.

BUFFALO, NEW YORK, SHOOTING

Mr. SCHUMER. Mr. President, yesterday, I joined with President Biden, Senator GILLIBRAND, and New York officials on one of the most difficult and painful trips imaginable.

Visiting Buffalo 3 days after the worst mass shooting in its history was harrowing. I met a young boy, just 3 years old, who I learned lost his dad on Saturday because his dad was at Tops supermarket buying a birthday cake for the 3-year-old boy—a routine errand for a joyous occasion, something every parent looks forward to. In the blink of an eye, his life was unfairly and cruelly taken away simply because he was Black and in a supermarket.

It is tempting to think that this evil is beyond comprehension, but we know it is just not true. We know the shooter drew from the same wells of hate and White supremacy that inspired other shootings in El Paso, Pittsburgh, Atlanta, Charleston, and other communities. By now, we know the shooter was inspired by a deranged conspiracy theory known as the "great replace-

ment." Indeed, in his online posts, he labeled the people he targeted as "replacers."

But the truth is that you don't need to visit the dark corners of the internet to see these White supremacist views anymore. You can find replacement theory on cable networks like FOX News, where Tucker Carlson used White replacement rhetoric on at least 400 episodes of his show. You can hear it at most Trump rallies every time the Republican standard-bearer vilifies undocumented immigrants and spreads the lie that they stole the 2020 election. Last night, the GOP in Pennsylvania nominated a hard-right disciple of the Big Lie as their candidate for Governor. You can also find many examples of replacement theory on Twitter. One House Member said in April that Tucker Carlson "is CORRECT about Replacement Theory as he explains what is happening to America."

The radical views of MAGA Republicans are taking over the GOP like a cancer. We saw it play out earlier this month in the wake of the Supreme Court's possible elimination of Roe, as they suggested national bans on abortion and championed restrictions without exceptions for rape or incest. Now we are seeing it here, as MAGA Republicans openly champion a repressive and conspiratorial view of who deserves to be called American.

To its credit, the Wall Street Journal Editorial Board wrote a few days ago that politicians have an "obligation" to condemn conspiracies like White replacement theory. But 4 days after the shooting in Buffalo, it is dangerous and disturbing to see that many on the right have pointedly refused to condemn replacement theory. This should be the easiest thing in the world to do, but many on the right, including too many in this Chamber, can't seem to bring themselves to say the obvious: that White replacement theory is evil and has no place in our politics, and any candidate or pundit who spreads it should be resoundingly condemned.

We are waiting to hear more of our colleagues condemn the MAGA right and condemn this horrible replacement theory. So far, there is just too much silence, even though a few have.

BUSINESS BEFORE THE SENATE

Mr. President, on Ukraine, on a different matter, the Senate is moving forward on a number of high-priority items impacting our security, our economic prosperity, and our commitment to take care of veterans. So this is a busy week for the Senate once again.

Tomorrow, I expect the Senate will finish the critical task of approving another round of military, humanitarian, and economic aid for the people of Ukraine. This should already have been done and over with, but it is repugnant that one Member of the other side, the junior Senator from Kentucky, chose to make a show and obstruct Ukraine funding, knowing full well he couldn't actually stop its passage. For Senator PAUL to delay Ukraine funding for