

axis of evil, they are marching forward. We know for a fact that Tehran is sending drones and military equipment to Moscow to support Putin's war in Ukraine. North Korea is conducting ballistic missile tests that threaten South Korean sovereignty. And the Chinese Communist Party is doing the exact opposite of what the Pentagon is doing: They are focusing on readiness and building up their military.

In June, they christened their first-ever aircraft carrier to be completely designed and developed in China. Their goal is to increase their fleet by 40 percent by the end of 2040 and quadruple their nuclear stockpile by the end of the decade. This is all consistent with Beijing's broader goal of becoming a military superpower.

They are focused on global domination. They are focused on readiness. They are focused on defeating us. Meanwhile, our Pentagon is focused on a vaccine mandate. The strong men in control of Russia, China, Iran, and North Korea—that axis of evil—are notorious for their aggression, and none of them have bothered to keep their hatred of the United States of America a secret.

The wolves are at the door, Mr. President, yet here we are, debating a military vaccine mandate that has zero—zero—basis in science or common sense. It will gut the ranks of the military and make us more vulnerable to the rising threat from the new axis of evil.

This isn't just my opinion; it is another fact confirmed by the people President Biden trusts to lead our Nation's military. The Army confirmed in a November 4 press release that the vaccine mandate has already separated 1,796 Active-Duty soldiers from their service.

Bear in mind, they raised their hand; they took an oath. They did this because they want to serve, protect, defend. And what has happened? What has happened to that service, to that loyalty? Look at what has happened. They are getting a slap across the face. As I said, 1,796 were shown the door because they would not take a COVID shot. They wouldn't take a shot. For the soldiers who remain, the Army has approved less than 4 percent of medical exemptions and just over 1 percent of religious exemptions. The Guard has only approved 15 percent of the medical exemptions and—get this—0.0047 percent of religious exemptions. And the Reserves, they have approved little more than 5 percent of their medical exemptions and 0.0044 percent of religious exemptions.

Leader SCHUMER left Washington for the Thanksgiving holiday without acknowledging this manpower crisis in our military and without offering a clear answer on when we will take up the fiscal year 2023 National Defense Authorization Act.

Now that we are back in session, I would hope that he has a plan to stop dangling this bill over the heads of our

servicemembers and their families. But while we are waiting, I would like to offer a small improvement to what is already a very strong and bipartisan piece of legislation.

Mr. President, as you know, the Senate Armed Services Committee finished their work on this bill back in June. When we were debating the NDAA in the Armed Services Committee, I introduced two amendments that would have protected servicemembers from the arbitrary effects of the vaccine mandate. The first would prohibit the involuntary separation of any servicemember for refusing the COVID-19 shot until each service achieves its authorized end strength—good common sense. It is not saying you can't implement your mandate, just saying you can't do it until you have reached your goal, your recruitment and your retention goals.

The Second Amendment would make sure that members of the National Guard or Reserve maintain access to both pay and benefits while their request for a medical or religious accommodation is pending.

My Democratic colleagues on the Armed Services Committee killed these amendments, but I do hope they will change their mind and support them now that they have had the opportunity to hear from folks back home, to hear from our military, our Guard, our Reserves. I hope they will give this another look; but if they don't, they will have another opportunity to fix this mistake.

I have combined the amendments into a single bill called the Preserving the Readiness of Our Armed Forces Act, and I would be happy to add each and every one of them as a cosponsor. As we begin what I am sure will be a mad dash to the end of the year, I want to encourage my Democratic colleagues to keep preserving readiness at the front of their mind.

When the Pentagon first revealed this vaccine mandate, veterans, military experts, and Active-Duty servicemembers up and down the ranks told us exactly what would happen if the Biden administration went through with this. And do you know what? They were accurate in their assessment. Because of the Democratic actions, this White House's actions, they have fired thousands of servicemembers, and tens of thousands more are in jeopardy. Bear in mind, these are people who have chosen to serve. This chaos has prompted thousands of potential soldiers, sailors, airmen, and marines to decide against entering the service, and who knows how many will choose not to enter the National Guard.

The Biden administration is digging in their heels at the worst possible time. The new axis of evil—they are on the rise, and they are counting on the rest of the world to remain complacent.

Over the past few years, each of these nations has been exposed on the inter-

national stage as factories of repression, violence, and misery, but in the aftermath, nothing changed.

Just last week, the CCP reminded us how little value they place on human life. Ten people in Xinjiang burned to death when their apartment building caught fire. The firefighters couldn't get to them in time because of the barricades CCP officials had constructed to enforce their zero-COVID policy.

Protesters took to the streets and forced the international press to pay attention. In response, the CCP brutalized journalists, censored videos shot the night of the fire, and claimed that the residents who died were too weak to save themselves.

I would remind my colleagues that these are the same officials who claimed that the Uighur Muslims are comfortable in their concentration camps, that the Tibetans welcomed ethnic cleansing, and that firing missiles at Taiwan is part of normal military operations. Exposure will not stop them. Outrage will not give them pause because they are on a quest for global domination, and they are not going to take a timeout because the Democrats in control of our government decided to prioritize a shot over our Nation's security.

Let that sink in. They are going full steam ahead. They are increasing their military rights. They are building their navy. They are working to develop new missiles. And we are focused on removing military members because they will not take a shot. By the way, you can get vaccinated and boosted, and it doesn't keep you from getting COVID.

Unfortunately, our adversaries have decided to take advantage of weak leaders in the White House and in Congress and to exploit our vulnerabilities until we force them to stop.

Our military is not the only tool we use to keep this country safe, but it certainly has the power to be the most decisive, and I cannot think of anything more foolish than to sabotage it while the enemy watches and says: Look at America's priority.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 1148.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The clerk will report the nomination.

The legislative clerk read the nomination of Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 1148, Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Tina Smith, Sheldon Whitehouse, Benjamin L. Cardin, Maria Cantwell, Amy Klobuchar, Jon Ossoff, Mark Kelly, Jacky Rosen, Brian Schatz, Mazie K. Hirono, Angus S. King, Jr., Thomas R. Carper, Sherrod Brown, Tim Kaine.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 1129.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk read the nomination of Doris L. Pryor, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 1129, Doris L. Pryor, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Tina Smith, Sheldon Whitehouse, Benjamin L. Cardin, Maria Cantwell, Amy Klobuchar, Jon Ossoff, Mark Kelly, Jacky Rosen, Brian Schatz, Mazie K. Hirono, Angus S. King, Jr., Thomas R. Carper, Sherrod Brown, Tim Kaine.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, November 28, be waived.

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

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 Baldwin substitute amendment No. 6487 to Calendar No. 449, H.R. 8404, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes.

Charles E. Schumer, Richard J. Durbin, Tammy Baldwin, Kyrsten Sinema, John W. Hickenlooper, Tina Smith, Sheldon Whitehouse, Benjamin L. Cardin, Maria Cantwell, Amy Klobuchar, Jon Ossoff, Mark Kelly, Jacky Rosen, Cory A. Booker, Brian Schatz, Mazie K. Hirono, Angus S. King, Jr., Thomas R. Carper, Sherrod Brown, Tim Kaine.

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 amendment No. 6487 offered by the Senator from New York [Mr. SCHUMER] to H.R. 8404, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes, 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 Georgia (Mr. WARNOCK) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Nebraska (Mr. SASSE), and the Senator from Pennsylvania (Mr. TOOMEY).

The yeas and nays resulted—yeas 61, nays 35, as follows:

[Rollcall Vote No. 358 Ex.]

Yeas—61

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

NAYS—35

Blackburn	Cassidy	Cramer
Boozman	Cornyn	Crapo
Braun	Cotton	Cruz

Daines	Johnson	Rounds
Fischer	Kennedy	Rubio
Graham	Lankford	Scott (FL)
Grassley	Lee	Scott (SC)
Hagerty	Marshall	Shelby
Hawley	McConnell	Thune
Hoeben	Moran	Tuberville
Hyde-Smith	Paul	Wicker
Inhofe	Risch	

NOT VOTING—4

Barrasso	Toomey
Sasse	Warnock

(Mr. HEINRICH assumed the Chair.)

The PRESIDING OFFICER (Ms. SMITH). On this vote, the yeas are 61, the nays are 35.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to refer and the amendments pending thereto fall.

The majority leader.

ORDER OF PROCEDURE

Mr. SCHUMER. Madam President, I ask unanimous consent that it be in order to consider the following amendments to the substitute: Lee, No. 6482; Lankford, No. 6496; and Rubio, No. 6493; that at 3:45 p.m. on Tuesday, November 29, all postcloture time be considered expired, that if any of these amendments are offered, the Senate vote in relation to the amendments in the order listed, with 60 affirmative votes required for the adoption of the Lee amendment; that there be 2 minutes for debate equally divided prior to each vote; that any remaining amendments except Senate amendment No. 6487 be withdrawn; that the substitute amendment, as amended, if amended, be agreed to; that the cloture motion with respect to H.R. 8404 be withdrawn; that the bill be considered read a third time and the Senate vote on passage of the bill, as amended, with 60 affirmative votes required for passage, all without further intervening action or debate; finally, that the remaining cloture motions filed on November 17 ripen on disposition of H.R. 8404.

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

And there is one more important item before I leave the floor.

CHRIS VAN HOLLEN, our great Senator from Maryland, has been waiting a while to give tribute to Joan Kleinman, his State director. We want to thank her for her great work—did he say 17 years?—19 years. I don't want to cut this short.

And one of her other additional great features is that her family is from New York. So welcome and thank you for waiting.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

TRIBUTE TO JOAN KLEINMAN

Mr. VAN HOLLEN. As the majority leader said, I rise to honor the stellar public service of Joan Kleinman, a senior member of my office team, who retired in February after 19 years of working on behalf of the people of Maryland and the United States.

Today, I would like to share with the Senate the depth of her commitment to