

violence, that science speaks volumes about the real point of this bill.

By the way, if you are a patient, well, then, the message from this bill is even more clear and even more outrageous. This bill says the ideology of your boss, of your health insurance company, of your pharmacist, or your doctor is more important than your personal decision, your medical needs, or your well-being.

That is dangerous, it is wrong, and I will not stand for it. Therefore, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Apparently, a woman has a right to control her own body unless her boss compels her to perform an abortion, and then she no longer has control over her own body—her boss does. And he can tell her: Perform this abortion against your faith, or I will fire you—and that is OK.

So choice seems to only go one way. If you choose to perform abortions, you are accepted in our culture. If you believe a child with 10 fingers and 10 toes and a beating heart and unique DNA and a functioning nervous system is actually a child, then you are an outlier, and your opinion doesn't count. The only thing that counts is you are compelled to take the life of more children and stand there and watch it. I think that is wrong.

No, this bill doesn't get into—as Senator MURPHY said, it doesn't get into speaking out about the violence against abortion clinics or, quite frankly, get into the violence on pregnancy resource centers that have been firebombed by pro-abortion folks, who have been spray-painted, who have threatened and attacked people who want to give sonograms to individuals who are pregnant. It doesn't deal with any of those because, quite frankly, that is a different committee. That is over in the Judiciary Committee.

This is a very narrow bill dealing with one simple topic. It doesn't deal with everything on abortion. It doesn't decrease abortions in America. It doesn't do anything like that. It is simple and straightforward. It says: Is this government going to compel people to violate their faith? Apparently, the answer today is yes from this body; we don't care what you believe. I think that is sad, and I think that shows how far we have moved as a nation when it used to be 92 to 1 that we would say: If you have a different opinion, that is OK in America. But now you can't have a different opinion. That is not right.

I would hope this body would speak out and say at some point that we respect all opinions in America and would speak out for the right of conscience for people of faith.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The majority whip.

Mr. DURBIN. Mr. President, I ask unanimous consent that the scheduled vote start immediately.

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

#### VOTE ON JOHNSON NOMINATION

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

Mr. DURBIN. 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 bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from Texas (Mr. CRUZ), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 76, nays 20, as follows:

[Rollcall Vote No. 392 Ex.]

#### YEAS—76

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

#### NAYS—20

Blackburn	Hawley	Rubio
Braun	Johnson	Sasse
Cassidy	Lee	Scott (FL)
Cotton	Lummis	Scott (SC)
Crapo	Marshall	Shelby
Daines	Paul	Tuberville
Hagerty	Risch	

#### NOT VOTING—4

Barrasso	Cruz
Blunt	Tillis

The nomination was confirmed.

The PRESIDING OFFICER. 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.

#### LEGISLATIVE SESSION

#### JAMES M. INHOFE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2023

The PRESIDING OFFICER. The clerk will report the pending business.

The senior assistant legislative clerk read as follows:

House message to accompany a bill (H.R. 7776) to provide for improvements to the riv-

ers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.

Pending:

Schumer motion to concur in the amendment of the House to the amendment of the Senate to the bill.

Schumer motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Schumer (for Manchin) amendment No. 6513 (to the House amendment to the Senate amendment), to provide for American energy security by improving the permitting process.

Schumer amendment No. 6515 (to amendment No. 6513), to add an effective date.

Schumer motion to refer the bill to the Committee on Armed Services, with instructions. Schumer amendment No. 6516, to add an effective date.

Schumer amendment No. 6517 (to the instructions) amendment No. 6516), to modify the effective date.

Schumer Amendment No. 6518 (to amendment No. 6517), to modify the effective date.

The PRESIDING OFFICER. The Senator from Texas.

H.R. 7776

Mr. CORNYN. Mr. President, I am glad that we, hopefully soon, will finally pass the National Defense Authorization Act and send this legislation to the President for his signature. Obviously, this has national, even global, implications, but I would like to spend just a moment to talk about what it means to my home State of Texas.

This year's NDAA supports a range of projects that will lead our military into the future, from nuclear modernization to next-generation weapons development.

It sends critical military assistance to Ukraine and makes a big investment in our national defense stockpile.

It focuses, appropriately, on long-term strategic competition with China, and it ensures our troops will have the tools, the training, and the resources they need to succeed in any conflict, and, of course, the ultimate goal is to make the United States military so strong that no country dares engage in a military conflict with us, and thus provides needed deterrents in order to maintain the peace.

The Defense Authorization Act shapes our military missions around the world, but it also is important for reasons that hit much closer to home.

The Defense Department is the largest employer in the United States, with 2.9 million employees, including both servicemembers and civilians. They are stationed in more than 160 different countries around the world, and on all seven continents. And, on any given day, they can be found providing life-saving medical care, maintaining aircraft, protecting communities in war zones, or carrying out various missions.

Texas is the proud home to 14 military installations which directly employ more than 235,000 people. When you add in construction, information technology, manufacturing, and the many other workers these facilities require, Texas military installations employ more than 620,000 people. The

Texas comptroller has estimated that military installations contributed about \$114 billion to Texas' economy last year alone.

But, significantly, America's military is engrained in the very fabric of our State, and Texans have a profound respect for our servicemembers.

My father was a part of the Greatest Generation and served in World War II, as did my father-in-law.

My dad was a B-17 pilot, who, unfortunately, was shot down over Germany on a bombing mission on his 26th mission. Fortunately, although he was a POW the last 4 months of the war, he was liberated by General Patton and his army.

My father-in-law, who died recently at the age of 96, served at Normandy, where he landed on Utah Beach during part of that dramatic invasion of France, occupied by, of course, the German military.

But I lived for a while in San Antonio—many years, actually—and had the privilege of experiencing the incredible support for our military in that city. After all, San Antonio is known as "Military City USA" because of the strong and consistent military presence. And while it is unique, based on the sheer concentration of military bases in San Antonio, the strong support for our servicemembers can be seen across the State as well.

Whether you are in El Paso or Killeen or Abilene or any of the areas surrounding military installations, it is humbling to see so many men and women who have taken an oath to defend our country, along with their families, who serve as well.

As Members of the Senate, we have a responsibility to support our troops and make sure they have what they need to do the job we have asked them to do, and the Defense authorization act is one of the most important ways we do just that.

This bill provides the largest pay raise for our troops in two decades. Servicemembers and their families are facing the same inflation headwinds as everybody else in the United States, but starting next month, they will receive a greatly needed and well-deserved 4.6-percent pay raise.

This year's National Defense Authorization Act also takes big steps to support military families, and when you have an all-volunteer military like ours, supporting military families is an important component of our support for the military.

This Defense Authorization Act will also authorize additional funding to Texas school districts that serve military personnel.

It will authorize the extension of reimbursement authority for spouse relicensing to ensure that nurses, teachers, and other spouses whose jobs may require a State-specific license are not saddled with an additional expense.

This bill will also support programs in Texas independent school districts that help military-dependent children with severe disabilities.

And I am glad it includes bipartisan legislation that I introduced to improve the tools that military commanders will have at their disposal to prevent sexual assault and domestic violence within the Department of Defense.

In addition to supporting our servicemembers, this legislation will authorize \$315 million for military construction projects in Texas alone. This includes \$90 million for a dormitory for basic training recruits at Joint Base San Antonio; \$55 million for the new power train facility at the Corpus Christi Army Depot; \$31 million for power generation and microgrid operations at Fort Hood in Killeen; \$15 million for a new fire station at Fort Bliss in El Paso; and the list goes on and on.

Now, these may sound like not all that exciting investments, but they are absolutely critical to the support for our military and our military families and to readiness, which is the ultimate goal—that our military is ready for any threat that comes our way.

In addition to providing needed investment at our military bases, the Defense authorization bill provides \$4 billion in support to improve the production rate, modernization, and readiness of the F-35 fleet, which is built in Fort Worth.

The F-35 Joint Strike Fighter, the fifth generation fighter, is the most sophisticated airplane in our fleet, and it is important that we have an adequate number of them to maintain the readiness of that fleet.

This bill also authorizes \$23 million in another critical defense asset that will be made in Fort Worth, which is the Future Long-Range Assault Aircraft. It authorizes \$686 million in funding for F-16 Fighting Falcons which will be made in Texas, as well as \$4.7 billion for B-21 Raiders, many of which will be based in Texas at Dyess Air Force Base in Abilene. These investments will support even more Texas jobs and strengthen our military in the process.

I am glad this year's Defense authorization bill includes legislation—strangely enough, we stick other unrelated bills into the Defense authorization bill. In this case, the Water Resources Development Act has been inserted also in the Defense authorization bill. But, specifically, this bill, as part of the WRDA bill, will develop the Texas Coastal Spine Project which will provide basic protections of infrastructure against future hurricanes along the Texas gulf coast.

In the Houston area alone, we have some of the largest concentration of refining capacity in the world, and the rest of the country depends on the fact that that jet fuel, diesel, and gasoline will be available. If another hurricane were to wipe out Houston like Hurricane Harvey tried to do, obviously, that is something that will have an impact not just locally, not just in my State, but across the Nation as a whole. So this Coastal Spine Project is

very important. The Texas gulf coast is home to millions of people and industries that fuel our economy and national security.

Well, the war in Ukraine has highlighted another important aspect of energy, and that is energy security. The industries in and around the Texas gulf coast are critical to our security and for those of our allies. I believe that after years of hard work, the Texas Coastal Spine Project has begun the long, long road to final construction, and I am glad this project will be fully authorized in the Water Resources Development Act. The next step is to secure the funding to begin that lengthy construction process, and I am eager to work with our colleagues on both sides of the aisle to make that happen.

Given the threats our country is facing around the world, whether it is Russia, Iran, China, North Korea, the War on Terror, the National Defense Authorization Act could not be more urgent or more important. This legislation will make sure that our military is resourced, trained, and ready for action when called upon. It provides our men and women with the resources, training, and equipment they need to defend our country, our way of life, and our freedom. It restores our combat advantage by investing in modern aircraft, weapons, and facilities. It strengthens and builds our alliances around the world. And, above all, it sends the message to the world that our country is, and will remain, the global military leader.

There are a lot of friends and allies the United States has around the world and they are very important, but none of them is in a position to lead like the United States of America, and all of them depend on American leadership. And that is part of the message this bill will send about our intention to maintain that leadership role. That is why, for 61 years now, Congress has made passing the NDAA a priority, and I am eager to get this one done and do it for the 62nd time.

I want to especially thank Senators Reed and Inhofe, the chairman and ranking members of the Senate Armed Services Committee, for their tireless work on this legislation, as well as all of the members of the Armed Services Committee that voted this bill out of the committee on a strong bipartisan vote last July.

It is a long story for why we had to wait from July until today to vote on the bill, but the good news is we are where we are today and have a strong bill that will prepare our military for the threats of today and tomorrow. I look forward to supporting this legislation as soon as we have a chance to vote on it—hopefully, soon this afternoon.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Oklahoma.

BORDER SECURITY

Mr. LANKFORD. Mr. President, I want to bring a date to this body to

think about. It is a day we have all known was coming for a very long time, but there seems to be no urgency about this day. The day is December 21.

If anybody is wondering: What is December 21; what is the big deal about this date? I would say: That is the problem. December 21 is the date that Title 42 authority ends on our southern border.

What is title 42 authority? Everybody in this body knows this, but title 42 is a temporary pandemic-related authority at our southern border to be able to deal with individuals that are coming across the border that they could be turned around. That authority was put in by the previous administration and has remained in this administration but has been chipped away, and as of December 21, that authority goes away.

So what happens on that day? Well, the best estimate we got initially from DHS is it would move from about 6,000 people a day illegally crossing the border to 18,000 a day illegally crossing the border at that time. But, realistically, now they won't give us an estimate at all.

So let me just put this in context where we are at our southwest border right now, because for a year and a half I have asked Secretary Mayorkas: What happens when title 42 authority goes away, because it is temporary? What is your plan? And for 2 years almost, I have gotten: We are working on it. We are very aware it is temporary, and it will go away at some point. We have a plan.

And then, months ago, they came out with their six-point plan. Let me read their six-point plan to you.

The six-point plan of what to do at the termination of title 42 is: Acquire and deploy resources to address increased volumes of migrants. In other words, be prepared to handle the number coming at them.

No. 2: Deliver more efficient and fair immigration processing.

No. 3: Use expedited removal to process and remove those who don't have a valid asylum claim.

No. 4: Work with other Western Hemisphere governments to address the root causes of migration.

No. 5: Bolster NGO capacity—that is to be able to handle the flow.

No. 6: Target and disrupt cartels.

All those are fine. My question is, Are they working?

When Alejandro Mayorkas was in front of the committee just a few weeks ago, I asked him: title 42 is going away December 21st; what is your plan? And he repeated this back. The problem is, they already implemented these six items and the flow continues to accelerate.

Again, let me put this in perspective, because it is hard to be able to wrap your head around the numbers. During the Obama administration, there was a massive surge in the number of people illegally crossing the border. That was the time many people in this body fully remember, when there were additional

detention facilities that were opened up. There was a big push to be able to increase the capacity during that time period. That massive surge on the border during the Obama administration was in 2014, and it was 569,000 people a year. That was a crisis-level. Jeh Johnson came out and said: This is a crisis-level surge. It was 569,000 people that year who illegally crossed the border.

To put that in context, we have had that many people illegally cross the border in the last 2 months. What the Obama administration called “a crisis” over 12 months, we have had in the last 2. We have well over 2 million people a year that are illegally crossing the border now, and in the last 2 months since the nearing of Title 42 is coming, that number is rapidly increasing.

During the Obama administration, they called it a crisis if there were 1,500 people illegally crossing the border a day; we are now approaching 9,000 people illegally crossing the border a day.

And when I ask, “What is the plan?” I get: Well, we have this six-point plan.

Here is the problem: When I dig a little bit deeper—and we have been digging deeper to be able to find out how this is working—currently, there are no cooperative agreements with other countries to be able to return back individuals who are coming to our country where we don't have a relationship. I know it is on their plan to get it at some point. We don't have it, and December 21 is next week.

All the work to be done to increase NGO capacity and processing capacity? That is happening. How to move people into the country faster? That is actually true. In fact, newspaper reports even as recently as today have reported that ICE agents are being told to release lower-level prisoners that they are currently holding to be able to allow more surge capacity for processing individuals after the 21st of December.

That is today's news.

So they are gearing up to expedite processing people into the country. They are just not slowing down the number of people coming into the country or providing a deterrent.

Other than this one comment that was made to my staff this week when we asked point blank on the expedited removal process and they said: Yes, we are actually increasing the number of people that we use for expediting removal.

That sounds great until you check the facts on it. Here are the facts: This administration, in this year, the number of people that they have declared “expedited removal” they have actually removed, from those folks, 7 percent of the people—7 percent—that were declared expedited removal.

Again, let me go back to the Obama administration and set this in context. In 2015, in the Obama administration's expedited removal, they were removing 69 percent of the people in 1 year. That is not an anomaly year, that is typical of people that were declared expedited

removal who they were actually removing.

This administration is using the term “expedited removal” so people will think, “Oh, they are doing something,” except only 7 percent have actually been removed.

Now, listen: We have a wide diversity of opinion in this body about what needs to happen in immigration.

I don't run into a lot of people that like what is happening on our southern border right now. It is chaos.

I personally asked the Secretary of Homeland Security: How many people who are crossing our border right now—of the 2 million-plus last year, how many of those individuals have we done a background check on from their home country?

His answer to me in the hearing was: Let me get back to you on that.

By the way, I already know the answer to that, and so does he. It is zero.

We do background checks on individuals when they cross our border to see if they have criminal records in the United States or if they are on a terror watch list, but we have no idea, as to the 2 million individuals who have crossed our border, if they were fleeing poverty or fleeing justice. We have no idea. We know they paid the cartels to be able to get through Mexico, and then we literally ushered them into the country. On the 21st of this December, the problem accelerates even more.

To this body, I say: We have four times as many people illegally crossing our border now than during the Obama administration when they called it a crisis. Right now, we have four times as many people coming. On December 21, the problem gets worse because we cannot as a body speak to this issue and say: Stop.

I don't know what it is going to take in our Nation because this is not a partisan issue across the country. It is just not. I run into people of all parties and all backgrounds who say: I am all in on legal immigration. I just think we should know who is coming through the door—is that so unfair?—or have some way of processing people to be able to know.

Again, I have had folks say to me: What happens to these folks?

Well, let me tell you the current process because the Biden administration continues to say: We are going to fight against all of the push-and-pull factors for these individuals who are coming.

Can I tell you what the pull factor is? This is not hard.

The pull factor is, right now, as for the vast majority of the folks who cross the border illegally, the Biden administration is processing them as fast as they can. The fastest way to process them is to give them what is called parole, and that is for the vast majority. Now, this is a different process from what previous Presidents have done—of all parties. They are processing individuals for speed to be able to give them parole. Parole gets them across

the border quickly. They hand them a document and give them a work permit that day. That day, they get a work permit. Then they are told to check in at ICE, but the next appointment at ICE, right now, is 5 years in the future. Once they check in with ICE 5 years from now, then they are put in the next line to get to a Federal court to make their asylum claims. That is currently 10 years out.

Can I explain to you what is happening? This is not hard.

We are handing out American work permits at the border to people we have done no vetting for, ushering them into the country, and saying: We will check your asylum claim 15 years from now. Then, for some reason, it is a mystery as to why we are getting 2 million people illegally crossing the border.

It is no mystery. We happen to live in the greatest country in the world, and everybody in the world wants to come here. This is not a mystery. This is why no President has done an asylum policy like this. This is why no President in the past has managed the border like this—because we would have a massive rush at the border. On December 21, a bad situation gets worse, and this body just yawns and says it is no big deal. It is. When this blows up in our country's face, all of us are going to have to answer for it.

Now, to be frank, the vast majority of the people who are coming across our border illegally are just trying to connect with family who are already here—also illegally present, but they are just trying to connect with family here.

They have got job opportunities and want to be able to come for the job opportunities. I completely respect that. They are individuals from around the world who can make 10 times as much money if they cross our border and come into the country. I understand the pull factor of that, but we do have a legal process whereby we manage that, in theory. But who cares about the legal process anymore when you can just pay a cartel and come into the country illegally?

The cartels on our southern border are some of the most ruthless cartels in the world. May I remind this body of what we all know full well: The State Department does a listing for every country in the world about Americans' "travel and do not travel." A level 1 is Canada. A level 4 is Syria and Yemen: "Don't go there. We can't get you out." We all know that ranking full well. May I remind you that the states just south of our border in Mexico have a level 4 rating from the State Department, warning Americans not to travel in that area just south of our border.

Why do they have that rating from the State Department? Because a ruthless set of cartels runs several of those states. The State Department is advising all Americans: "Do not travel there because it is not safe for you, and we cannot get you out." Those are the cartels that are being paid by all of the trafficking coming in.

Last year, when I was there, I asked the Border Patrol: Have you been able to track how much the cartel just immediately to your south—this was in McAllen, TX. Can you track how much that particular cartel makes from trafficking people into the country?

Their response was: Yes, we do interviews with folks. We know how much they are making.

So what is the number?

They said: The cartel just in this area—not along the whole 2,000-mile border but just in this area south of McAllen, TX—makes \$152 million a week from trafficking people into our country.

Our open immigration system is enriching some of the most ruthless cartels in the world, and we are currently doing nothing to stop it. Just wait until December 21 comes. Then let's see what happens.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

REMEMBERING STAFF SERGEANT HIROSHI  
"HERSHEY" MIYAMURA

Mr. HEINRICH. Mr. President, I am truly honored to join my friend and colleague Senator LUJÁN to recognize the life of Congressional Medal of Honor recipient and Gallup's own staff sergeant, Hiroshi "Hershey" Miyamura, who passed away this past November.

The State of New Mexico ordered flags to be flown at half-staff in honor of one of our State's and, really, one of our entire Nation's greatest heroes.

A second-generation Japanese American, Hershey Miyamura first volunteered for the U.S. Army near the end of World War II. He did so at a time when many of his fellow Japanese Americans—and that includes his future wife—were detained in American internment camps. He served in the storied 442nd Infantry Regiment, which was composed of soldiers with Japanese ancestry and became one of the most decorated units in U.S. military history. Following the start of the Korean war in 1950, the Army recalled Miyamura, who had remained in the Army Reserves, into Active Duty.

The Korean war is often labeled the "Forgotten War," and it is true that far too many Americans have forgotten the incredible sacrifices that were made by American servicemembers who fought alongside Korean as well as United Nations allies. More than 36,000 American servicemembers and more than 7,200 members of the Korean Augmentation to the U.S. Army gave their lives to defend a free and democratic South Korea. In the face of unthinkably harsh conditions, many servicemembers demonstrated the very best of what it means to be an American—none more so than Hershey Miyamura.

During an intense overnight firefight from April 24 to April 25, 1951, then-Corporal Miyamura ordered the men in his machine gun squad to fall back. Corporal Miyamura covered the withdrawal of his entire company from ad-

vancing enemy forces. He killed more than 50 enemy combatants in both hand-to-hand combat and with his machine gun. After he sustained severe wounds, enemy forces captured Corporal Miyamura as a prisoner of war but not until after he had allowed all 16 of the men in his machinegun squad to safely withdraw. In later years, Hershey was most proud of the fact that each and every one of the men who were under his charge that night survived the entire Korean war and returned home to his family.

After his capture, Corporal Miyamura marched hundreds of miles to a prisoner of war camp, where he would endure nearly 2½ years of captivity. During this time, he served as a source of strength and comfort to many of his fellow prisoners of war as they endured terrible conditions.

Nearly a month after an armistice agreement was reached, ending the hostilities on the Korean Peninsula, Corporal Miyamura was finally turned over to American authorities in Freedom Village. In a living history interview conducted years later with the Congressional Medal of Honor Society, Hershey remembered what it was like to see the American flag flying again for the very first time.

Hershey said:

Until I saw that flag, the Star Spangled Banner, waving in the breeze, did I know that I had learned what it represents. That alone is what makes you feel so humble.

It was also only after his release that Hershey learned that his actions had earned him the Congressional Medal of Honor. Upon his return to the United States, President Dwight D. Eisenhower presented Corporal Miyamura with the Medal of Honor at a ceremony at the White House.

Hershey also received a Purple Heart, a Prisoner of War Medal, a Combat Infantryman Badge, and a Meritorious Service Medal, in addition to the service medals recognizing his service both in the Korean war as well as in World War II. He achieved a final ranking in the U.S. Army of staff sergeant.

Hershey Miyamura's lifelong dedication to his country never ceased. It continued long after his decorated military service ended. After he received his honorable discharge from the Army, Hershey opened up a service station along Route 66 in his hometown of Gallup, NM. He remained active in his community until his dying days in advocating for his fellow veterans and in inspiring young people with lectures on patriotism, faith, and service.

It was one of the greatest honors of my public service career to work alongside Hershey in opening the VA's community-based outpatient clinic in Gallup in 2015. In 2018, I was also proud to join Hershey for a tour of the site that is now the Gallup State Veterans Cemetery.

In recent years, Hershey touched the lives of countless young people in Gallup during his regular visits with students at the local high school that is

named in his honor. The Miyamura High School Patriots wear the colors purple and silver in honor of Hershey's Purple Heart; and a bronze statue of Hershey in his Army uniform and wearing his Medal of Honor stands at the main entrance of Hiroshi Miyamura High School.

I hope that none of us will ever forget the profound example of humility and patriotism that Hershey Miyamura left to each of us as his enduring legacy. Hershey Miyamura truly embodied the best of what our Nation stands for.

My thoughts are with Hershey's daughter Kelly; his sons, Pat and Mike; his four grandchildren, and all of those in New Mexico and across our great Nation who are mourning his loss and honoring his memory.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. LUJÁN. Mr. President, I am honored to be here with Senator HEINRICH to recognize a friend, a mentor, and a true American hero. I rise today to honor and pay my respects to a great American hero and friend we recently lost.

Hiroshi "Hershey" Miyamura was born on October 6, 1925, to Yaichi and Tori Miyamura in Gallup, NM. In growing up in a household of seven children, Hershey's parents left their homeland of Japan to settle in New Mexico in the hopes of creating a better life for their children. While he never thought of himself as a serious student, Mom and Dad hoped he would be. As a child, Hershey's mind was otherwise occupied with tales of Hopalong Cassidy riding on his steed—the larger-than-life-hero who saves the day.

He later remarked in life that he always liked "the good guys" on and off the big screen. This is why it did not surprise anyone when Hershey's determined perseverance to join the U.S. Army finally became a reality. This dream became possible when the Federal Government created a battalion of mostly Japanese Americans during the Second World War.

In a time when prejudice toward Japanese Americans was at an alltime high, Hershey remained firm in his conviction that he would serve under the flag and country his parents worked so hard to make their home, refusing to let tolerance extinguish his desire to serve our Nation at the highest level.

Hershey joined the Army shortly before Japan's surrender in World War II, training as a machine gunner—a job he excelled at. When the Korean war began, he was recalled to service. As a corporal, he was entrusted as a squad leader in the Second Battalion, Seventh Infantry Regiment, Third Infantry Division.

Even in the fog of war, Hershey was focused and selfless. He never lost sight of the friends he served alongside with. His fellow Americans were at the heart of everything he did.

Fighting with the bayonet secured at the end of his rifle during a nighttime

ambush by the Democratic People's Republic of Korea, Hershey ordered his squadron back to safer grounds, providing first-aid treatment when he could. Staying behind to cover their withdrawal, Corporal Miyamura fought off over 50 enemy troops before he was badly wounded and captured.

For the next 28 months, he was a prisoner of war—all the while, his wife Terry did not know if her husband was dead or alive. Hershey suffered tremendously during this time. It is an agony that is almost impossible to imagine, and the strength of Hershey and Terry represents the very best that we all have, the very best in each of us.

On the day of his release from the prisoner-of-war camp, Hershey would recall that day with pristine detail: the first sight of the Star-Spangled Banner blowing in the breeze, knowing that he was almost home.

Returning to Gallup, NM, Hershey was greeted by a beaming crowd of family and friends, and military flyovers welcomed him home. For a moment, he was lost, but he was never forgotten.

Hershey would go on to be awarded the Medal of Honor, our Nation's highest military declaration for valor, by President Dwight Eisenhower, a revered figure Hershey looked up to as a tested and admired World War II general.

After the war, he worked hard in Gallup as an auto mechanic and small business owner, doing what he could to send his three kids off to college. He lived out the last days of his life just as he lived the first days of his life, as a source of joy and light.

A soft-spoken and honest man, Hershey Miyamura witnessed the deepest evil and yet still chose joy. He chose to be a source of light to all who knew and loved him.

Hershey continued to tell and retell his story to future generations with humility and that ever-present smile, beaming ear to ear.

I want to remark on the clarity and sharpness he had, seemingly unfazed by the years that aged him. Talking with him and learning about his legacy of service was like being taken back to the dirt roads of South Korea alongside him. Hershey's experiences never left him.

As for all the western cowboys and the Hollywood "good guys" he dreamed of as a child, I think it is fair to say Hershey far surpassed them and turned himself into a larger than life, real American war hero.

Hershey passed away 2 weeks ago. He was the second-to-last living Korean war Medal of Honor recipient. His legacy and impenetrable faith will live on through all of us who loved him and know him, who have the honor of continuing to tell his story.

I would encourage everyone across America to learn this story and to lift Hershey up.

Hershey is survived by his sons, Mike and Pat; his daughter Kelly; his grand-

daughters, Megan, Marisa, and Madison; his grandson Ian; his five great-grandchildren; his sisters, Michiko, Suzi, and Shige.

May God watch over and bless his family.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MENENDEZ. Mr. President, I come to the floor today to ask for unanimous consent for Jay Snyder, our nominee to be a member of the U.S. Advisory Commission on Public Diplomacy.

Around the world today, American values are in direct competition with powerful autocratic regimes. From Iranian protestors struggling against a misogynistic theocracy in Tehran to the African and Latin-American nations combating Russian propaganda, to the information warfare China directs across the Taiwan Strait, in every case, a well-run American public diplomacy program is often the best tool we have to make the case for our vision of the world—a world that respects international law, that supports free speech, and defends fundamental rights. And the members of the U.S. Advisory Commission on Public Diplomacy are essential to this effort.

Since 1948, the Commission has worked to understand and inform foreign publics. And whether it is our people-to-people exchanges that introduce the world to our country or confronting the deluge of misinformation meant to undermine democracies across the globe, Jay Snyder's perspectives and expertise will be critical.

He has a career spanning public service, academia, philanthropy, and the private sector, working throughout the United States, Europe, Asia, and the Middle East.

He has served on the U.S. Advisory Commission on Public Diplomacy before, starting in 2003. He has also served as a representative to the United Nations General Assembly and in his home State at the New York State Commission on Public Authority Reform.

In 2009, he founded the Open Hands Initiative, a nonprofit organization dedicated to public diplomacy, connecting young leaders and underserved communities across the developing world.

He also serves on Georgetown University's College Board of Advisors and the University of Southern California's Center for Public Diplomacy Advisory Board.

This is a nominee who will hit the ground running from day one.

Russia and China are not sitting idly by. They are throwing money and manpower at an all-out effort to convince the world that democracy doesn't work. We need to be fighting back. Our Nation cannot afford to wait another day without Mr. Snyder assuming his post to tackle these challenges.

So I ask unanimous consent that the Senate proceed to executive session to consider the following nomination under the privileged section of the Executive Calendar: PN2451, Jay T. Snyder, to be a Member of the U.S. Advisory Commission on Public Diplomacy; 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; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Idaho.

Mr. RISCH. Mr. President, reserving the right to object, first of all, let me say that I concur with the chairman of the committee on the remarks he has made regarding his position. It is an important position, and the points he makes about countering what China is doing certainly is well-taken, and I completely agree with it.

I am going to object to this, but it is for process reasons, not because the individual or because of the lack of importance of the position it is.

In the past, we have always moved these together when we have a partisan situation like this. When we discharge them from the committee, they are discharged in pairs. On this particular one, we haven't done that.

I know the chairman is going to say that that is our fault because we haven't put a person up yet to move in tandem with this. To that, I will concede. But having said that, again, the process is we have always done this in pairs in the past.

I commit to the chairman—I have already talked to the chairman about this—that we will do this. And before the end of January, we will have such a person to move together with this.

If he asks after that, I will not object. But at this time, I have been requested to object so that we can have the opportunity to put that person up. So at this point, I would object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I thank my distinguished colleague, the ranking member on the Foreign Relations Committee, for his remarks and for the conversation we had before. I appreciate that, and I look forward to making this happen in the very early part of the new Congress.

But I will just simply say that the Board, of course, is comprised of nominees recommended by the majority and the minority, and, ideally, that is how they would move forward. I am ready to be supportive of moving forward on other nominees for this position as well.

But as has been said, the reality is that the minority has yet to make their recommendations, despite having had more than 2 years to do so—2 years.

So, in a sense, it is not fair to reject those who are waiting and went through the process and did their disclosures and everything else and have been hanging out there because the minority has not chosen to make their nominations.

I understand the Senator is objecting on behalf of his leadership. I just hope that this draws attention to the Republican leadership so that they, hopefully, will come up with their two names so that as we start the new session of Congress, we can get this done right away.

With that, 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.

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

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

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Ms. BALDWIN. Mr. President, I rise today in support of Dr. Laura Taylor-Kale, the President's nominee to be Assistant Secretary of Defense for Industrial Base Policy.

As a member of the Defense Appropriations Subcommittee, I know that growing and sustaining our industrial base is a critical aspect of the resilience of our national security, and it is critical also to maintaining our competitive advantage with China and other near-peer competitors. A resilient defense industrial base is also vital to the support the United States is providing to Ukraine.

Dr. Taylor-Kale is well suited for this role, having served in the Obama-Biden administration as Deputy Assistant Secretary of Commerce for Manufacturing in the International Trade Administration and as the senior adviser for policy and operations at the U.S. Development Finance Corporation. She has significant professional experience at the intersection of business and government and has a thorough understanding of industry challenges and their impact on supply chains most crucial to our national security. Her experience across government, the private sector, multilateral organizations, and academia leave her well suited to help ensure the Department of Defense continues to deliver secure and resilient capabilities to our forces.

Filling this position is important. It is vital to addressing critical vulnerabilities in industrial supply chains, to reducing reliance on foreign adversaries, and securing domestic industrial capacity—all actions that are key to U.S. economic and national security.

If we are serious about the role of the United States as a global competitor, we need a fully staffed and capable team managing the current and future needs of our military forces. Dr. Taylor-Kale will help complete that team.

I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider Calendar No. 1152, Laura Taylor-Kale, of California, to be an Assistant Secretary of Defense. (New Position); that there be 10 minutes for debate equally divided in the usual form on the nomination; that upon the use or yielding back of the time, the Senate vote without intervening action or debate on the nomination; and that the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. SULLIVAN. Mr. President.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, reserving the right to object, I want to say a few words about the Biden administration's policies on the very subject which Dr. Laura Taylor-Kale is going to be in charge.

Now, I have been working with this administration probably more than most Republican Senators, particularly on Department of Defense issues—on Department of Defense personnel, on helping them actually get confirmed—so I don't come down here and do this lightly. Heck, I introduced the Secretary of Defense, Secretary Austin, at his confirmation hearing and then whipped votes to make sure he got confirmed. So this is not my regular course of business even as it relates to the Biden administration but particularly as it relates to the Department of Defense. I have been someone who has been trying to help.

But I am objecting because the Biden administration's policies are completely at odds with the President's public statements and my friend from Wisconsin's statements about the need for an industrial policy in critical minerals that will help our military and help our economy.

Dr. Taylor-Kale will be in charge of this at the Pentagon—industrial policy, critical minerals, rare earths. What we are seeing, Mr. President, is they talk about this, but then they take actions against these very policies that hurt us. The No. 1 area where they take actions is my State, the great State of Alaska, which has more energy for America, more critical resources, more critical minerals, more rare earths for our Nation—for our Nation.

My State has had 40 Executive orders or Executive actions in 2 years from this administration, issued singularly and solely against Alaska. Of course, that is crushing the economy of my State, workers in my State. But here is the broader point for this topic today: It is really undermining America's national security. Critical minerals, natural resources—we all know we need them, yet one big part of America—it is the target of this administration to shut it down. It is ridiculous.

As I said to my colleague, if a Republican administration went to Wisconsin



or issued 40 Executive orders and Executive actions solely against Wisconsin or Maine and you guys came to me and said, "Hey, Dan, help us. Geez Louise, the war on Alaska. Help," I would help. My State is getting crushed.

Here is the specific issue that relates to this nominee. The President held a summit on critical minerals—a good example of what we need to do—on February 22, 2022, and he said: We need these critical minerals. The demand for them is going to increase 400 to 600 percent over the next several decades.

We can't build a future that's made in America if we ourselves are dependent on China for the materials that power the products of today and tomorrow.

And our national security.

That is the President of the United States on his big critical minerals summit hosted at the White House to talk about supply chains and industrial capacity and military issues.

The same day the President of the United States held that critical minerals summit, the Department of the Interior said that they were going to reverse a 7-year EIS record of decision, \$10 million by professional staff in the Federal Government, on what is called the Ambler Mining District in Alaska, one of the biggest, most extensive sources of critical minerals in the country, maybe even in the world—a project, by the way, that has been in permitting since the Obama administration.

That same day, they reversed it and said: Alaska, start over.

Nuts. Crazy.

So what I have done is I have put a hold on a couple of Department of Defense nominees who are in charge of this area, and Dr. Taylor-Kale is one. But I have been reasonable. I went to the Deputy Secretary of the Interior, the Deputy Secretary of Defense. We held a conference with White House officials. I simply said: I am not asking to reverse your crazy decision—which it was crazy. It hurts my State for sure, but it hurts the national security of our country.

I simply said: I want three simple asks—so I have been trying to work to get the nominee cleared—three simple asks from this administration: Identify a definitive, workable schedule with a clear, legitimate timeline for completing the review of this project that has already been in almost 10 years of permitting—to do it in a timely manner. That was No. 1. Clearly state the Federal Government's intent to allow the Alaska entities that are trying to move this forward to continue to complete baseline scientific data gathering and design work, such as wetland delineations and engineering reconnaissance for this road. That was No. 2. Allow these Alaska entities that are moving this road and project forward to complete its planned geological drilling and core sampling program, which is critical to advancing the project and engineering design, as this case is now being remanded.

That was it. That was it. Three simple requests. None of these are hard. None of them are hard.

I have raised this with the Secretary of Defense, the national security team, of course, Interior, and they keep telling me no. This is easy. If the Secretary of the Interior came and said, "Senator SULLIVAN, I saw your remarks on the floor. I agree with all three of those things. You are right; they are simple," I would lift my hold today.

So the ball is in the administration's court. If they really want Dr. Taylor-Kale to be confirmed, they could do it tonight. Meet my requests, which are quite reasonable. I did not ask them to review or reverse the crazy decision that they made in February of 2022. These are very simple requests. I have been very reasonable on this. No one on their side is being reasonable, so I will continue to hold her and some of the other DOD nominees who are in charge of critical minerals and industrial capacity in the Department of Defense until the simple demands that I am asking for that not only will help my State but will help the national security of America.

They won't do it, so I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I listened carefully to my colleague from Alaska as he objected, and I just want to add a couple of comments in response.

I had a chance to share with him that there was a Wisconsin conflict between the Department of Defense and the Department of Interior, something that when I was a Member of the House of Representatives I worked on for 14 years and could not get it shaken loose—finger pointing, finger pointing. And then I had the honor of being elected to the U.S. Senate, where we have the power to place holds on nominees. And I had the opportunity, and took advantage of that opportunity, to place a hold on a nominee who was absolutely in the position to resolve the issue. And it is a powerful tool.

In this case, the person who is being held could be doing so much to advance and grow our defense industrial base and help to improve our national security and resiliency. And this particular person is not in a position to, if confirmed, resolve the issue that I heard my colleague describe. So I am disappointed that we cannot move ahead with this confirmation at this time.

I understand the power of the hold, but it is much more powerful when the person being held is also in a position to resolve the issue.

And with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I just want to say that I certainly would be willing to work with my colleague from Wisconsin on this issue. I have been working on it in good faith with

other Members on the other side of the aisle. Maybe, perhaps, she can help me with the three simple asks we have put forward to the Department of Interior, and if they agree to those simple asks—and they are simple—then I will lift my hold. So maybe the Senator from Wisconsin and I can work together on this.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from Wisconsin.

Ms. BALDWIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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.

#### FURTHER CONTINUING APPROPRIATIONS AND EXTENSIONS ACT, 2023—Motion to Proceed

Mr. SCHUMER. Mr. President, I ask that the Chair lay before the Senate the message to accompany H.R. 1437.

Mr. MARSHALL. 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 bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 75, nays 20 as follows:

[Rollcall Vote No. 393 Leg.]

#### YEAS—75

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Romney
Blumenthal	Hyde-Smith	Rosen
Booker	Inhofe	Rubio
Boozman	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	Kennedy	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Shelby
Carper	Lankford	Sinema
Casey	Leahy	Smith
Cassidy	Lujan	Stabenow
Collins	Manchin	Sullivan
Coons	Markey	Tester
Cornyn	McConnell	Thune
Cortez Masto	Menendez	Toomey
Cotton	Merkley	Tuberville
Duckworth	Moran	Van Hollen
Durbin	Murkowski	Warner
Feinstein	Murphy	Warnock
Gillibrand	Murray	Warren
Graham	Ossoff	Whitehouse
Grassley	Padilla	Wicker
Hassan	Peters	Wyden
Heinrich	Portman	Young

#### NAYS—20

Blackburn	Ernst	Johnson
Braun	Fischer	Lee
Cramer	Hagerty	Lummis
Crapo	Hawley	Marshall
Daines	Hoeben	