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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, May 2, 2023, at 11 a.m.

Senate

MONDAY, MAY 1, 2023

The Senate met at 3 p.m. and was called to order by the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois.

PRAYER

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

Let us pray.

Holy God, who inhabits eternity, lead our lawmakers with Your might. Help them to not run ahead of You or ignore Your wisdom. Restore their spirits with trust and hope, and order their steps toward Your desired destination. Lord, keep them calm in the quiet center of their lives so that they may be serene in life's swirling stresses. Fill them with the peace that comes from keeping their focus on You. Help them to listen to others as attentively as they want others to listen to them.

And Lord, give us wisdom regarding how to make our Nation less violent.

We pray in Your merciful 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 (Mrs. MURRAY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 1, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Ms. DUCKWORTH thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. The Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of the Anthony Devos Johnstone, of Montana, to be United States Circuit Judge for the Ninth Circuit.

RECOGNITION OF THE MAJORITY LEADER

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

LIMIT, SAVE, GROW ACT OF 2023

Mr. SCHUMER. Madam President, for months, Democrats have been clear: The full faith and credit of the United States cannot be held hostage. For months, we asked Speaker MCCARTHY and Republicans to present a plan—a real plan—to avoid default with no brinksmanship, no hostage-taking.

But instead of presenting a viable plan, last week Speaker MCCARTHY and House Republicans passed the “Default on America Act”—a hard-right ransom note—to the American people.

Republicans’ “Default on America Act” poses two terrible choices: either default on the debt or default on our country, with severe cuts to law enforcement, veterans, families, teachers, kids—even cancer research.

Let me be clear: The Republicans’ “Default on America Act” has no future in the Senate, and it does nothing to resolve the looming default crisis. If anything, MAGA Republicans have made default more likely by locking the House into an unacceptable and very extreme position and pulling us even further apart.

According to one report by the Washington Post—and I commend everybody, Democrat and Republican to read it—but, according to this one report by

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



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S1429

the Washington Post, many hard-right House Members say their DOA bill represents the bare minimum they are willing to accept—the bare minimum.

One Freedom Caucus Member said this bill is “not a negotiating piece. It is the deal” and further added that “[Speaker MCCARTHY] cannot get to 218 with changes to this deal.”

Let me read that again, because it so perfectly captures the extremist thinking on the hard right, which we all know has tremendous leverage in the House.

Speaker MCCARTHY “cannot get to 218 with changes to this deal.”

Let me just read it again. “Cannot get to 218 with changes to this deal.”

Respectfully, that is not negotiation. That is a ransom note. That is a hostage-taking tactic. It is another sign that Speaker MCCARTHY has surrendered to the extremists in his conference, who are ready to let the United States default unless they get everything—everything—they want.

Senate Democrats cannot—and will not—allow Republicans’ “Default on America Act” to become law, because the consequences of these cuts for American families would be severe. For generations, Congress has made spending and revenue decisions as part of the annual budget process. That is the appropriate place to debate, not here as a bargaining chip—a take-it-or-leave-it bargaining chip—for the hard right.

So beginning this week, our Senate committees will do what House Republicans would not do: hold hearings to expose the damage that the cuts contained in the “Default on America Act” would cause to everyday American families.

We will show the American people how the “Default Act” would rip away SNAP benefits for over a million recipients and eliminate Pell grants for tens of thousands of student loan borrowers.

We will show the American people how the “Default on America Act” would raise taxes by over \$500 billion over the next decade, crippling job creation, stifling economic growth, and squandering our future prosperity to the benefit of the Chinese Communist Party.

And we will show the American people how the “Default on America Act” would cut critical funding to nearly all sectors of American life, leading to fewer jobs, higher costs, and leaving policemen, first responders, border patrol, and our brave veterans all hanging out to dry.

We cannot move forward so long as hard-right MAGA Republicans, which we all know have tremendous, enormous leverage in the House, insist on their bill—a bill that is unacceptable to the Senate and the vast majority of the American people.

Sadly, if the hard right continues running the show in the House, the dangers of a first-ever default will keep growing day by day. And as we expose this terrible bill for what it is, Senate

Democrats’ position remains the same: The only real solution is for both parties to pass a clean bill to avoid default, with no brinksmanship, no hostage-taking.

BUSINESS BEFORE THE SENATE

Madam President, now on Senate business. Well, it is going to be another busy week here on the floor of the U.S. Senate. Later today, the Senate will vote on the confirmation of Anthony Johnstone of Montana to serve a lifetime appointment as a circuit court judge for the Ninth Circuit.

A graduate of Yale and the University of Chicago, Mr. Johnstone has a wealth of experience in both public service and private practice. As former members of the Montana Supreme Court attest to, Mr. Johnstone has one of the “best legal minds and is the finest and most respected legal scholar in the State of Montana.”

At the end of the week, I also filed cloture on three additional district court judges from New Jersey and New York, and Members should be advised that I will be filing on additional judicial nominations later this evening. The Senate will work on processing all of these nominees over the course of the week.

Judicial nominees remain a top priority for the Senate. Senate Democrats are proud we confirmed 119 new judges under President Biden, including 31 circuit court judges, 87 district court judges, and one groundbreaking Supreme Court Justice in Ketanji Brown Jackson. The diversity of these jurists is unlike anything our country has seen: 84 of these judges are women and 80 are people of color. The Senate will add to that impressive tally over the course of this week.

TRIBUTE TO TERRY O’SULLIVAN

Madam President, now, on a dear friend, Terry O’Sullivan. Today, it brings me immense joy, gratitude, and a little sadness to pay tribute to a giant of American labor, a hero of working families, and a leader who truly stands in a category all his own: Terry O’Sullivan, who, Friday, retired as general president of the Laborers’ International Union, or LIUNA, after more than two decades. Over the years, Terry has become one of the dearest friends I have had in Washington.

There would be no expansive middle class in America without the labor movement, and the labor movement would not be the same today without Terry O’Sullivan and LIUNA. The proud members of LIUNA helped build our roads, our bridges, and tunnels and office buildings and housing. Under Terry’s leadership, LIUNA has become the Laborers’ Union, as it is fondly known, has become one of the most impactful unions of the 21st century. It was under Terry’s watch that LIUNA workers helped clean up the wreckage of ground zero after 9/11. Under his watch, LIUNA built its first-ever high school for students to enter construction work. And it was LIUNA that organized the immigrants and supported

comprehensive immigration reform. So, unsurprisingly, anyone who knows Terry knows his loyalty lies in one place and in one place alone: the working families of LIUNA and of Americans in general.

And I know this personally: My cousin Abe Weinshall, who was a proud member of Local 79, the Hod Carriers, in New York, and they treated him so, so well, even when he had a severe illness, because the healthcare that the laborers were able to get was topnotch.

Terry’s loyalty to the working people has been very long. It is a loyalty that first drew breath in the early years of his childhood, having been raised in a union household as the son of LIUNA secretary treasurer Terrence O’Sullivan.

At 11, Terry attended his first LIUNA convention. He started early. And from there on, there was no turning back. He became a proud card-carrying member for life. After becoming LIUNA general president in 2000, Terry spent the next two decades growing, modernizing, and expanding LIUNA into one of the greatest advocates for working Americans in this century. In the face of radical wealth polarization, Terry won better wages, better benefits, and greater say about working conditions for his union members of LIUNA and for his fellow Americans.

I have known Terry a very long time. Terry first stood out to me because even at the most formal events in Washington, I noticed that Terry never wore a tie. We joke about that. But over the years, Terry has become a confidant, a brother, and someone I have turned to for advice and guidance again and again over the years. Some of my most enjoyable evenings in Washington were dinners with Terry and Yvette—his wife—and with a good glass of wine.

To listen to Terry speak is to hear a man on fire with love for his country and with love for the working families of America. To watch Terry work is to see someone singularly dedicated to his mission. And he is someone equally at ease in the boardroom, the labor rally, and the construction site. He doesn’t miss a beat going from one to the other.

And, of course, Terry is famous for his candid style and no-nonsense attitude. He is from California. I am from Brooklyn. But we share that direct speaking way. If you cross Terry’s path or the path of working families, you will quickly find out you made a powerful adversary. But if you win Terry’s heart, you will discover you found a lifelong friend, as I have discovered.

Of course, Terry’s legacy is not just felt in America but around the world. He is a proud supporter of a united Ireland and of Irish workers. Terry and I have worked together on so many Irish issues, and we have agreed to continue working together in the years ahead.

So, for me, this is not really a goodbye. Terry and I will stay good friends, working on the causes we believe in,