

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. WELCH). Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Jeremy C. Daniel, of Illinois, to be United States District Judge for the Northern District of Illinois.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The Senator from Kansas.

## NATIONAL POLICE WEEK

Mr. MORAN. Mr. President, this week our Nation observes National Police Week. That observation began in 1962, when President Kennedy claimed the first Police Week as a time dedicated to pay tribute to our law enforcement officers who died in the line of duty.

President Kennedy's proclamation stated that, during this week, "all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens."

This afternoon I rise with my colleagues to honor the dedication and sacrifice of our law enforcement officers.

Over the course of this week, we pay tribute to 443 officers who gave their lives in the line of duty in 2022.

Saturday night, just a few days ago, hundreds of police officers, family members, and others, gathered for the annual candlelight vigil honoring our fallen officers. Among those memorialized this week are four brave Kansas officers.

Deputy Sheriff Sidnee Carter, with the Sedgwick County Sheriff's Office, was tragically killed in an automobile crash while responding to a night disturbance call.

We also lost Sheriff Robert Craft from Marion County, Officer David Ingle from the Iola Police Department, and Sergeant Stacy Murrow from the Linn County Sheriff's Department—all Kansans.

In fact, all Americans are grateful to those officers for their service and honor them in making the ultimate sacrifice for the benefit of others, for the benefit of the people they knew in their community, but also for the benefit of people they never met.

While the purpose of Police Week is to honor the men and women who made the ultimate sacrifice in the line of duty, we also should remember how those police officers' lives as husbands and wives and mothers and fathers—as members of their communities—they

were people who happened to wear a uniform, who happened to take up a career to serve others, to protect and defend.

From educating kids in school about the dangers of substance abuse or providing driver safety education, coordinating neighborhood watch associations, and speaking at business luncheons, schools and community townhall meetings, law enforcement strive to make our community a safe place to live and raise a family and to work to foster a more safe and secure environment; in a sense, to provide justice.

During this National Police Week and throughout the year, we should remember that law enforcement needs our support. We should provide them the resources they need to do their jobs. We must also give them the tools they need to build and strengthen the bonds of trust with those they serve and our best efforts to address the underlying challenges that face our communities and individuals in their lives.

I serve as the lead Republican on the Senate Appropriations Subcommittee with appropriations jurisdiction over the Department of Justice. I am committed to making certain our law enforcement officers have the resources and support they need to do their job effectively and safely.

We honor the service and sacrifice of our Nation's fallen law enforcement officers, remember those who departed, and acknowledge and express our gratitude for the sacrifices all law enforcement officers make every day they wear the badge.

During this week—and, really, every other week of the year—we should, and we do, honor those we have lost and remember the families they left behind. We ask God to comfort them in their time of grief and be a source of strength for them in their lives. May God bless our police and our local law enforcement officers. May God bless them as they do their duties, and may God hold in His arms those we have lost this past year.

## RECESS

Mr. MORAN. Mr. President, I ask unanimous consent that the Senate now stand in recess until 5:30 p.m.

There being no objection, the Senate, at 3:32 p.m., recessed until 5:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. MARKEY).

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

## UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. BLUMENTHAL. Mr. President, I rise today to address the Senator from Alabama's decision to hold hundreds of nominations—literally hundreds of nominations—that have been submitted to this body, and I want to join my colleagues who have taken the ini-

tiative and stand alongside with them and our men and women in uniform who protect our right to speak in these Halls every day and our other fundamental liberties in this country.

We ask our men and women in uniform to do more now than ever before, particularly as we are engaged in countering Vladimir Putin's murderous assault in Ukraine. I have visited them in Germany, where they are training Ukrainians. I have spoken to them at the border in Poland, where they are providing essential military weapons to the Ukrainians. I have seen them at work all around the globe, as have my colleagues.

Even though we are at peace formally right now, it is only because they are a deterrent to our adversaries and enemies around the globe. The threats are rapidly evolving and rising, and the U.S. military is the only force that can stem the tide of autocracy, which is the reason why I am so, so outraged that the Senator from Alabama is choosing to cripple our military by placing on hold a series of critical nominations.

Earlier this year, Secretary Austin issued a memo, a policy memo, guaranteeing that servicemembers would have easier access to reproductive healthcare. They can now take non-chargeable leave and receive per diem while traveling to receive care, finally establishing a parity with every other medical procedure, every other healthcare procedure available to DOD personnel.

The Secretary's decision rectified a DOD policy that marginalized the women who serve in our Nation and provide that essential guarantee of peace and freedom. It damaged readiness. It truly does put people first that we have corrected that egregious error.

Instead of celebrating that servicemembers now have access to healthcare and policy programs that they have consistently sought, Senator TUBERVILLE called the policy—and I am quoting—"a waste of time and resources." He believes that protecting the well-being and privacy of those who serve—and again, I am using his words—is "immoral" and "illegal." I disagree. I couldn't disagree more. Servicemembers shouldn't have to wonder whether they are going to receive healthcare.

Providing access to reproductive care certainly isn't a distraction; it increases readiness and preparedness and the strength of our force. He is doing the very thing he accuses the new policy of doing, which is to damage readiness and jeopardize our Nation's security. He is doing it by holding up the President's nominees.

Let me just talk about those individuals whose nominations he has blocked.

Rear Admiral George Wikoff is the President's nominee to be the next commander of the Navy's 5th Fleet. He is an accomplished Navy aviator, a former TOPGUN instructor, and has

extensive experience in the theater he has been nominated to command. His service is essential to the 15,000 personnel responsible for defending American interests in the Persian Gulf and Arabian Seas. It isn't a luxury or convenience; it is essential that he be there.

Rear Admiral Fred Kacher was nominated to lead the Navy's 7th Fleet, which is tasked with deterring Chinese aggression across the Pacific Ocean. Nearly 30,000 sailors and marines are assigned to the 7th Fleet and constitute our first line of defense in the Pacific.

While Iran and China search for every opportunity to threaten American interests in the Middle East and Pacific, Senator TUBERVILLE's response is to deprive the 5th and 7th Fleets of their incoming commanders.

He is holding our next military representative to NATO, Rear Admiral Shoshana Chatfield, a remarkable officer with more than 30 years' experience. She is the recipient of the Defense Superior Service Medal, the Bronze Star Medal, the Legion of Merit, and the Meritorious Service Medal.

During the largest land war in Europe since World War II, the Senator from Alabama is blocking Admiral Chatfield's promotion. Again, not a luxury, not a convenience, not superfluous; it is essential to our national defense.

And he is blocking MG David Hodne's nomination to the role of deputy commander for the Army's Futures Command. That Futures Command position oversees the design of force capabilities into the future and ensures our soldiers maintain lethal advantages on the battlefield.

His hold is preventing the Army's next Vice Chief and Chief of Staff from assuming command.

Later this year, Gen. Charles Brown's nomination to become the next Chairman of the Joint Chiefs of Staff will be blocked if the Senator from Alabama does not lift his hold.

Let's be clear about what is at stake here. Blocking these nominations, simply because of his putting personal beliefs above national security, is a threat to our national defense.

He is doing Putin and Xi's jobs for them. He claims that this action is about the President trying to legislate from the White House. He claims that the Department of Defense had an abortion policy for decades.

Respectfully—and I mean very respectfully—to a colleague in this body, I would remind him for decades that women in the military had to hide their abortion from their commanders and that referrals for care operated on a whisper network.

If it were up to the Senator from Alabama, he would override the medical recommendations of military doctors and commanders across the force.

I hope that he will stand with the military and their families and forgo

future action blocking this essential set of nominations.

The Senator from Alabama is entitled to his opinion. The military that he is so keen to stop from advancing its nominees defends the Constitution that gives him that right to his opinions and his right to speak from his heart and his conscience. But families who sacrifice so much already are waiting for this body to act. They are waiting so they can enroll their children into new schools, find new churches, start new jobs. Harming the military and their families serves only the interests of our adversary.

I urge my colleague from Alabama to lift his hold and let the military continue to defend our freedom from those who seek to destroy it.

And, in the meantime, I ask unanimous consent that the Senate proceed to the consideration of the following nominations en bloc: Calendar Nos. 46 through 52, Calendar Nos. 82 through 107, Calendar Nos. 110 through 113, Calendar Nos. 130 through 139; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I am here to express my support for Senator TUBERVILLE, who is, of course, opposing the Department of Defense's ongoing attempt to use taxpayer funding to fund abortion.

Now, until recently, this was an understood policy. The policy to which my friend and colleague refers is, of course, embodied in a statute. It is not just a policy. It is a policy rooted in law. Under 10 USC, section 1093, the Pentagon is prohibited from using Department of Defense funds or facilities to perform abortions.

You see, because, in a word, divided as a country on issues related to abortion; people have sharply divided views on this. In fact, there is a pretty wide spectrum of views. But one thing that does tend to unite Americans overwhelmingly is the idea that, regardless of how you feel about abortion, you don't want your U.S. taxpayer dollars going to fund abortions. People don't want that. There is overwhelming bipartisan consensus among the American people on that.

Only here in Washington is this regarded as controversial because Americans just consider that common sense—common sense that has been, for decades, codified in Federal law.

The last time I read the Constitution, Congress makes the laws, not the Department of Defense. And when there are laws that the Department of Defense doesn't like, the Department of Defense isn't free to just reimagine

the laws as the Secretary of Defense wishes those laws were written.

And yet the Department of Defense's policy memo from just a few months ago does just that. It attempts to sneak around the laws that we have already passed.

This policy memo violates at least the spirit, quite arguably the letter of the law. They are trying to get around that, and they have made no secret of that fact.

So Senator TUBERVILLE is right to oppose this egregious policy. We should commend his courage and his dedication to upholding the Constitution and standing for those who cannot stand for themselves.

And so I would say, let this be a message to Secretary Austin. Look, Secretary Austin, if you want to make the laws, run for Congress, run for the House, run for the Senate. But you cannot legislate from the E-Ring of the Pentagon. It is not your job. That is our job, not yours.

Until then, Secretary Austin, stand down—stand down, soldier—and let the lawmakers actually make the laws. But you certainly don't get to rewrite them just because you feel like it.

Now, as to the suggestion made by my friend and colleague moments ago that Senator TUBERVILLE would override the recommendations made by board-certified medical doctors to women as to the best outcome for their health, it is not at all fair. It is completely inaccurate. In fact, it is utterly untethered from what Senator TUBERVILLE is doing and what he has ever said on this. On no planet is Senator TUBERVILLE trying to tell women in the military or dependents of military families that they may not have an abortion. All he is standing behind is what Federal law already says, which is that you can't use Federal funds or Federal facilities within the Department of Defense to fund abortions. And that is exactly what is happening here.

Now, as to the specific personnel mentioned just moments ago, when we look at, say, Admiral Chatfield or Admiral Wikoff or General Hodne's or anyone else on the list, if there is any one of those people whose service, whose promotion is so mission critical to American national security, let's bring those forward. There are mechanisms, procedures, in the Senate, after all, that would allow not only each of them but everyone on this list to be confirmed.

Yes, it takes a little bit more time. But what the Department of Defense and those advocating for its position here are doing is coming to us as U.S. Senators and asking us to waive our procedural rights, to waive our procedural objections so that they can have their policy.

Senator TUBERVILLE has raised a legitimate, bona fide opposition to that policy because it is in violation of the spirit, if not the letter, of 10 U.S.C. 1093.

It takes a lot of gumption—that is audacity—for the Department of Defense to ask for our help to facilitate the confirmation of these nominees when they have taken away from us the prerogative that is uniquely ours.

It is no coincidence that the very first clause, in the first section, of the first article of the Constitution says that “[a]ll legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.”

Article 1, section 7 makes even more abundantly clear that we are the sole lawmaking organ of the Federal Government; that in order to pass a Federal law, you have to get the same legislative proposal passed in the House and then in the Senate and then submit it to the President for signature, veto, or acquiescence.

Secretary Austin has bypassed all of that. He would make himself the legislative and the executive branches at once. It is not his role. It is not his job. And he has the audacity to come here and question our patriotism, question our commitment to American military readiness, simply because we will not expedite his own request to get these people moved through faster.

If he wants to circumvent these processes ordained by the Constitution, Senator TUBERVILLE is in no position where he has to agree to help them expedite it, nor should he.

On that basis, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I come to the floor to talk about how we are currently failing our most senior military leaders, a failing caused entirely by my colleague the senior Senator from Alabama.

Members of our All-Volunteer Force answer the call to service by choice. No one is making them serve. They choose to serve. For their sacrifices, we owe them many things—fair pay, healthcare, veterans’ benefits—to make sure they land on their feet after their service is done. And we must also make sure they can do the hard, sometimes dangerous, work they volunteered for without partisan politics getting in their way.

And yet my colleague has placed an indefinite hold on the nominations of all general officers, preventing a still growing number of our most senior leaders from taking on the challenges of their next positions and leaving critical gaps in our military leadership.

My colleague from Alabama is harming our military readiness and our servicemembers not out of concern about the promotion process or the ethical or professional qualifications of any of the nominees, he is doing it to score cheap political points, to fundraise with his base, and to try to force a policy that he personally disagrees with to change, not by legislating it like the voters of Alabama

sent him here to do but holding our most senior military leaders hostage.

If my colleague had legitimate concerns about the fairness of the promotion process or felt these nominees were not qualified ethical leaders, this might be a different story.

In fact, as my colleague pointed out, I once held some, but certainly not all, nominations. But I only did it for 14 days because I was attempting to stop the administration in the White House at the time from inserting politics into a nonpartisan promotion process.

I had legitimate, well-founded concerns that an Army colonel—a single colonel’s promotion would be withheld from consideration as political retaliation against him.

I held the list of promotions for just 14 days until I received assurances that he had received fair consideration, just like the rest of his peers, and then I released my hold.

Put it another way. I wanted to make sure that the military promotion process—the one we use to make sure our military is led by the best, most qualified people—was not being politicized.

My colleague is doing the exact opposite. He is trying to change DOD policy not by legislating but by holding up well-deserved promotions to the detriment of leaders who have willingly served decades in uniform, all the servicemembers who are supposed to serve under them, and our national security because he wants to insert politics into this historically nonpartisan process.

If he doesn’t like the DOD policy, then he can engage in the NDAA legislative process to change it. It is coming up. The Senator will have a chance to do that.

The nominations that my colleague is holding represent experienced professionals who, if confirmed, will tackle some of the biggest challenges that our military faces.

In some cases, the positions are completely vacant, and that job just isn’t being done at all. I will only talk about a few of these nominations today, but the already long list grows each month.

In a moment, I will ask the Senate to confirm MG Heidi J. Hoyle, U.S. Army, to be a lieutenant general and the Deputy Chief of Staff, G-4, of the U.S. Army. The Army G-4 develops, implements, and oversees Army strategy, policy, plans, and programming for logistics and sustainment, some of the most challenging, if not the most challenging, issues for the Army to address.

Take it from a broken-down old soldier, logistics might not be sexy, but without them the Army doesn’t run. And the logistics and sustainment needs of tomorrow’s fight will be very different from those of the last wars we have fought.

We need to be working through these problems now, figuring out new strategies and plans, developing new systems that will serve our soldiers better. That is exactly what the Army G-4 does. It is not optional; it is necessary.

And we need Major General Hoyle’s leadership, or it is our troops, out in front, who will suffer.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Calendar No. 48, Major General Heidi J. Hoyle, to be Lieutenant General; that the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Before the Chair entertains that motion, the Chair would like to remind all Senators that rule XIX reads as follows:

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming of a Senator.

Senators are reminded to address each other in the third person and through the Chair.

Is there an objection to the request?

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, reserving the right to object. Again, for the fourth or fifth time, I am fighting against taxpayer-funded abortions—funding from taxpayers that was never, ever approved by this Congress.

By the way, poll after poll shows that Americans agree with exactly what I am doing. The American people do not support taxpayer-funded abortions. Period.

Democrats have had a few retired Secretaries, in the last few weeks, agree with them; but other retired military leaders and thousands of servicemembers and veterans just happen to agree with me, just like the majority of Americans. In fact, earlier today, a letter representing more than 3,000 servicemembers and veterans was sent in full support of my hold. Those servicemembers and veterans said:

This policy is not just illegal, it shamefully politicizes the military, circumvents the authority of Congress, and exceeds the authority of the Department of Defense.

They sent that letter to Leader SCHUMER and Leader MCCONNELL. I would encourage them to please read it.

Also, earlier today, retired Lt. Gen. William Boykin and retired Lt. Gen. James Carafano penned an op-ed condemning the Pentagon’s policies. They said:

The Pentagon’s new abortion policy has everything to do with activist politics and nothing to do with Congress’s obligation to raise and maintain armed forces to provide for the common defense.

So I object, and I will continue to object.

I will end with one comment from the retired military leaders’ op-ed:

America is a global power with global interests and responsibilities. We can’t afford a

military distracted by politics. The quickest way to make this right is for Secretary Austin to immediately rescind his radical abortion policy.

Because of this, I object.  
The PRESIDING OFFICER (Mr. WARNOCK). Objection is heard.

The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I am disappointed the Senate is not able to confirm MG Heidi Hoyle today. As I said earlier, the work Major General Hoyle would do, if confirmed, is vital to the success of our Army.

And now I want to consider another patriot whose promotion is being held by my colleague from Alabama: Brig. Gen. Rebecca Sonkiss, U.S. Air Force.

Brigadier General Sonkiss is the current commander of the 618th Air Operations Center, the Tanker Airlift Control Center at Scott Air Force Base in my home State of Illinois.

The 618th Air Operations Center is responsible for operational planning, as well as scheduling, directing, and assessing a fleet of about 1,100 aircraft that conduct combat delivery and strategic airlift, air refueling, global air mobility support, and aeromedical operations around the world.

General Sonkiss, a command pilot who has had a distinguished career of service to her country, is leading the 618th Air Operations Center as it does some of the most complex, most important, least celebrated work in the Air Force. And yet her promotion is being held up, not because of concerns about the fairness of the process or her own qualifications. No, her promotion has not been granted because one Senator would rather use her and other servicemembers like her to try to manipulate the DOD into doing what he wants instead of engaging in the legislative process.

I ask that it be in order to make the same request with respect to Calendar No. 110, 23 nominations.

The PRESIDING OFFICER. Is there objection to the request?

The Senator from Utah.

Mr. LEE. Mr. President, here again, the Senate has procedures for dealing with any nomination, including these military promotions. These could be brought up individually; they could be voted on; and those whose promotions have the greatest urgency could be dealt with. We could stay in session until all these are done. Neither Senator TUBERVILLE nor any other Senator, to my knowledge, would interfere with that, nor could we.

What Senator TUBERVILLE refuses to do, with very good reason, is to pretend like nothing has happened; pretend like nothing has changed; to pretend that he didn't have repeated conversations with high-ranking officials within the Department of Defense in recent months expressing his concerns about rumors that this very policy was being considered; to pretend that he didn't tell them then there would be serious consequences if they decided to proceed in violation of 10 U.S.C., section 1093. No, this is not fair to put this on him.

When the Pentagon comes crawling back after they did what they did to him—after they did what they did to the law, to all Americans—that is manifestly unfair. To all of a sudden put it on him to make sure it is his job to make sure that everyone gets confirmed—and, oh, by the way, you also have to help—you are being told—you have to help the Pentagon, even though the Pentagon has just cut you off at the knees.

Look, it is very clear. When the law says you may not use Federal taxpayers for abortions, that is a thing. When you have Department of Defense specific legislation that says you may not use Department of Defense funds, you may not use Department of Defense facilities to perform abortions, that is a thing.

To argue otherwise and to try to point out that this policy memo somehow complies with that is too cute by half.

No. 1, it is still, quite arguably, in violation of the letter of the law. You are still doing this to bring about an abortion. You are using Federal taxpayer dollars from the Department of Defense so that someone has an abortion. You are paying for someone's travel to that State—per diem to that State—3 weeks of paid leave time to that State, and it is specific to abortion. That is what that is.

If, in any other circumstance, someone were asked: Are you using Federal dollars for abortions? The answer would be, unequivocally, "yes."

I know those raising these consent requests are trying to get Senator TUBERVILLE to capitulate, trying to get him to reverse course, trying to get him to help the Department of Defense when the Department of Defense hid from him what they were going to do, then undercut Federal law in the process, that is not fair. That is what this is about. That is what you are trying to do.

I am happy to stand with Senator TUBERVILLE in defending his rights. On that basis, I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, by refusing to confirm nominations to positions of vital importance within the DOD, the senior Senator from Alabama and some of his colleagues continue to risk our military readiness and our national security. And they continue to deny patriots, who have voluntarily served our country for decades, the promotions they have earned as a means of trying to influence policy through extortion, instead of through legislation or oversight.

I call on all my colleagues to join me in opposing the actions of the senior Senator from Alabama for the sake of our military readiness and for those who serve.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, to the extent any one of these nominations—or

all of them taken together—to the extent military readiness is invoked, implicated, is threatened, challenged, by all means, let's figure out a workaround. By all means, let's have the Department of Defense realize that as this policy debate happens, it should be the very last entity putting American national security at risk.

So if that is what this is resulting in, then the Department of Defense, with all due respect, needs to stand down on this until such time as this can be debated and discussed.

The fact is that every single year—every single year—the Department of Defense has the luxury that very few other branches have in that we devote an enormous amount of time to debating a policy bill—every year, year after year, going back for the last half century—the National Defense Authorization Act. This is the kind of thing that, if it is going to be addressed, if they want a change of law, then that change of law ought to be pursued on the floor of the Senate.

The National Defense Authorization Act would present an opportunity for the Department of Defense to pursue that change. It can do it that way. It can do it in a stand-alone bill if it wants to. What it may not do is change the law on its own.

So, look, to the extent that this implicates military readiness—which let's just take those words on their own face—that seems to me that should apply with at least as much force, if not a "for sure" to the Department of Defense rather than to Senator TUBERVILLE. It is the Department of Defense that is asking for his help. It is the Department of Defense that is using Federal funds to facilitate the performance of abortions.

If anyone is threatening national security, it is not Senator TUBERVILLE. And if these are threatening America's national security, particularly those you have identified, bring those to the floor. We have procedures to do that. It takes time.

I understand, perhaps, that is not what this Democratic majority of the Senate wants to do. That is the Democratic majority's prerogative. But that being the prerogative, they can't all of a sudden put that on Senator TUBERVILLE.

Finally, as to the suggestion that Senator TUBERVILLE is extorting anyone—extortion, of course, is a crime. That is a really inappropriate reference to use here, but let's go with it for a second for purposes of this discussion. Who is extorting whom? Who is it that receives all this money and then goes about saying: We are going to change the law. Now, it is up to you to help us make sure that every one of these people gets a promotion.

If you are going to use that term, you have to realize it cuts both ways. I don't think it has any place on the floor. But if you are going to use it, it swings both ways. And it may well hit you.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am going to yield to my colleague from Hawaii in just one moment.

I would like to clarify—because I am a member of the Armed Services Committee, as Senator TUBERVILLE is. We work together on a lot of issues. I will support his right, as part of the NDAA process, to raise this issue as an amendment to the National Defense Authorization Act.

As my colleague from Illinois has rightly suggested, and I think we can all agree, that is a clear forum to raise any issue. We disagree—deeply disagree—on this one.

And there are many votes on the NDAA through the markup session that we will conduct over not just several hours but several days. And every year, we report out from the Armed Services Committee—in the 12 years I have been on it—consistently, a bipartisan measure. There may be a couple of no votes, but it is deeply bipartisan. We can work together on our national defense.

Blocking these nominations is contrary to that spirit, in my view, because it, basically, prevents us from moving forward with vital leadership in the U.S. military if there is bipartisan support to advance. So I am hoping that, again, my colleague from Alabama, whom we work with on many issues, will simply take that forum as a way to move forward.

I yield to the Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, earlier today, every Member of this body received a briefing on the ongoing threat Iran presents to our national security and that of our allies around the world. It was a stark reminder of the serious challenges and threats the United States and our allies face around the world. It also underscores the importance of ensuring our military is ready and able to respond to any threats that may arise.

Right now, though, one Senator is willfully undermining our readiness. I happen to chair the Readiness Subcommittee on the Armed Services Committee. Our servicemembers can only do their jobs if they are in place to do so, and, right now, the Senator from Alabama's hold on 196 general and flag officer promotions is preventing these brave men and women from entering new roles in which they are urgently needed.

Since March, the Senator from Alabama has refused to allow movement on any of these promotions, depriving our military of critical leaders in key posts around the globe. Among the nearly 200 promotions currently on hold is the next commander of Naval Sea Systems Command, who is responsible for overseeing the Shipyard Infrastructure Optimization Program, a critical infrastructure investment in our public shipyards in Hawaii and across the country.

The blanket hold also includes the Director of the Defense Logistics Agency, or DLA. DLA oversees the defense supply chain for all services and will be essential to the safe defueling and closure of the Red Hill Bulk Fuel Storage Facility on Oahu, a leak which impacted over 90,000 people living on Oahu.

The Senator from Alabama is also holding nominees to command the Fifth and Seventh Fleets, which are responsible for deterring threats from Iran and China, respectively. For any Member of this body to willfully degrade the readiness of these units is, in my view, unthinkable irresponsible.

To be clear, these are not controversial nominees. These are decorated, patriotic men and women who have devoted their adult lives to serving our Nation and who wish only to continue doing so.

My colleague from Alabama is placing a blanket hold on close to 200 promotions in the DOD because he disagrees with DOD's commonsense, humane policy to allow travel for servicemembers seeking reproductive services.

Thousands of servicemembers are posted in States that do not allow them to receive reproductive services necessitating this travel. This is a policy my colleague objects to, resulting in his hold on these promotions.

The travel policy does not include paying for abortions. How many times must this point have to be made? Why do my colleagues on the other side of the aisle continue to read into the policy that which is not there?

Nowhere does the policy allow the DOD to pay for abortion. There is no language in this policy that talks about facilitating the provision of abortion. Show me this language. You can't because it is not there. This is a travel policy for reproductive services.

So my colleague from Alabama is more concerned with pushing his ideological agenda than with the realities our troops face, even if that means depriving servicemembers of critical healthcare.

In addition to undermining our national security, this reckless hold is creating chaos for these servicemembers, many of whom will have to relocate their families and put their children in new schools.

These promotions are carefully timed to ensure critical positions don't go unfilled, and also that the servicemembers and their families can transition into new homes and schools with as little disruption as possible.

Beyond being reckless and fundamentally ill-informed, the Senator from Alabama's—I consider it a stunt; it is a slap in the face of our servicemembers. They should be able to do their jobs without political interference, without someone putting their ideological agenda ahead of the need for us to make these decisions.

For the sake of our servicemembers and our country, we need to end this

dangerous blockade. That is why, in a moment, I will be asking the Senate to confirm Calendar No. 85. If confirmed, this nominee would command the Navy's Seventh Fleet, which at any given moment has almost 75 ships and submarines and over 27,000 sailors and marines, operating and in contact with both the Chinese and Russian Navies.

Encompassing many allies, partners, and competitors, the Pacific and its forward-deployed fleet should not be left without its appropriate commander.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 85; that the Senate vote on the nomination without intervening action or debate; that, if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nomination be printed in the Record; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, I rise to object. I continue hearing about this word "readiness" from my colleagues.

We have had a law in place for nearly 40 years. The law provides taxpayer-funded abortion in case of rape, incest, or threat to the life of the mother. Nobody, in 40 years—nobody—on either side of the aisle has complained about this. This was a bipartisan consensus 40 years ago.

The law was not affected by the Dobbs decision. The Dobbs decision did not apply to Federal military installations.

On July 8, 2022, just 2 weeks after the Supreme Court ruling, the Biden administration said they needed to expand abortion to counteract the Dobbs decision. By memo, they said the VA would pay for abortion travel and time off. By memo, they said HHS would pay for late-term abortions. By memo, they covered all Federal workers, and they acted to expand abortion at the Pentagon.

The Pentagon is now giving servicemembers and their dependents reimbursements for travel and additional paid time off for elective abortions.

We are not talking about cases of rape, incest, or threat to the health of the mother. Despite what some of my colleagues have said, we are talking about elective abortions. Despite what some of my colleagues have said, that is what this is all about.

Ordinary servicemembers get 30 days off a year—30 days off. Under this policy, servicemembers who get abortions would get 30 days off plus an additional 3 weeks. Servicemembers who get abortions get paid more time off than servicemembers who do not get abortions.

The Pentagon is spending money without the consent of Congress. This money was never authorized. It was never appropriated. Nobody voted for

this. Even my friend from Connecticut didn't vote for this policy. The Democrats' strongest abortion supporters never voted for this. Nobody voted for this, and now Senators are down here defending this.

They are outsourcing the work of the U.S. Senate. Follow the law or change the law in this building.

That is the reason I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Colorado.

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nominations en bloc: Calendar Nos. 46 through 52, No. 82 through No. 107, No. 110 through No. 113, No. 133 through No. 139; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, again, when faced with a problem, the Department of Defense has decided to anoint itself a lawmaker, even though it is not in charge of making laws. It doesn't have that power. That power is reserved to us—to us exclusively—under article I, section 1 and article I, section 7.

So if Secretary Austin wants to make laws, he should run for the Senate or he can run for the House. But he can't do this from his perch as Secretary of Defense. That doesn't work in our system of government.

So here again, we are being asked to consider national security implications of these advancements and of any delay that might be caused as a result of the Department's unwise decision to try to remake abortion law, to try to rewrite laws restricting the use of Federal funds in facilities within the Department of Defense for abortions.

I have another idea. I have an idea about how we might resolve this. I can't speak for Senator TUBERVILLE, but I can speak for what I could advocate for Senator TUBERVILLE. I can speak for what I suspect Senator TUBERVILLE would seriously consider.

We can deal with all this right now. We could probably get all of these folks confirmed tonight if they will just do one thing. This would be a nice compromise position. I suspect he would withdraw his objections and we could get everybody confirmed if the Department of Defense were to suspend this policy. Suspend it and say: Do you know what? You are right. We should have addressed this legislatively. We will bring it up in connection with the Defense Authorization Act.

You know, they may well be able to get the votes in the Senate to do that. I am not here to prejudge that position, but that would be the appropriate

way of doing it. And that, by the way, would allow my friends on the other side of the aisle to accomplish what they want, and really to accomplish what Senator TUBERVILLE wants, which is to get these folks confirmed.

But what he is not willing to do is ignore the fact that they are rewriting the law to their own image, to their own liking, to their own political preferences. That is not something they can do, and that is certainly not something they can ask us to play a part in doing.

Senator TUBERVILLE is standing on principle. He is standing for the law. He is standing for the principle that we understand. The American people, while sharply divided on many issues related to abortion, are united—overwhelmingly united—on the fact that we do not use taxpayer funding for abortions. That is what they are doing here.

So you want to get these folks confirmed? We can get them confirmed tonight, but the Department of Defense needs to suspend this until such time as it can get the law changed through Congress.

If that is on the table, I would love to discuss it. I would love to advocate to Senator TUBERVILLE on behalf of that, if you are willing to consider it. But that is not on the table at the moment, and on that basis, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Colorado.

Mr. BENNET. Mr. President, I think this is now the fifth time that I have been out here with the Senator from Alabama. We started this off some time ago, and we obviously have a profound and fundamental disagreement here. You know, I am deeply worried about this because I don't think this is actually about the Senators who are here. It is about people serving in our Armed Forces. It is about people living in the United States of America, and it is about some really fundamental things that have changed in the United States.

The Senators on the other side of the aisle, tonight, have been talking about a 40-year consensus about the funding of abortions by the Federal Government, which is not actually even at issue in this discussion because that is not part of the rules that have been changed.

I think that even the Senator from Utah's language here suggests that he knows that about the rules that have been proposed by the Department of Defense.

But the reason we are on this floor again is that the Senator from Alabama has said he will never compromise, and there is nothing that can convince him to change his mind, that he will be out here as long as it takes.

And let's ask the question: What is he defending? What is he defending? His position is that we shouldn't pay a travel allowance for members of the armed services who are going from a

State that banned abortion to a State where they can get reproductive healthcare. He is against that, so he is holding up every single flag officer in the United States of America as a result of that—a tactic that has never been used in the history of the U.S. Senate in 230 years or more than that. That is what he is using because he is so offended that people can have their travel covered for this procedure.

He has never come here to object to the fact that people can get their travel covered for all kinds of medical procedures, even though none of those procedures are written into the underlying statute by the U.S. Congress because that is not our job. We delegate that to the Department of Defense.

So he is going to be out here, and he is going to fight this until there is no travel allowance for people who need to travel. They have to cover it on their own dime, just like they have to cover that reproductive surgery or abortion on their own dime, despite what the Senator from Alabama said. He is going to be out here until it all freezes over, until he ensures that—you just heard him say it—anybody who leaves has to take paid leave.

Let's be precise about it. Women who leave to travel to another State where an abortion is legal, under his scenario, will have to pay for that travel themselves even though we pay for that travel for all kinds of other things. He will be out here fighting this, making sure that not a single flag officer can ever be promoted in the Department of Defense, no matter who it is, no matter how important it is, until he is assured that women in the Defense Department are stripped of the ability to have a little bit of extra time to talk to their commanding officer when they are confronting one of the most difficult decisions anybody can make.

Those are the three rules that are at issue here—travel that is paid for, a little bit of extra time, and some paid leave.

Why are we having this debate? We are having this debate because for the first time in the history of the United States since Reconstruction, we have lost a fundamental freedom, we have lost a fundamental right, and that is the result of the Dobbs decision.

People come out here, and they are talking about a 40-year consensus on this or that. We had a 50-year consensus in this country about a woman's access to abortion. We had a 50-year consensus among the courts and among the American people about what a woman's right to choose looked like. And we had a 40-year campaign, year after year after year, to create a U.S. Supreme Court—a majority of whom subscribe to, in my opinion, the mythological legal doctrine of originalism—to strip the American people of that right, to strip the American people of that freedom, because if it wasn't a freedom in 1868, it is not a freedom today. That has dramatically upset the expectations of the American people, including those who serve in uniform.



Tragically, in my opinion—and this is one of those things where people can have fundamental moral disagreements and fundamental religious disagreements and fundamental positions that are totally different from one another, which I completely respect. I resolved these things in my own mind with the idea that this is a decision a woman should be left to make with her doctor. That is what I believe. But in the wake of this decision that was fought for for so long by so many politicians in America—50 years or more than 50 years—we have now lost that fundamental freedom. We have now lost that fundamental right. It is no longer a choice between a woman and her doctor.

In the wake of the Dobbs decision, there are 18 States that have now banned abortion—18 States. There are nine States—I just got a thumbs-up on the other side from the staff—there are nine States that have banned abortion without any exception for rape or incest.

The Senator from Alabama's State is a State that has banned abortion. It is a State where there is no exception for rape or incest. It is a State where, if you are a doctor and you have performed an abortion, you could go to jail for 99 years.

My State is totally different from that. My State is the first State in America, I think, that codified a woman's right to choose before Roe was even decided, in our State. In the aftermath of the Dobbs decision, we are the first State to say that we believe this should be a choice between a woman and her doctor.

We are going to fight that out in the country. A majority of people support the position that Colorado has taken. Fifty-five percent of the people in Alabama support the ability of women to be able to make this choice under some circumstances. Yet the Senator from Alabama has decided that his remedy can force his view of morality and of principle. His perspective is that he is going to do something that no Senator has done for 230 years, which is to hold up every flag officer's promotion in the Department of Defense.

Last week, seven former Secretaries of Defense, Republicans and Democrats, said that this block is "harming military readiness and risks damaging U.S. national security." I am not saying that. I am not saying that. Seven former Secretaries of Defense have said that.

Mr. President, I would ask unanimous consent that the letter be printed in the RECORD so everybody can see that it is both Republicans and Democrats who are saying that about the unprecedented hold being put here by the Senator from Alabama.

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

LETTER FROM SEVEN FORMER UNITED STATES SECRETARIES OF DEFENSE

MAY 4, 2023.

Hon. CHUCK SCHUMER,  
Senate Majority Leader,  
U.S. Senate, Washington, DC.  
Hon. MITCH MCCONNELL,  
Senate Minority Leader,  
U.S. Senate, Washington, DC.

DEAR LEADER SCHUMER AND LEADER MCCONNELL: As former Secretaries of Defense, we strongly urge the Senate to act expeditiously on the nearly 200 nominees for general and flag officer who are being blocked from Senate confirmation.

The blanket hold on the promotion or reassignment of these senior uniformed leaders is harming military readiness and risks damaging U.S. national security. Because the Senate is required to confirm every general and flag officer for promotion or for reassignment, this practice has traditionally been a pro-forma exercise, except where there have been specific concerns about individual nominees, which were then handled separately.

The current hold that has been in place now for several weeks is preventing key leaders from assuming important, senior command and staff positions around the world. Some are unable to take important command positions, such as leading the 5th Fleet in Bahrain and the 7th Fleet in the Pacific, which are critical to checking Iranian and Chinese aggression, respectively. Others include the next military representative to NATO, a post essential to coordinating allied efforts in support of Ukraine, as well as the future Director of Intelligence at U.S. Cyber Command. Leaving these and many other senior positions in doubt at a time of enormous geopolitical uncertainty sends the wrong message to our adversaries and could weaken our deterrence.

Moreover, if this blanket hold is not lifted, nearly 80 three- and four-star commanders who are ending their terms in the coming months will not be able to be replaced. Worse, this will impact certain members of the Joint Chiefs of Staff, including the Chairman of the JCS.

There are also real-world impacts on the families of these senior officers. Most cannot move and resettle their families; their children cannot enroll at their next schools on time; and spouses cannot start new jobs at the next duty station. We can think of few things as irresponsible and uncaring as harming the families of those who serve our nation in uniform.

We appreciate that Senators can have sincere and legitimate concerns about a Pentagon policy, including as it may relate to broader domestic or social issues. These lawmakers also deserve timely and thorough responses to their questions. However, we believe placing a hold on all uniformed nominees risks turning military officers into political pawns, holding them responsible for a policy decision made by their civilian leaders.

Rather, senators should leverage the numerous means available to them to challenge and change DOD policy, such as introducing legislation, conducting oversight hearings, or amending the annual National Defense Authorization Act.

We, therefore, strongly urge the Senate to ensure the continued readiness of the U.S. armed forces by lifting the blanket hold and promptly voting to confirm these uniformed nominees.

Sincerely,

Hon. WILLIAM J. PERRY,  
Former U.S. Secretary  
of Defense.  
Hon. WILLIAM S. COHEN,

Former U.S. Secretary  
of Defense.

Hon. ROBERT M. GATES,  
Former U.S. Secretary  
of Defense.

Hon. LEON E. PANETTA,  
Former U.S. Secretary  
of Defense.

Hon. CHUCK HAGEL,  
Former U.S. Secretary  
of Defense.

Hon. JAMES N. MATTIS,  
Former U.S. Secretary  
of Defense.

Hon. MARK T. ESPER,  
Former U.S. Secretary  
of Defense.

Mr. BENNET. I also want to say finally, and I will stop, that the rules the Department of Defense has had to put in place in the wake of the Dobbs decision stripping women of this fundamental freedom, stripping women of this fundamental right—these rules don't do what my colleagues are saying they are going to do.

Once again, it is a travel allowance. It says you can take paid leave. It says you can have a little bit more time to notify your commanding officer. That is all it is saying. My colleague from Alabama has unleashed the equivalent of this procedural nuclear weapon because that offends his principles, that offends his sense of what is right.

I am not here to debate with him his sense of what is right, but I do believe that it is right that people who are serving in the Armed Forces of the United States of America, people who have enlisted to defend this country, who do not have the right to pick and choose which State they are going to be in and serve in, whether it is—of all people in this country, of all people in this country—I have heard people say—in fact, I even heard the Senator from Utah say this; I have read him saying this—that one of the great things about living in America is that you can move from State to State. That is one of the great things of our federalist system, is you can take advantage of the laws that are consistent with your values and get away from the ones that are not. That is not true for our men and women in the military.

This is one of the practical consequences that the Dobbs majority never grappled with because they applied their view of originalism to the fundamental—to the issues we are facing today as a country.

The very first call I got after that decision was made—almost the first call—was from a woman who had served as an officer in the Air Force who told me a personal story that she had been through. She said to me: Michael, they have no idea what the effect of readiness is going to be on our Armed Forces. They have no idea.

I don't think they would have ever believed that it would have been Members of the U.S. Senate who would have affected the readiness in the wake of Dobbs the way that it is being done tonight.

So I would ask respectfully for the Senator from Alabama to withdraw his

hold, to allow the Senate to move forward, as it has done for the last 230 years, to approve these candidates who have themselves signed up to serve and themselves done the work to get promoted. Let's have the argument that we need to have as a nation—that we need to have as a nation—about this fundamental freedom and about this fundamental right without holding our Department of Defense hostage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the thoughtful insight provided by my friend and colleague, the distinguished Senator from Colorado. In particular, I appreciate his acknowledgment that issues related to abortion really involve deep and profound areas of fundamental disagreement among and between Americans.

I also appreciate his acknowledgment that this really is about Dobbs; it really is about abortion. This didn't arise in a vacuum.

I also appreciate his reference to federalism. He knows me well, and he knows that I am a fan of federalism, this concept that there are 50 States that have united for common purposes related to our national defense; weights and measures; trademarks, copyrights, and patents; regulating trade or commerce between the States and with foreign nations and with Indian Tribes; and a handful of other purposes, but then we leave the rest of the governing to the States.

We come together in the same manner articulated by the Iroquois Indian Chief Canassatego from the Onondaga Tribe, who at a conference in Albany explained to early Americans the secret to the Iroquois Confederacy's longevity, to its peace, to its security. The Tribes came together. When they were united, they couldn't be broken, but each one maintained its independence.

A quiver of arrows bound together is almost impossible to break. One arrow by itself can be broken easily. It is that same vision—largely unheard of in the rest of the world—that helped create a uniquely American experiment in self-government. This has been the recipe to our success, to our longevity as a constitutional Republic, to our ability to exist as now 50 separate States with different opinions.

There are great consequences to moments when we take debatable matters—matters of profound and fundamental disagreement, as described by my colleague—and we place them beyond debate. This is precisely what happened some 50 years ago when the Supreme Court of the United States arrogated to itself at once the power of lawmaker and the power of constitutional draftsman. You see, what they did was they took away the power from the 50 respective States to decide these issues of profound and fundamental disagreement regarding the sanctity of life: when it begins, when unborn human life deserves protection of the law and when it does not.

Oh, yes, last year, the Supreme Court of the United States finally undid that usurpation of constitutional authority. They were acting as lawmakers. It was not their role. They were taking something Federal, relegated to the States. It wasn't theirs. Even if it were a Federal issue, it wouldn't be theirs to make law in this area because there is absolutely nothing in the Constitution of the United States that makes abortion something to be decided at the Federal level by nine lawyers wearing robes, sitting at the Supreme Court of the United States. Not one jot, not one tittle, not one syllable pertains to that. So the Supreme Court of the United States was right in making that decision.

I understand that my friend and distinguished colleague, the Senator from Colorado, disagrees with me on that front, as is his right. Importantly, however, this debate is not about that. This debate doesn't even deal with abortion. It doesn't deal with whether or under what circumstances the law should allow a woman to pursue an abortion. I have strong feelings about that that differ sharply from those of my friend and colleague from Colorado, but that is not what we are talking about here.

What we are talking about here is that the American people recognize that this is an issue that sharply divides Americans—an issue that my colleague describes as a matter of profound and fundamental disagreement. What does unite them is the idea that Federal taxpayer dollars shall not be used for abortions.

This is codified elsewhere, in the Hyde amendment, in the Mexico City policy. It is codified in matters particular to the Department of Defense in 10 U.S.C., section 1093. That is what we are dealing with here.

We can't make the mistake of accusing Senator TUBERVILLE of trying to impose his morality or his conception of under what circumstances a woman ought to be able to obtain an abortion. I believe Senator TUBERVILLE's views on that are similar to mine, but those are not at issue here. What is at issue here is whether taxpayer dollars from U.S. taxpayers ought to be spent in this area.

My colleague also suggested that this is somehow not different from what we do in other areas. There are all kinds of medical procedures for which members of the military can travel from one State to another in order to obtain those procedures. Understood. But those aren't the procedures at issue here.

This is specific to abortion. We are specifically creating measures for abortion—not for appendicitis, not to have bunions removed, not for other procedures. It is for abortion.

What you are doing here is to say we will pay your travel. We will give you a per diem. We will give you 3 weeks of paid leave time. You don't have to use

your accumulated leave time in order to do that.

That is unique to abortion. That means they are paying for abortion.

So, no, I am not willing to concede, and I have not conceded, that the law has no application here. I believe it violates the spirit—if not also the letter—of the law. It certainly violates the spirit but, inarguably, the letter.

When there is a Federal law that says you may not use this for abortion, if you use it for things that are entirely around abortion—we will pay for your travel out of State to get the abortion; we will give you additional leave time with an attached value to it; we will give you per diem while you seek that abortion—that is about abortion.

Imagine a young college student—a young college student who has something that every college student probably wishes they had, a rich uncle. Imagine there is a college student. We will call him Bill. Bill has got a rich uncle. We will call him Thurston—Thurston Howell III. Thurston Howell III has got an enormous amount of money—more money than he knows what to do with. He is what you might call a gazillionaire. He says to his nephew Bill: Bill, I don't have any kids. You are the only one who is going to be able to carry on the family name. You are attending my alma mater, and I want you to live in style. I want you to enjoy life. I am going to pay for your tuition. I am going to pay for your room and board. In fact, not just your housing, I am going to buy you a house located close to the campus where you can live in style. I will get you a car, pay your healthcare expenses, and everything. I am going to do all of this for the rest of the time you are in college.

Bill, you see, is in his first semester, about to wrap up the first semester. So he is excited about all he is about to gain.

But his uncle, Thurston Howell III, imposes one restriction on those funds. He says: Now, I know that you have pledged with and are now a member of the Sigma Beta Fraternity. And the Sigma Betas at this university are known for one thing. They are infamous. Everybody knows they throw really big, exciting keg parties, drunken frat parties. They love those things.

So Mr. Howell says to his nephew, Bill: Look, as a Sigma Beta, you are going to do what you are going to do. That is your decision. I am not going to tell you that you can't drink while receiving money. But I am going to say this: You may not use my money for your drunken frat parties. And, by the way, I want you to submit quarterly receipts to me so I can review what you are doing.

Well, the first quarter of the next semester goes by, and Thurston Howell III is reviewing Bill's receipts. He is aware that some huge keg parties have been thrown. He has heard that the latest of them happened to be carried out in the house that he bought for his



nephew Bill and that there was a lot of alcohol served there, just as there is at every Sigma Beta party. Then he sees in the receipts—receipt after receipt—one for invitations, one for streamers, one for various forms of video entertainment that they had set up there, a big expense for a lot of red cups, and even an expense line for ping-pong balls, you know, for beer pong.

He goes to Bill, and he says: What have you done? I have asked you not to use this for your drunken frat parties. I don't want to be paying for your alcohol-filled ragers.

Bill says back to him: Well, no, every other member of the fraternity paid for the alcohol. I just paid for the invitations and the streamers and the red cups and the ping-pong balls and the video entertainment system and the DJ.

I don't think Thurston Howell III would be all that convinced that Bill hadn't violated the terms of the support agreement.

Now, sure, Bill could argue with him all along. He could say: No, you are wrong, Uncle Thurston.

It doesn't make Uncle Thurston any more inclined to go out of his way to continue to provide that funding. If anything, what we are dealing with here is far clearer than the restriction placed on Bill in my hypothetical.

Congress has said unequivocally: We are not going to use Department of Defense funds, we are not going to use Department of Defense facilities for abortions.

That is what the Department of Defense has done. It is a policy change, and a policy change that my friend from Colorado has acknowledged is a policy change. He believes it is justified somehow by the Supreme Court's decision in *Dobbs*. He is welcome to that opinion, but it is not accurate.

There is no clause in there that says that there is an exception if the Supreme Court changes its jurisprudence with regard to *Roe v. Wade*, *Casey v. Planned Parenthood*, and their progeny. Not a jot, not a tittle, not a scintilla supports that.

So, now, unhappy that some of these nominees aren't moving, Secretary Austin sends his emissaries, sends his friends in the Senate to go and attack Senator TUBERVILLE. Why? Because Senator TUBERVILLE is standing up for what the law says.

He is not trying to impose his morality on women in the military—far from it. He is just trying to impose the law, to make sure the law is followed, and that when the law is not followed, he is not going to help the Department of Defense move things any faster. That is well within his right to do, and I applaud him for it. We need more of that very kind of courage in the U.S. Senate.

As the Supreme Court has learned—as we have all learned from that experience—we don't end these profound and fundamental disagreements by taking debatable matters beyond de-

bate. That is what the Supreme Court tried in *Roe v. Wade*, and it failed, especially because it was untethered from the Constitution and fundamentally at odds with it.

This effort here to rewrite the law from the E-Ring of the Pentagon will fare no better.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, the hour is late, and I am conscious that we are supposed to get off the floor. I know the staff needs to go home. So I won't belabor this.

I will say that I will put to one side, and I am sure that my colleague, my friend from Utah, would agree, that we are not talking here about a drunken frat party and the fortunes or misfortunes of an ungrateful student and their rich uncle. We are talking about people that, in real life, are having to make decisions that are the most fundamental decisions that any individual can make.

They have had 50 years' worth of expectations about what those decisions are going to look like, and those expectations have been completely upset by the Supreme Court, first, when this originalist majority ruled that if it wasn't a freedom in 1868, it is not a freedom today. It is something that, when I was in law school, I never imagined that I would ever have read out of a Supreme Court opinion, certainly not on something of this magnitude.

But then in the wake of it, 18 States banned abortion. In the wake of it, nine States banned abortion without exceptions for rape or incest. In the wake of it, in Alabama, they are saying that if doctors use chemicals for abortion, they can be prosecuted with a statute that was written to attack fentanyl or methamphetamines. And in the wake of it, Members of the U.S. Senate come to this floor and use a procedure that has never been used before in the history of America to hold up every single flag promotion just to make sure they can make it harder for somebody who is facing the most difficult decision that they can ever make; to make it harder for them to decide when they are going to talk to their superior officer; to make it harder for them to travel somewhere where, yes, they have to pay for that abortion out of their pocket; to ensure that you have to use paid leave to do it; that that is such an injustice that we are going to come out here and hold up every flag officer's promotion.

Some people, after this ruling—I never heard the Senator from Utah say this, and I am not ascribing this to him. But there were people after that ruling who said: Don't worry about this. You don't have to worry about this. This is just States' rights. It is the laboratory of the States. It is going back to the States.

And 18 States have banned abortion, and many of those States are States where people in the armed services serve. They have no choice over where they serve.

I am not the originalist on this floor tonight, but I can read the plain language of those regulations, and I could see from that plain language that there is nothing in there that pays for abortion.

There was no objection out here on this floor when somebody at the Defense Department put in procedures, as the Senator from Utah says, for appendicitis or for bunions or for whatever is on his list. There was no objection. There was nobody coming here to the floor indignantly saying that their rights as a Senator had been somehow stripped as a result of that rule-making—far from it, because people recognized that in order for the Department of Defense to function just like any other administrative Agency, they have to be able to make decisions based on delegated powers from the U.S. Congress. And in the face of what has happened with the *Dobbs* decision, the Defense Department is trying to get to a place where there is a reasonable outcome for people who have to make this decision.

I think there is a lot of benefit to federalism, but one of those benefits ought to be that, if you are serving in the Department of Defense and the Department of Defense assigns you, as is the Department of Defense's right, without your permission or without your say-so, without your OK, that it is reasonable for the Department of Defense to notice when you are living in a State that has banned abortion with no exceptions for rape or incest. It is reasonable for the Department of Defense to notice that you are living in a State where, if you are a doctor and you performed an abortion, you could go to jail for 99 years or, if you are living in the "Republic" of Texas, where they have actually put a bounty of \$10,000 or \$20,000 so that, if a neighbor or a friend turns you in for pursuing reproductive healthcare—an abortion—you can get that money because you let somebody know that you have done that.

I mean, I admit this has all changed because of *Dobbs*, and now we are trying to grapple with that. We are all trying to grapple with that, and we all have differences of opinion about that.

But I think what we are saying is, don't make a difficult situation even harder for the people who have signed up, volunteered to be at the Department of Defense; don't create more uncertainty at the Department of Defense by holding up these flag promotions just to get your point of view, just to be able to make sure that it is harder, not easier, for people to access reproductive healthcare.

And I think that is why, when the Senator from Alabama says that nothing is going to convince him, that he is going to be doing this as long as it takes, I am really worried that that is going to take forever because the majority, certainly, of the American people are not going to agree that we should make it harder for people who are in this position.

And by the way, just on the other point about what the Federal law actually says here: We voted, I think, the other day, if I am not wrong, on a CRA—or whatever those administrative things are around here—because the Senator from Alabama was angry that the VA had changed the exceptions for providing abortion from just the life of the mother to situations where there is rape or incest. He was so angry at that, he came out here to address that.

So don't think this isn't about that subject, that this isn't about a woman's right to choose. That is exactly—that is why these guys are out here. I am not saying the Senator from Utah. That is why this objection has been made.

So I think the American people need to understand—I hope they understand—who is standing up here on this floor tonight for a woman's right to choose, for that fundamental constitutional and human right, and who is opposing. And I know that there are significant disagreements, as I said earlier, in our country about those two issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, there are myriad ways in which concerns of those serving in the military, concerns of dependents of those serving in the military, could be accommodated in a way that doesn't violate the letter, if not—or at least the spirit of the law. Among other things, the military, if it wanted to, could, without offending this provision of law or any provision of law that I am aware of, give military personnel some say in where they live.

If there is some State that, for one reason or another, whether related to this issue or another, is offensive to them; if it would, in their judgment, impair their health or otherwise be objectionable to them—perhaps just be objectionable to them on this basis—the military could, without implicating this or any other statute of which I am aware, give them some say in it, give them the ability to say “I don't want to serve there; I would like to be transferred somewhere else.” That wouldn't involve Federal funds funding or at least facilitating abortion.

So the fact that we have different States with different laws and the fact that those laws may impact people differently depending on where they happen to be living, where they happen to be serving at the time, doesn't mean that the only answer is for the Department of Defense to ignore 10 U.S.C. 1093 and pretend that nothing has changed and pretend that nothing has changed relative to its relationship to Congress.

Now, as to Senator TUBERVILLE, let's remember, he went to the Department of Defense. If I am not mistaken, he went to the Secretary of Defense himself. He outlined his concerns because there have been rumors circulating about this policy for months.

Senator TUBERVILLE, remember, is a member of the Armed Services Committee. The Senate Armed Services Committee has an oversight role—an important one—over the Department of Defense. It was his right, it was his duty to know what was going on in the Department of Defense. He inquired again and again and again, and they wouldn't tell him.

Finally, he got an audience with the Secretary of Defense and informed him, as I understand the conversation, of the fact that there would be dire consequences, including this one, if he chose to proceed. The Secretary of Defense considered that risk, and he undertook it nonetheless. He stood before the law and the wishes of a U.S. Senator and the promise of a U.S. Senator that this would be the consequence, and he did it anyway.

I can't speak to why he chose to do that, but it was, in fact, his choice; it was, in fact, his decision.

So, now, as to the suggestion that there are other procedures for which people can travel interstate and that we haven't raised objections with regard to those, those aren't covered by this policy. This one is about abortion. This one is there to say: If you want to get an abortion, then you get the 3 weeks of extra leave, paid leave; then you get the per diem; then you get the reimbursed travel. You get all of that if you are getting an abortion.

That is not there for anything else. It is not there for the treatment of other medical conditions that are common—strep throat treatment that happens to be unavailable in one area or another or—I don't know—schistosomiasis. I don't know what that is, but I heard the term on “M.A.S.H.” once. It is a real dire medical condition. Maybe you are serving in one State, and they can't treat that in one State because of that State's quirky laws. This policy doesn't offer any relief on that, no.

This applies specifically to abortion, implicating the concerns of the American people—legitimate concerns, I would add—over the use of Federal funds for that purpose. That unites Americans more than perhaps any other, and with a lot of good reason.

They are telling these military women: We are so supportive of this particular thing that we are going to pay for your travel; we are going to reimburse everything; we are going to give you a per diem and give you 3 weeks of paid leave.

I do wonder sometimes how one would feel, as a woman serving in the military, being told that. What if you are a woman who may become pregnant who wants to become pregnant? Does this create the kind of hostile environment in which a woman wanting to serve in the military and wanting to have children feels that the Department of Defense is so, so resistant to childbearing among its female service-members that it is willing to pay out a lot of money to do that?

In any event, this is not something that one can easily reconcile with the

policy embodied in 10 U.S.C. section 1093. That can be changed. There is nothing etched into the Constitution about that. Congress could change it. But to do that, you would have to have the votes. To have the votes, you would have to have some sort of legislative effort to do that. There hasn't been one here.

Why? Well, because it is a lot easier to just decree it, just pen a memo and issue the memo, saying: We are going to make it so. We are going to ignore it.

As to the suggestion that this is not something that can be compared to a drunken frat party, well, fair point; it cannot. No, it is much more serious than that. The American people don't feel so passionately about a drunken frat party that they have put in place a Federal law saying that the Department of Defense may never use funds to hold certain kinds of parties, including those involving alcohol.

This involves unborn human life. Now, I understand that not everybody approaches unborn human life and its sanctity and the degree to which it should be protected under law the same way, but that is exactly why this policy exists, and that is exactly why the policy is embodied in a Federal statute. This stands squarely in the face of that, and it disregards it.

Senator TUBERVILLE has every right and every reason to stand up for this.

The PRESIDING OFFICER (Mr. PADILLA). The Senator from Colorado.

Mr. BENNET. Mr. President, I hope we will bring this to a close, but I would first of all say that—stating the obvious—neither the Senator from Utah nor I are a woman, and I am not going to suggest that I know how people who are women in the military necessarily feel about this.

I suspect, far less often than the person whom the Senator from Utah is concerned about, which is somebody who feels like they are somehow discriminated against because they are going to carry a child to term versus somebody who is going to face this really hard, hard, hard choice, that a much more likely feeling and sense of harm will be the complete loss of any sense of privacy that they are going to have as a result of Dobbs and the effect of Dobbs and the effect of what these people are arguing tonight on the floor of the Senate about: making it harder to travel; about saying that, no, you can't have more time to talk to your commanding officer about a decision that you have to make; no, the entire unit is going to know what it is that you are going to have to confront because, unlike every other medical procedure that we are dealing with, when it is abortion, then everybody is going to know, and your right to privacy has been eviscerated.

I guarantee you, for every single person who feels the way that the Senator from Utah suggests that some people feel, like somehow they are being discriminated against because they are

not in the position to have to deal with the most difficult decision that anybody could make, that the number of people who are concerned about what this has done to the right to privacy—and this not just in the Department of Defense but in our country—is far greater, is far greater.

And I would also just say that if States' rights were of such paramount importance, that there wouldn't be people in this country right now trying to make it illegal for States to allow people to use chemicals to perform abortions, even though that is how a majority of abortions in this country are performed.

And I don't agree with the Senator from Utah that we should have a military where I can just decide, as an individual, that I am not going to serve in a State because the laws of that State are ones that I don't agree to or I don't subscribe to or I morally disagree with. That is not how the military is supposed to work.

I would argue that is a lot more important than what the Constitution has to say about weights and measures.

I suspect there is also a reason why no Senator in the history of America, on any issue of profound importance, as this issue is, has held hostage every single flag officer promotion of the Department of Defense.

I suspect there is a reason why that has never happened before—because we know the damage this is doing, and we know that sometimes, once you put yourself into a cul-de-sac, it is really, really hard to get out of it, especially when the majority of the American people don't agree with you on the substance and don't agree with your tactic. But that is where we are tonight.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the argument made by my friend and my distinguished colleague from Colorado resonates with me. He doesn't want this to be treated "unlike every other medical procedure." I couldn't agree more. That is all Senator TUBERVILLE is suggesting. It shouldn't be treated any differently than the others, because other medical procedures—you don't get 3 weeks of paid leave; you don't get per diem; you don't get your airfare and whatever else paid for. Just treat it the same way. It is not just that it is a good idea; it is not just that it is fair; it is that it is also consistent with Federal law, which says we don't use Federal funds for abortions. We just don't do that.

So here, not only are we doing the opposite of what he said he wanted, which is to not have abortions treated unlike every other medical procedure, but we are using Federal funds to do it. I find that difficult to reconcile with the law and with the policy embodied in that law.

As to the suggestion of States' rights, I want to be very clear here. Speaking of federalism—I don't speak

of this ever as States' rights. States don't have rights. States have power. They have authority. Rights are the opposite of power and authority. Rights are things that you invoke against authority, as a carve-out to that authority.

So with regard to federalism, there is no reason why someone serving in the military couldn't be given some sort of preference not to serve in a particular State, whether because of a moral objection to a State's policy or a practical medical objection. That would be an entirely permissible way, as far as I am concerned, for the Department of Defense to deal with the issue raised by the Senator from Colorado. But what they can't do is find a way sneakily to use Federal funds—Department of Defense funds—in order to bring about these abortions.

Look, it is not Senator TUBERVILLE who brought us here. Senator TUBERVILLE didn't bring us to this moment. This was a conscious, deliberate choice made by the Department of Defense, made by the Secretary of Defense, and it was an unwise one, and I am proud to stand behind him in that.

THE PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. I wrap just by saying this: I think that the choice that has been made is a practical choice that has been made in the wake of a fundamental freedom and a fundamental right being stripped from the American people, and we are not going to solve that disagreement tonight.

Mr. President, I ask unanimous consent to have printed in the RECORD names of people and the positions of these ranking officers who are not going to be promoted all around the world as a result of what the Senator from Alabama has done. That is why we are here tonight.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. We can confirm every one of those folks tonight, right now.

Mr. BENNET. Let's do it.

Mr. LEE. Do it right now. If the Department of Defense takes it off the table and says they will suspend it until such time as the Senate can debate, discuss it, and bring about the necessary change to Federal law, I will agree to that right now, and we will get them confirmed tonight.

Mr. BENNET. Mr. President, I would ask my colleague, addressing the Senator from Utah through the Chair, where in the rules there is language that says the Department of Defense will pay for an abortion. Where is it? Because it is not in the plain text, you know, and that is the basis for this objection. That is the basis for the moral objection, if there is one, and that is the basis for the offense that the Senators have taken from the idea that the Department of Defense would steal from the Senate the ability to make these judgments on their own. I can't find anything in the plain text that

says it. We checked—my office has checked again, as we have every night that I have been out here—and are assured that if a servicemember goes to another State to seek abortion services, that abortion is not paid for by the Department of Defense or by the Federal Government.

So I would ask again the Senator from Utah to show us—he can do it off the floor—where the language is that is in these rules that explicitly says that.

THE PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the statute prohibits the use of Federal funds to pay for an abortion—can't possibly be interpreted as having nothing to say about paying most of the cost associated with an abortion. By the time you pay someone to travel, by the time you pay someone to travel interstate, you give them 3 weeks of compensated leave, you give them per diem, most of the cost associated with that abortion has then been paid by the Federal Government.

THE PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. I appreciate the gloss that the Senator from Utah has put on the plain language of this statute, which clearly does not allow—if it did, he would have shown us that language.

I wish that Justice Alito and the other members of the Supreme Court who applied the originalist view that determined that because it doesn't say a woman's right to choose in the Constitution, there must not be such a fundamental right—I wish they had used the sort of statutory interpretation my colleague from Utah has chosen this evening. Similarly, with the approach to federalism, you know, it all depends on what the underlying issue happens to be.

With that, I yield the floor.

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

#### MILITARY NOMINATIONS

##### IN THE AIR FORCE

Exec. Cal. No. 46—Col. Leigh A. Swanson to be Brigadier General

##### IN THE ARMY

Exec. Cal. No. 47—Maj. Gen. Sean A. Gainey to be Lieutenant General

Exec. Cal. No. 48—Maj. Gen. Heidi J. Hoyle to be Lieutenant General

Exec. Cal. No. 49—Brig. Gen. Laurence S. Linton to be Major General

Exec. Cal. No. 50—Brig. Gen. Stacy M. Babcock to be Major General and Col. Peggy R. McManus to be Brigadier General

##### IN THE AIR FORCE

Exec. Cal. No. 51—Maj. Gen. Andrew J. Gebara to be Lieutenant General

##### IN THE ARMY

Exec. Cal. No. 52—Maj. Gen. Robert M. Collins to be Lieutenant General

##### IN THE AIR FORCE

Exec. Cal. No. 82—to be Brigadier Col. David J. Berkland; Col. Amy S. Bumgarner; Col. Ivory D. Carter; Col. Raja J. Chari; Col. Jason E. Corrothers; Col. John B. Creel; Col. Nicholas B. Evans; Col. Bridget V. Gigliotti; Col. Christopher B. Hammond; Col. Leslie F. Hauck, III; Col. Kurt C. Helphinstine; Col.

Abraham L. Jackson; Col. Benjamin R. Jonsson; Col. Joy M. Kaczor; Col. Christopher J. Leonard; Col. Christopher E. Menuet; Col. David S. Miller; Col. Jeffrey A. Phillips; Col. Erik N. Quigley; Col. Michael S. Rowe; Col. Derek M. Salmi; Col. Kayle M. Stevens; Col. Jose E. Sumangil; Col. Terence G. Taylor; Col. Jason D. Voorheis; Col. Michael O. Walters; Col. Adrienne L. Williams

Exec. Cal. No. 83—Col. Corey A. Simmons to be to be Brigadier General

## IN THE NAVY

Exec. Cal. No. 84—Rear Adm. George M. Wikoff to be Vice Admiral

Exec. Cal. No. 85—Rear Adm. Frederick W. Kacher to be Vice Admiral

## IN THE AIR FORCE

Exec. Cal. No. 47—to be Brigadier General: Col. Sean M. Carpenter; Col. Mary K. Haddad; Col. James L. Hartle; Col. Aaron J. Heick; Col. Joseph D. Janik; Col. Michael T. McGinley; Col. Kevin J. Merrill; Col. Tara E. Nolan; Col. Roderick C. Owens; Col. Mark D. Richey; Col. Norman B. Shaw, Jr.

Exec. Cal. No. 87—to be Brigadier General: Col. Kristin A. Hillery; Col. Michelle L. Wagner

Exec. Cal. No. 88—to be Major General: Brig. Gen. Elizabeth E. Arledge; Brig. Gen. Robert M. Blake; Brig. Gen. Vanessa J. Dornoefer; Brig. Gen. Christopher A. Freeman; Brig. Gen. David P. Garfield; Brig. Gen. Mitchell A. Hanson; Brig. Gen. Jody A. Merritt; Brig. Gen. Adrian K. White; Brig. Gen. William W. Whittenberger, Jr.; Brig. Gen. Christopher F. Yancy

## IN THE ARMY

Exec. Cal. No. 89—Col. Carlos M. Caceres to be Brigadier General

## IN THE NAVY

Exec. Cal. No. 90—Rear Adm. Shoshana S. Chatfield—to be Vice Admiral

## IN THE ARMY

Exec. Cal. No. 91—Col. William F. Wilkerson to be Brigadier General

Exec. Cal. No. 92—Col. Evelyn E. Laptook to be Brigadier General

Exec. Cal. No. 93—Brig. Gen. Ronald R. Ragin to be Major General

Exec. Cal. No. 94—to be Brigadier General: Col. Brandon C. Anderson; Col. Beth A. Behn; Col. Matthew W. Brame; Col. Kenneth J. Burgess; Col. Thomas E. Burke; Col. Chad C. Chalfont; Col. Kendall J. Clarke; Col. Patrick M. Costello; Col. Rory A. Crooks; Col. Troy M. Denomy; Col. Sara E. Dudley; Col. Joseph E. Escandon; Col. Alric L. Francis; Col. George C. Hackler; Col. William C. Hannan, Jr.; Col. Peter G. Hart; Col. Gregory L. Holden; Col. Paul D. Howard; Col. James G. Kent; Col. Curtis W. King; Col. John P. Lloyd; Col. Shannon M. Lucas; Col. Landis C. Maddox; Col. Kareem P. Montague; Col. John B. Mountford; Col. David C. Phillips; Col. Kenneth N. Reed; Col. John W. Sannes; Col. Andrew O. Saslav; Col. Charlone E. Stallworth; Col. Jennifer S. Walkawicz; Col. Camilla A. White; Col. Scott D. Wilkinson; Col. Jeremy S. Wilson; Col. Scott C. Woodward; Col. Joseph W. Wortham, II; Col. David J. Zinn

## IN THE MARINE CORPS

Exec. Cal. No. 95—to be Brigadier General: Col. David R. Everly; Col. Kelvin W. Gallman; Col. Adolfo Garcia, Jr.; Col. Matthew T. Good; Col. Trevor Hall; Col. Richard D. Joyce; Col. Omar J. Randall; Col. Robert S. Weiler

## IN THE NAVY

Exec. Cal. No. 96—to be Rear Admiral (lower half): Capt. Walter D. Brafford; Capt. Robert J. Hawkins

Exec. Cal. No. 97—to be Rear Admiral (lower half): Capt. Amy N. Bauernschmidt;

Capt. Michael B. Devore; Capt. Thomas A. Donovan; Capt. Frederic C. Goldhammer; Capt. Ian L. Johnson; Capt. Neil A. Koprowski; Capt. Paul J. Lanzilotta; Capt. Joshua Lasky; Capt. Donald W. Marks; Capt. Craig T. Mattingly; Capt. Andrew T. Miller; Capt. Lincoln M. Reifsteck; Capt. Frank A. Rhodes, IV; Capt. Thomas E. Shultz; Capt. Todd E. Whalen; Capt. Forrest O. Young

Exec. Cal. No. 98—to be Rear Admiral (lower half): Capt. Brian J. Anderson; Capt. Julie M. Treanor

Exec. Cal. No. 99—to be Rear Admiral: Rear Adm. (lh) Casey J. Moton; Rear Adm. (lh) Stephen R. Tedford

Exec. Cal. No. 100—Rear Adm. (lh) Rick Freedman to be Rear Admiral

Exec. Cal. No. 101—Rear Adm. (lh) Kenneth W. Epps to be Rear Admiral

Exec. Cal. No. 102—to be Rear Admiral: Rear Adm. (lh) Stephen D. Barnett; Rear Adm. (lh) Michael W. Baze; Rear Adm. (lh) Richard T. Brophy, Jr.; Rear Adm. (lh) Joseph F. Cahill, III; Rear Adm. (lh) Brian L. Davies; Rear Adm. (lh) Michael P. Donnelly; Rear Adm. (lh) Daniel P. Martin; Rear Adm. (lh) Richard E. Seif, Jr.; Rear Adm. (lh) Paul C. Spedero, Jr.; Rear Adm. (lh) Derek A. Trinque; Rear Adm. (lh) Dennis Velez; Rear Adm. (lh) Darryl L. Walker; Rear Adm. (lh) Jeremy B. Williams

Exec. Cal. No. 103—Capt. Frank G. Schlereth, II to be Rear Admiral (lower half)

Exec. Cal. No. 104—to be Rear Admiral (lower half): Capt. Joshua C. Himes; Capt. Kurtis A. Mole

Exec. Cal. No. 105—to be Rear Admiral (lower half): Capt. Thomas J. Dickinson; Capt. Kevin R. Smith; Capt. Todd S. Weeks; Capt. Dianna Wolfson

## IN THE AIR FORCE

Exec. Cal. No. 106—to be Major General: Brig. Gen. Thomas W. Harrell; Brig. Gen. Jeannine M. Ryder

## IN THE MARINE CORPS

Exec. Cal. No. 107—Lt. Gen. James W. Bierman, Jr. to be Lieutenant General

## IN THE AIR FORCE

Exec. Cal. No. 110—to be Major General: Brig. Gen. Curtis R. Bass; Brig. Gen. Kenyon K. Bell; Brig. Gen. Charles D. Bolton; Brig. Gen. Larry R. Broadwell, Jr.; Brig. Gen. Scott A. Cain; Brig. Gen. Sean M. Choquette; Brig. Gen. Roy W. Collins; Brig. Gen. John R. Edwards; Brig. Gen. Jason T. Hinds; Brig. Gen. Justin R. Hoffman; Brig. Gen. Stacy J. Huser; Brig. Gen. Matteo G. Martemucci; Brig. Gen. David A. Mineau; Brig. Gen. Paul D. Moga; Brig. Gen. Ty W. Neuman; Brig. Gen. Christopher J. Niemi; Brig. Gen. Brandon D. Parker; Brig. Gen. Michael T. Rawls; Brig. Gen. Patrick S. Ryder; Brig. Gen. David G. Shoemaker; Brig. Gen. Rebecca J. Sonkiss; Brig. Gen. Claude K. Tudor, Jr.; Brig. Gen. Dale R. White

## IN THE MARINE CORPS

Exec. Cal. No. 111—Maj. Gen. Bradford J. Gering to be Lieutenant General

Exec. Cal. No. 112—Maj. Gen. Gregory L. Masiello to be Lieutenant General

Exec. Cal. No. 113—Rear Adm. James P. Downey to be Vice Admiral

## IN THE ARMY

Exec. Cal. No. 130—Maj. Gen. John W. Brennan, Jr. to be Lieutenant General

## IN THE NAVY

Exec. Cal. No. 131—Vice Adm. Karl O. Thomas to be Vice Admiral

## IN THE MARINE CORPS

Exec. Cal. No. 132—Lt. Gen. Michael S. Cederholm to be Lieutenant General

## IN THE AIR FORCE

Exec. Cal. No. 133—Brig. Gen. Derin S. Durham to be Major General

## IN THE ARMY

Exec. Cal. No. 134—to be Brigadier General: Col. Brandi B. Peasley; Col. John D. Rhodes; Col. Earl C. Sparks, IV

Exec. Cal. No. 135—Brig. Gen. William Green, Jr. to be Major General

Exec. Cal. No. 136—Maj. Gen. Mark T. Simerly to be Lieutenant General

## IN THE MARINE CORPS

Exec. Cal. No. 137—Maj. Gen. Ryan P. Heritage to be Lieutenant General

## IN THE NAVY

Exec. Cal. No. 138—Vice Adm. Craig A. Clapperton to be Vice Admiral

## IN THE AIR FORCE

Exec. Cal. No. 139—Col. Brian R. Moore to be Brigadier General

The PRESIDING OFFICER. The Senator from Colorado.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

## NATIONAL POLICE WEEK

Mr. CARDIN. Mr. President, I rise to recognize the sacrifices and dedication of our Nation's law enforcement personnel. I am proud to cosponsor the resolution offered by Senators DURBIN and GRAHAM recognizing May 14 through May 20 as National Police Week. This bipartisan resolution recognizes the critical role that law enforcement officers play in keeping our neighborhoods and communities safe. It also calls attention to the importance of ensuring enforcement officers have the equipment, training, and resources necessary to perform their duties. Finally, the resolution pays tribute to fallen law enforcement officers, including three Marylanders whom I would like to recognize in particular. These names will be added to the National Law Enforcement Officers Memorial, located in Judiciary Square near Capitol Hill.

Deputy First Class Kenneth "Kenny" Olander served the Sheriff's Office of Frederick County, MD, for 32 years. He worked as a patrol operations deputy, school resource officer, and most recently as a community deputy. He had previously served in the Army for 6 years and worked as a military police officer. He passed away in March of 2022 after contracting COVID-19 in the line of duty. He is survived by his wife and three children.

Corporal Gregory Bednarek served with the Maryland Transportation Authority Police for 19 years. A lifelong Marylander, Gregory was born in Baltimore and attended the University of Maryland, College Park. He died from complications as the result of contracting COVID-19 in the line of duty.