

on the idea that that criticism could inflame the public against the government. But as the Revolutionary War approached, colonists began standing up for free speech. Colonial juries began refusing British requests to issue indictments for criticizing the government. They acquitted individuals accused of criticizing the government. They tossed tea into the harbor to protest taxes, and we printed publications denouncing the King. We were on our way.

We, the American people, wanted to protect the free expression of ideas, and we did so in the very first amendment to the Constitution. We protected it not just for peaceful times but especially in times of crisis or so-called emergencies. It is easy to forget how fortunate we are here in America to have the First Amendment and how terrifying it is to see how frequently now it is being violated.

Recently, government actors colluded with big tech companies—some of the biggest companies and the most powerful companies in the history of the world—to censor and deplatform individuals for not buying in to the approved narrative. Whether you agree with that narrative or not is hardly the point. The point is it is incredibly dangerous. Suppression of speech and censorship is justified now as it has always been but with a new lexicon, calling it misinformation or disinformation; but the goal is still the same: power and control.

We saw the Department of Homeland Security recently attempt to set up an Orwellian disinformation governance board. We saw individuals silenced and suspended from platforms at the government's behest for challenging the validity of mask mandates and lockdowns or for questioning the official narrative of the origins of COVID-19—for simply speaking their minds. It is not the government's job to tell us what we can hear or what we are supposed to believe. Each one of us can make those decisions ourselves—period.

This vast censorship enterprise was at the behest of some of the highest ranking government officials in the country. For example, the Surgeon General of the United States was messaging with senior Facebook executives, demanding that they censor speech more stringently. Whatever your political persuasion is, this ought to scare the bejesus out of every American. Our government is supposed to be protecting our rights and liberties, not infringing upon them. And we have to ensure that this never happens again.

As Justice Hugo Black wrote:

The freedoms [of the] First Amendment must be accorded to the ideas we hate or, sooner or later, they will be denied to the ideas [that] we cherish.

In short, we have to be willing to defend somebody's ability to say something we vehemently oppose. We must be willing to protect the rights of citizens to speak their minds free from

ensorship and fundamentally dismantle the administrative state.

I mentioned that Missouri is at the crossroads of America; but in many ways, America itself is at a crossroads. It is up to us in this Chamber—the most important legislative body in the history of the world—to address these big issues that directly impact the people we serve. We need to fight back against this censorship industrial complex from controlling what we can say and what we can hear, and we need to ensure that the great wall of the administrative state that separates the people from their elected Representatives comes crumbling down.

When I asked Missourians for their vote last fall, I promised them that I would fight for them. I believe that this is the fight, and the goal is to save our Republic and this grand experiment of self-government.

May God bless each one of you. May God bless the great State of Missouri. May God bless the United States of America.

I yield the floor.
(Applause.)

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4:30 p.m.

Thereupon, the Senate, at 3:30 p.m., recessed until 4:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. WELCH).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Ohio.

NOMINATION OF JARED BERNSTEIN

Mr. BROWN. Mr. President, I rise to urge my colleagues to join me in supporting the nomination of Dr. Jared Bernstein to be Chairman of the Council of Economic Advisers, or CEA.

Dr. Bernstein is highly qualified, with close to four decades of economic experience. He has devoted his career to working on economic policies that ensure growth reaches all Americans, fighting to make our economy fairer—something there is a lot of talk about in here but not enough action.

Since the beginning of the Biden administration, he served as a member of CEA. Before that, his experience, again, tells the story. He served in various senior-level roles inside and outside government—chief economist and economic policy adviser to then-Vice President Biden; Deputy Chief Economist, Department of Labor; a senior fellow at the Center on Budget and Policy Priorities; economist at the Economic Policy Institute—all the kinds of qualifications that feed into this job.

Dr. Bernstein is widely respected by his peers from both sides of the aisle. I want to really make that clear. Before his nomination hearing—and I chair the Committee on Banking, Housing, and Urban Affairs, from which he

came. Before that hearing, seven—seven—former CEA chairs—the only one that didn't is long, long, long retired. I don't know if he was even asked. But seven former CEA chairs, who served in Republican administrations, wrote to the committee in support of his nomination. Three of them served under President Trump.

Think of that. Seven Republican former CEA chairs—still Republicans, most of them, much more conservative than Jared Bernstein—they all wrote a letter together, initiated by one of the Trump nominees, one of the Trump CEA chairs, Kevin Hassett. He led the effort. He told the *New York Times*:

I disagree with Jared about a lot, and Jared and I have been disagreeing about things for 20 years. But he really is a fundamentally good person who tries to figure things out with an open mind, and [sometimes he] changes his mind.

That is really all you want from a CEA chair.

Again, President Trump's chief economist said that Jared Bernstein has an open mind and changes his mind. That is precisely the kind of openness to ideas from anyone, of any party or point of view, that we should all want in an economic adviser.

Despite Dr. Bernstein's years of experience, despite his impeccable credentials, and despite receiving support from seven—I believe the most recent seven—former CEA chairs serving in Republican administrations, my Republican colleagues on the Banking, Housing, and Urban Affairs Committee all voted no to Jared Bernstein.

Now, the decision to vote against his nomination is partisanship for the sake of partisanship, and I will give you an example. This sort of tells the whole story, Mr. President. The Banking and Housing Committee has a tradition of members voting for the President's pick. This isn't the Secretary of the Treasury. This isn't the Secretary of Labor. There are major disagreements. This isn't the head of the EPA.

This is essentially the President's personal economic adviser. So regardless of ideology, we support that, as I did—and I will get to that in a second—with the Trump nominees. Whom the President picks, we support in this body. It is one of the good traditions of the Senate. Not all traditions are good here. That is one of the good traditions of the Senate.

In 2017, I voted for Kevin Hassett, President Trump's nominee to serve as CEA Chair. I wasn't wild about Kevin Hassett. I liked him as a person. I wasn't wild about his ideology. He much too much believed that if you cut taxes on rich people and you give corporations all these tax breaks, it will trickle down and grow the economy.

I didn't buy that. I still don't buy that. We saw that huge tax cut. All it did was make rich people richer, make corporations move jobs overseas more quickly. It never trickles down to help middle-class workers. It never honors the dignity of work. We know that,

but, nonetheless, because the President of the United States, duly elected, picked him as his Chair of the Council of Economic Advisers and Kevin Hassett was honest, he was credentialed—he just was wrong on issues, but that shouldn't stop us from supporting for that position.

In 2021, PAT TOOMEY, the ranking member of the Housing, Banking, and Urban Affairs Committee, voted for Cecelia Rouse, President Biden's CEA nomination. The way I voted for a more conservative economist than I wanted, Senator Toomey voted for a more liberal economist than he wanted because she was qualified, she was credentialed, and she was an honest person.

Next step: The Senate confirmed both of them—Dr. Hassett's nomination, 81 to 16. I led our side of the aisle, with my fellow Democrats here, in an overwhelming—only 16 of them voted against, out of 48 or 49 then, because I stood in the committee and said: We owe this to the White House. The tradition is such in the Senate that you support the Chair of the Council of Economic Advisers.

Dr. Rouse's nomination passed 95 to 4. Senator TOOMEY did the same.

So we all used to agree in this body until somebody made it much more partisan. Never before in this nomination was there this kind of partisanship. We have agreed that the President is entitled to have his choice of CEA Chair.

I see no reason why that should change today. Dr. Bernstein's Republican peers and Democratic peers all came together and supported him. There is no reason the Senate shouldn't, in that same bipartisan fashion, vote to confirm his nomination. There are no really good reasons at all to do that.

I urge my colleagues to support Dr. Jared Bernstein's nomination to be Chair of the Council of Economic Advisers.

NOMINATION OF HERNAN D. VERA

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Hernan Vera to the U.S. District Court for the Central District of California. With his years of experience defending equal justice under law, Judge Vera will make an excellent addition to the Federal bench. He received a B.A. from Stanford University and a J.D. from the UCLA School of Law before clerking for Judge Consuelo B. Marshall on the Central District of California. Following his clerkship, Judge Vera entered private practice and focused on complex business disputes with an emphasis on commercial civil litigation and intellectual property issues. He then spent 12 years working for Public Counsel, the Nation's largest pro bono law firm, and eventually became the firm's CEO. During his time with Public Counsel, he exclusively represented low-income clients and litigated hundreds of matters involving consumer fraud, housing, employment, and other civil rights issues.

In 2020, Judge Vera was appointed to the Los Angeles Superior Court. Since his appointment to the bench, he has presided over more than 200 cases that have gone to verdict or judgment, including cases involving juvenile dependency issues and allegations of child abuse and neglect.

Judge Vera has extensive litigation experience and a proven track record of independent decisionmaking on the bench. And having dedicated such a significant portion of his career to pro bono work, he will bring a unique perspective to the Central District of California.

The American Bar Association unanimously rated Judge Vera "well qualified" for the Federal bench, and he has the strong support of his home State Senators: Mrs. FEINSTEIN and Mr. PADILLA.

I urge my colleagues to support his nomination.

Mr. BROWN. Mr. President, I ask unanimous consent that the vote scheduled at 5 p.m. begin immediately.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON VERA NOMINATION

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

Mr. BROWN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alabama (Mr. TUBERVILLE).

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 157 Ex.]

YEAS—51

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Luján	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Fetterman	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden

NAYS—48

Barrasso	Ernst	Moran
Blackburn	Fischer	Mullin
Boozman	Graham	Murkowski
Braun	Grassley	Paul
Britt	Hagerty	Ricketts
Budd	Hawley	Risch
Capito	Hoeven	Romney
Cassidy	Hyde-Smith	Rounds
Collins	Johnson	Rubio
Cornyn	Kennedy	Schmitt
Cotton	Lankford	Scott (FL)
Cramer	Lee	Scott (SC)
Crapo	Lummis	
Cruz	Marshall	
Daines	McConnell	

Sullivan	Tillis	Wicker
Thune	Vance	Young

NOT VOTING—1

Tuberville

The nomination was confirmed.

(Mr. MARKEY assumed the Chair.)

The ACTING PRESIDENT pro tempore. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

VOTE ON BERNSTEIN NOMINATION

Under the previous order, the question is, Will the Senate advise and consent to the Bernstein nomination?

Mr. MENENDEZ. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alabama (Mr. TUBERVILLE).

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 158 Ex.]

YEAS—50

Baldwin	Heinrich	Rosen
Bennet	Hickenlooper	Sanders
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Luján	Stabenow
Casey	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Welch
Fetterman	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Reed	

NAYS—49

Barrasso	Graham	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeven	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Manchin	Tillis
Crapo	Marshall	Vance
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Mullin	
Fischer	Murkowski	

NOT VOTING—1

Tuberville

The nomination was confirmed.

The PRESIDING OFFICER (Mr. KELLY). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Illinois.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate