

up the following amendments: Murray, No. 300; Kaine, No. 429; Paul, No. 222; Hawley-Vance, No. 838; Cruz-Manchin, No. 926; further, that with respect to the amendments listed above, at 3 p.m., the Senate vote on the amendments in the order listed, with no further amendments or motions in order, and with 60 affirmative votes required for adoption and that there be 2 minutes equally divided prior to each vote.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ISRAEL

Mr. SCHUMER. Madam President, later this morning, it will be my honor to join congressional leaders in welcoming President Isaac Herzog of Israel to the Capitol for a joint address to Congress.

Since the founding of the Nation of Israel 75 years ago, he has been one of America's most important allies and fiercest friends. The United States was the first country to recognize Israel as an independent state; and to this day, our bond remains strong, our partnership essential.

While we have our differences, the United States and Israel are united in the most profound ways that two nations could be. America's support for Israel must never waver because Israel will be an essential partner for the United States in the 21st century.

I look forward to meeting with President Herzog this morning, and I join congressional leaders in welcoming him to Congress.

S. 2226

Madam President, now on the NDAA, last night, the Senate began the process for floor consideration of the annual Defense bill on a bipartisan vote, 72 to 25. This morning, we locked in an agreement to begin consideration of amendments on the floor. We will begin voting this afternoon, and we want this process to be open and fair, without being dilatory.

We want both sides to have input, but neither side should derail the bill. We should avoid the chaos we saw last week in the House that greatly hindered their NDAA process.

So far, we have avoided that. The process in the Senate has been constructive and moved along at a good pace. I am pleased to say the managers' package has 51 amendments—21 from Republicans, 21 from Democrats, and 9 bipartisan. I hope there will be a second managers' package with even more priorities for both sides.

The Senate's NDAA process is an example of how, even with all our disagreements, this Chamber is able to come together to provide for our Nation's defense, take care of our servicemembers, take care of our civilian DOD workforce, and invest in modernizing our defense and intelligence capabilities. If both sides keep working together, I hope we can finish passing the Defense authorization bill before August. I think most of us would like to see that happen. There is no justifica-

tion for letting it spill into the fall. We have a lot of work to do before we get there, but we are on track to get it done.

We have every reason in the world to finish the NDAA bill quickly because there is a lot both sides can celebrate in this year's bill. Many of the NDAA's provisions might typically fly under the radar because they seem incremental, but in their totality, they make a huge difference in our country.

We will make much needed progress on additional new areas, like outcompeting the Chinese Government. We will take our first steps on AI legislation. We will boost resources in a major way to tackle the fentanyl crisis. We will strengthen the bonds with our allies around the world, especially the UK and Australia.

I hope we will have a vote on the full AUKUS package soon.

On competing with the Chinese Government, I am pleased this year's NDAA will have over a dozen amendments in the managers' package.

On the fentanyl crisis, the amendment by TIM SCOTT and SHERROD BROWN will enhance the Federal Government's ability to disrupt illicit opioid supply chains and punish those who facilitate fentanyl trafficking. This is a major piece of legislation that is going to give the President more powers to stop any country—China, Mexico—from sending the precursor materials that are made into fentanyl and kill our children.

Here is what it does: It declares international trafficking of fentanyl a national emergency—a national emergency. It requires the President to sanction criminal organizations and cartel members who traffic this drug. It will enhance the administration's ability to enforce sanctions violations. It will allow the Treasury to take special measures to combat money laundering connected to fentanyl, and much, much more.

Approving our FEND Off Fentanyl Act will be a huge win in the battle against opioids—one of the worst public health crises in the country. I thank Chairman BROWN and Ranking Member SCOTT for championing this measure.

Finally, this year's NDAA will take important steps on artificial intelligence. My amendment, which I worked on with Senators ROUNDS, YOUNG, and HEINRICH, will increase data sharing within DOD, increase reporting on AI's use in the financial services industry, create a "bug bounty program" where ethical hackers help us find vulnerabilities in our defenses, and much, much more.

The Senate process on the NDAA stands in sharp contrast with what we saw in the House. In the Senate, Democrats and Republicans worked together, mindful of the importance to preserve our national security, while the process in the House, unfortunately, was sadly delayed and at times derailed by wildly partisan and irrele-

vant hard-right amendments that have nothing to do with defense. We have not seen that so far in the Senate. We should keep it that way.

For all these great reasons for getting the NDAA done, we hope we can get it done as soon as possible. We will begin voting today on amendments, and I hope we can keep this process moving along.

UNANIMOUS CONSENT AGREEMENT—S. 2226

Mr. SCHUMER. Mr. President, I ask unanimous consent that it be in order to ask for the yeas and nays on the substitute amendment No. 935.

The PRESIDING OFFICER (Mr. WELCH). Without objection, it is so ordered.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

## RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 10:04 a.m., recessed subject to the call of the Chair and reassembled at 12 noon when called to order by the Presiding Officer (Mr. HICKENLOOPER).

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—Continued

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

ISRAEL

Mr. MCCONNELL. Mr. President, yesterday, President Biden welcomed the President of Israel, Isaac Herzog, to Washington.

Unfortunately, some of the loudest anti-Israel voices in the President's own party took President Herzog's visit as an opportunity to call the world's only Jewish state racist, and House Democrats' leftwing boycotted President Herzog's joint address to Congress this morning.

These activist theatrics are unbecoming of elected American officials, and they are a distraction from the real threats that America, Israel, and our Arab friends face in the Middle East. I hope these threats were the focus of the conversation between the two Presidents.

Of course, threats to our shared interests have grown, in large part due to the Biden administration's naive approach to the world's largest state sponsor of terror, Iran.

Over the last 2½ years, Iran has dramatically increased its nuclear activities and even rebuffed the administration's repeated begging for a return to President Obama's flawed deal.

It has consolidated influence in Iraq, Syria, and Lebanon. It funds and

equips terrorist groups dedicated to Israel's destruction, and the deadly arm of its IRGC extends right up to Israel's borders.

In the Arabian Gulf, Iranian military vessels have targeted or seized commercial vessels offshore nearly 20 times since 2021. On the Arabian Peninsula, Iranian weapons have rained down on America's Saudi and Emirati partners.

In Iraq, Tehran works directly with Shia paramilitaries that threaten Iraq's sovereignty as well as Iraq's neighbors and U.S. forces and Hezbollah, Hamas, and other terrorist groups channel massive flows of Iranian support into increasing attacks on Israeli and American lives.

Violent flareups along the border with Lebanon earlier this month have Israel's forces on particularly high alert, but as our friends face growing threats, they need more bipartisan solidarity from Washington, not performative BDS or lectures from politicians in glass houses.

Earlier this year, the President warned ominously that Israel "cannot continue down this road" in its efforts to pass domestic judicial reforms. According to reports, it is a message he intends to continue delivering to the Israeli Prime Minister in the weeks to come.

Well, Mr. President, nobody here in Congress seems to like it when foreign politicians weigh in on American domestic politics and tell us how to do our job, so I try to stay out of the domestic politics of fellow democracies.

I have confidence in the Israeli people and their democratically elected leaders, including President Herzog, whom we welcomed to the Capitol today, and Prime Minister Netanyahu, who will travel soon to Washington.

Ironically, the radical House Democrats who crowed about boycotting the President's historic address are the ones who could benefit the most from his perspective on guiding a coalition government and a diverse nation toward greater security, prosperity, and peace.

President Herzog's remarks were a reminder to anyone willing to listen that, even in the face of growing threats, Israel and its Arab neighbors continue to offer tremendous opportunities to actually promote peace.

I was in the region earlier this year, and I can assure any skeptics that the promise of the Abraham Accords is real. It is changing the geopolitical and economic climate of a region that remains extremely important to the United States.

I hope President Biden will seize on this progress and help Israel and Saudi Arabia improve their relationship—an achievable and transformational goal. Here in Congress, we have a tremendous opportunity before us to demonstrate our commitment to Israel by prioritizing American strength with the NDAA.

I hope our colleagues will continue to work swiftly to finish this essential business.

#### U.S. SUPREME COURT

Mr. President, now, on another matter, while Democrats like President Biden may not like the Israeli Government's attempts at judicial reform, they are obsessed with doing it themselves here in the United States.

For the past several months, when they are not rubberstamping radical nominees for the Federal bench, Senate Democrats have been laser-focused on pushing a coequal branch of government and bending it to their political will. To do so, our colleagues plan to steer the Judiciary Committee onto the thinnest constitutional ice.

This week, the committee will mark up what Democrats are calling the Supreme Court Ethics, Recusal, and Transparency Act. But in the interests of actual transparency, let's discuss what our colleagues' intentions here actually are.

For months now, the Justices of the Court have been the subject of an uptick in pearl-clutching and hysterics from the political left and their media allies. We have been told we should be outraged that the Justices dare to buy and sell property and take vacations, that they speak at universities and write children's books, and that their spouses dare to pursue careers of their own.

As I have said before, I believe in the integrity and honesty of each member of the Court, and the Justices and their families should continue to ignore desperate attacks peddled by Democrats and organs of yellow journalism.

But no matter which headline is chosen as a pretext on any given day, it is the same old intimidation campaign by the left to undermine the Court.

By their own example, Senate Democrats have repeatedly told the American people that the entire Federal judiciary exists for no other reason than to fulfill their changing political whims. They have threatened Justices by name from the steps of the Court and threatened the institution itself in unfriendly amicus briefs. In each instance, Democrats have signaled their open disdain for a body that refuses to interpret the Constitution through the lens of their party's platform.

They have shown how afraid they are of a Court that upholds our laws as they were actually written, and they have expressed their profound misunderstanding of the Supreme Court's purpose in our Republic.

But this week, the same Senate Democrats who recently threatened to strip the Court's security budget would like us to believe that they are driven by nothing more than the pursuit of ethics and transparency. The same Democrats who warn solemnly about defending democracy would like to shatter the independence of a coequal pillar of our government.

The partisan bill before the Judiciary Committee this week deserves neither the Court's cooperation nor any Senator's support. I would urge each of our colleagues to reject it.

The PRESIDING OFFICER. The majority whip.

#### U.S. SUPREME COURT

Mr. DURBIN. Mr. President, just about every week now, we learn something new and deeply troubling about the Justices serving on the Supreme Court, the highest Court in the land in the United States, and their conduct outside the courtroom. From unreported luxury getaways with billionaire benefactors who have business before the Court to donor-funded teaching positions that double as all-expense-paid vacations, to a political megadonor buying a home that belongs to a Justice's relative and then allowing that relative to continue living there rent-free—we have learned all of this in just a few months.

And, last week, another troubling report: According to the Associated Press, Justice Sotomayor used her taxpayer-funded Court staff to help sell copies of her book, in particular by pressing libraries, community colleges, and other public institutions to buy additional copies of her memoir and children's book in conjunction with her speaking engagements.

Let me tell you, if I or any Member of the Senate failed to report an all-expense-paid luxury getaway or if we used our government staff to help sell books we wrote, we would be in big trouble. The same would be true for Members of the House or Cabinet officials in any Presidential administration. That is because all of us are subject to enforceable codes of conduct that prohibit us from using taxpayer funds for personal gain.

But the same, sadly, is not true for the nine Justices across the street. Unlike every other Federal official, Supreme Court Justices are not bound by a code of ethical conduct.

Let me repeat that. Unlike every other Federal official, the nine Supreme Court Justices are not bound by a code of ethical conduct.

They are the most powerful judges in the entire Nation, and yet they are not required to follow even the most basic ethical standards. It is time for that to change. The highest Court in the land should not have the lowest ethical standards.

Tomorrow, the Senate Judiciary Committee, which I chair, will consider legislation I have joined Senator WHITEHOUSE in introducing known as the Supreme Court Ethics, Recusal, and Transparency Act, or SCERT Act. Our legislation would require the Supreme Court to adopt an enforceable code of conduct. It would also add new recusal and transparency requirements to Federal law. And these requirements would apply to every Justice, no matter which President of which political party appointed them, or their ideological views notwithstanding.

I wish this legislation were unnecessary. The fact is, the Chief Justice of the U.S. Supreme Court, John Roberts, could clean up the Supreme Court's ethical challenges on his own, and for

years I have encouraged him to do just that. It was more than 11 years ago—more than 11 years ago—when I first urged the Chief Justice in writing to adopt a binding code of conduct, but he didn't accept my suggestion.

And what has happened in the years since? I will tell you: Sadly, the American people's confidence in the Supreme Court has cratered. Public support for the Court is at an alltime low.

So if we are set to restore the public trust in our Nation's high Court, we must begin by enacting the legislation that I have introduced with Senator WHITEHOUSE. I thank him for his leadership on this issue for many years. I hope every member of the Judiciary Committee, on both sides of the aisle, votes tomorrow in support of the Supreme Court Ethics, Recusal, and Transparency Act.

Mr. President, I would like to address statements made earlier today on the floor by the Republican leader. It was his analysis and his comments on the bill which I have just described, which he said takes us out to the "thinnest constitutional ice."

The relationship of the legislative branch—Congress—and the Supreme Court is unusual. The Supreme Court is expressly created by the Constitution. Other courts are created by statute, and they become important to us in so many different ways. And the relationship between Congress and the Supreme Court is somewhat unique.

We have nine members of the Supreme Court. That is not required by the Constitution. The number of Supreme Court Justices is established by Congress, and it was established in the middle of the 19th century. It is nine today. It was other numbers before that. Congress has the power to choose the actual numbers of the Court.

And when it came to issues like televised court proceedings for the Supreme Court, there is a bipartisan bill, which I am authoring now—cosponsoring with Senator GRASSLEY, a Republican from Iowa—to deal with the actual conduct of the proceedings before the Supreme Court.

We also handle the annual budget. Congress passes the annual budget for the Supreme Court as well.

As you can tell, it is a relationship which is intertwined. We do not have the authority nor are we trying to exercise the authority to change or influence a judgment. That is up to the Court itself. But when it comes to the administration of the Court and the rules of administration, the Congress has played an important role.

Senator MCCONNELL described our concern about the ethical situation in the Court as an "uptick in pearl-clutching and hysterics." That colorful term belies the fact that the things that I have described here are very basic and concern Americans of all political faiths.

Senator MCCONNELL said: "We have been told we should be outraged that the Justices dare to buy and sell prop-

erty and take vacations." Of course, he misses the point. If they want to buy and sell property, that is their business. But when someone else is buying and selling the property of a Justice or his relative, that is relevant for the public to know if the person buying the property has any business before the Court or any impact on the judgment of that Justice.

"It is the same old intimidation campaign by the left," according to Senator MCCONNELL, to hold this hearing and consider a bill dealing with the ethics of the Supreme Court. What he conveniently ignores is the fact that the first letter I sent to the Court on this subject was 11 years ago.

The Court has changed dramatically in that period of time, but my message has remained the same, whether the Court is dominated by liberals or conservatives or something in between. That makes quite a difference in this argument.

He calls our effort "open disdain for a body that refuses to interpret the Constitution through the lens of their party's platform." It is not open disdain. It is a recognition that what is going on in the Court is unsustainable.

What they have done and the conduct that has been disclosed already has raised serious questions about the ethical standards of the Court. We want to make sure that changes for the better to maintain the independence of the Court.

And still I struggle to understand the logic of those on the Republican side of the aisle when it comes to ethics in the Supreme Court. They seem to think it is partisan if we raise this issue.

It wasn't that long ago—just last year, 2022—that we considered the issue of disclosure of stock transactions. A bill was passed, a bipartisan bill cosponsored by Senators CORNYN and COONS, and it went to the Supreme Court, and they adopted it as their standard of conduct. Apparently, when it comes to those ethical considerations, cooperation between the two branches is acceptable. Why isn't it acceptable today, as we set out to do?

The first thing I did, when we initiated this subject, was to contact the Supreme Court and let them know that we were sending a letter to the Chief Justice inviting him to come testify and appear and describe the situation at the Court and how it was being handled.

He respectfully declined that invitation and responded with his own defense of the current situation. But we tried from the beginning not to make this partisan. We tried to make it respectful under the Constitution. I am sorry the Chief Justice did not accept our invitation. But we tried several different ways to engage him and the Court and found that the best way to move forward is to consider this legislation tomorrow before the Senate Judiciary Committee.

I think it is a step in the right direction to say that our nine Supreme

Court Justices will at least be held to the same standards of ethical conduct as every other judge in the Federal system. That is not an unreasonable requirement, and it is one that I think would start to repair the image of the Court, which is badly in need of repair. I yield the floor.

# RECESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15.

There being no objection, the Senate, at 12:46 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. ROSEN).

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—Continued

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. What is the pending business?

The PRESIDING OFFICER. S. 2226.

S. 2226

Mr. WICKER. Madam President, let me say that in just a few moments, we will begin voting on amendments that are subject to unanimous consent requests, and we hope to do five votes today and additional votes tomorrow and following so that we can get this National Defense Authorization Bill enacted and get to conference.

Let me say that this year's National Defense Authorization Act would help meet the dangerous national security moment we face and would equip our military with the tools necessary to implement the national defense strategy.

Chairman REED will speak later about the ways this bill will help us deter adversaries and reinforce our defenses. It has been a pleasure to work with him and to advance our constitutional duty to provide for the common defense. We do this every year. This will be the 63rd time that Congress—the House and Senate—have sent a national defense authorization bill to the President for his signature, and I know we will do it today. This is a testament to our commitment to our country and also to our servicemembers.

Our threats are much greater than they were 63 years ago in 1961 when the first NDAA was passed. Today, the United States faces the most complex and dangerous global security situation since World War II.

China is swelling its military might. Xi Jinping has directed his forces to be ready to invade Taiwan by 2027. He has actually said this is his goal. He proclaimed it openly. A successful invasion of Taiwan would spell the end of the global security architecture that has helped ensure American peace and prosperity since 1945. Meanwhile, Russia is executing the largest European land war in over half a century. But Vladimir Putin's eyes are not only on