



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 118<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 169

WASHINGTON, THURSDAY, JULY 20, 2023

No. 125

## Senate

The Senate met at 10 a.m., and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

### PRAYER

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

Let us pray.

Almighty God, by Your providence, You gave us a nation conceived in liberty. Today, infuse our lawmakers with the spirit of liberty and justice so that their work will reflect Your purposes and plans. May their knowledge of Your providential purposes keep them from detours that lead away from abundant living. May their small successes prompt them to attempt larger undertakings for human betterment. As they seek to do Your will, bless them with the awareness of the constancy of Your presence. Lord, guide them by Your higher wisdom, and keep their hearts at peace with You.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 20, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of David M. Uhlmann, of Michigan, to be an Assistant Administrator of the Environmental Protection Agency.

#### RECOGNITION OF THE MAJORITY LEADER

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

#### BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Mr. President, today, the Senate will continue the bipartisan process of passing our annual Defense authorization bill, the NDAA.

We had a productive afternoon yesterday. We held votes on four amendments, from both Democrats and Republicans.

We affirmed our unflinching commitment to our NATO allies by defeating

an amendment that sought to undermine our support for the transatlantic relationship. Eighty-three Senators united to defeat this amendment, and I thank every single one of them for standing firm. It is a majority of both parties.

In another win for NATO, we also adopted Senator KAINE's amendment stating that no President can unilaterally take us out of NATO without Senate approval. Adopting Kaine's amendment was an unmistakable message to both our friends and foes that America's commitment to NATO will not waiver. The political winds may shift, but America's bonds to NATO will remain unbent.

That is what passing the annual defense bill should look like: both sides proposing and debating amendments, both sides having input, both sides working in good faith to get this bill passed as soon as we can.

We will keep working today. After voting on the Cruz-Manchin-Fetterman amendment this morning, I hope we can agree to additional votes. We will keep negotiating on additional reasonable amendments that we can bring to the floor, so we can keep this process going.

Nobody thinks this kind of bipartisanship is easy, and both sides have honest disagreements, as we do on so many issues. But that should not prevent us from fulfilling our obligation to take care of our servicemembers, take care of our DOD workforce, and provide for our common defense, so necessary these days.

There is every reason in the world to get this bill done as soon as we can. As I have said all week, the NDAA is full of provisions that both sides can celebrate—provisions that seem incremental on their own but together provide a strong foundation for the security of this Nation.

We will make important progress to outcompete the Chinese Government. We will pass the first pieces of legislation this year related to AI oversight.

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



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We will strengthen our ties to Taiwan, increase our influence in the Indo-Pacific, make progress on the vital AUKUS partnership, and increase the administration's power to sanction and punish international fentanyl traffickers.

I mentioned this before, but I cannot emphasize it enough. This fentanyl bill is a major, major help in stopping the scourge of fentanyl from coming into this country. Members on both sides of the aisle should celebrate that in a bipartisan way. Under the leadership of Senator BROWN and Senator TIM SCOTT, we were able to get this done.

All of these agreements are the result of both sides working together, each one a good reason to keep going until the job was done. Both sides will continue working today and into next week until we pass the NDAA. We are making good progress, but, of course, we still have more to do.

#### APPROPRIATIONS

Mr. President, now on appropriations, as the Senate works to finish the NDAA, we will also vote this morning on an important executive nominee, David Uhlmann to be Assistant Administrator at the EPA. Mr. Uhlmann is one of the Nation's top prosecutors of criminal polluters. He has broad support from leading officials from both former Democratic and Republican administrations.

Off the floor, we will also make great progress on the appropriations bill.

This morning, the Appropriations Committee is marking up three more bills, continuing the great work of our appropriators over the past few months. This is never an easy process, but hats off to Chair MURRAY and Vice Chair COLLINS. They are working really well together, and we are on track to pass all of our appropriations bills through committee, through regular order, with strong bipartisan support. It is hard to do, but they are doing a great job.

It is precisely how the appropriations process should work—both sides coming together, finding common ground, and advancing bills that invest in American families, keep our communities safe, and keep our government open.

It is this kind of bipartisan cooperation that prevented any government shutdown in the last Congress when Democrats had majorities in the House and in the Senate. Not one shutdown. Not even for a day. We didn't shut the government down. Americans don't want to see one this year.

There is a lot of work to do, but today's markup is another example that our appropriators are moving forward on a good path, and I thank them again for their efforts.

#### U.S. SUPREME COURT

Mr. President, and now finally on the SCOTUS ethics markup, the Supreme Court ethics markup, this morning, as I speak, the Judiciary Committee is holding votes to advance Supreme Court ethics reform legislation. I sup-

port Chairman DURBIN, Senator WHITEHOUSE, and the Judiciary Committee's work on SCOTUS ethics reform, and I look forward to working with them to make progress on this legislation.

Holding Supreme Court Justices to high ethical standards should not be a partisan issue. On the contrary, both sides should leap at the opportunity to do whatever we can to protect the public's trust in our system of justice. It is an essential part of protecting our democracy.

Right now, sadly, Americans' trust in the Supreme Court is understandably shaken. They see Supreme Court Justices accepting lavish gifts and vacations from billionaires and MAGA extremists—not your ordinary, run-of-the-mill billionaires but true ideologues who then support organizations and court suits to move America to the far right, and the Court seems to do it. Then they turn around, gut—these ideologues turn around, gut affirmative action, block student debt relief for millions of Americans, and green-light discrimination against the LGBTQ community. The hypocrisy, the appearance of a conflict of interest is sickening, and Americans clearly see right through it.

The American people agree that Justices who sit on the highest Court in the land should be held to equally high ethical standards.

So, again, to repeat, I support the efforts of Chairman DURBIN and the Judiciary Committee, and I will work with them to make progress on this issue.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### KENTUCKY FLOODING

Mr. MCCONNELL. Mr. President, yesterday, communities across my home State endured another spate of heavy rains. Flash flooding was especially severe in Western Kentucky, where residents are still rebuilding after tornadoes pummeled the region just 19 months ago.

First responders have been moving quickly to rescue and evacuate those impacted, and I understand that so far, there are no reported injuries or deaths. I am thankful for the heroic work to keep Kentuckians safe.

My team is in touch with State and local officials to help however we can, and later today, I will speak with the mayor of Mayfield to get an update on the situation in her community.

Elaine and I continue to pray for the safety of West Kentuckians as they recover and rebuild in this time of need.

#### BORDER SECURITY

Mr. President, on an entirely different matter, "The administration's plan is working as intended." That is the Department of Homeland Security's assessment of the situation at our southern border since President Biden ended title 42 authorities back in May.

On the Biden administration's watch, Customs and Border Protection reported record-shattering numbers of illegal border crossings. Yet Washington Democrats would like us to believe that with the flip of a switch, they have brought the crisis they helped create under control. Believe me, I wish that were true. But the American communities dealing with the effects of President Biden's open borders, like the record flows of deadly drugs, know different.

And so do the thousands of migrants caught up in this administration's humanitarian catastrophe along the border. Here, unfortunately, are the facts. While the Biden administration crows about migrant encounters declining, the month of May 2023 saw nearly 35,000 inadmissible persons arriving at southern border points of entry. That is double the May total from just a year before. And last month, in June, the number jumped to over 45,000.

Meanwhile, the number of FBI Terror Watch List suspects arrested at the border thus far this fiscal year has already set a new annual record. President Biden's HHS Department still can't seem to account for over 85,000 children who arrived at the border unaccompanied and were released into the United States.

I know several of our colleagues on this side of the aisle will have more to say on the subject later today, but if this is what the Biden administration calls a plan that is working as intended, I hate to see what they think failure looks like.

#### NOMINATIONS

Mr. President, on another matter, for more than 2 years now, the Biden administration has sent the Senate a steady stream of radical and unqualified nominees. That much is hardly news. But today, the President's pick to serve as Secretary of Labor made an especially ignominious bit of history. Julie Su has now waited longer for confirmation by the Senate of the same party as the President than any previous Cabinet nominee on record.

Her nomination has spent 4½ months in limbo while Senate Democrats decide whether they can even muster a party line confirmation vote.

"We're still taking input." That has become sort of our colleagues' go-to line as they decide whether to hold their noses and vote this scandal-plagued, leftwing activist into the job. Well, I would suggest to our colleagues that there is not much that Ms. Su's radical record has left to the imagination.

This is a nominee who managed to botch her previous job so royally that