

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jacob J. Lew, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Israel, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE), the Senator from South Carolina (Mr. SCOTT), and the Senator from North Carolina (Mr. TILLIS).

The yeas and nays resulted—yeas 53, nays 44, as follows:

[Rollcall Vote No. 275 Ex.]

YEAS—53

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

NAYS—44

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

NOT VOTING—3

Lee	Scott (SC)	Tillis
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The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 53, the nays are 44.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Jacob J. Lew, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Israel.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:53 p.m., recessed until 2:15 p.m. and reassem-

bled when called to order by the Presiding Officer (Mr. LUJÁN).

The PRESIDING OFFICER. The Senator from Arkansas.

EXECUTIVE CALENDAR—Continued

NOMINATION OF JACOB J. LEW

Mr. COTTON. Mr. President, 3 weeks ago, Iranian-backed Hamas terrorists murdered 33 Americans and 1,400 Israelis in the deadliest terrorist attack since September 11, 2001. These depraved savages killed more Jews in a single day than any time since the Holocaust.

Israel is now at war and on the verge of what could be its bloodiest battle in a generation. And the struggle is real. It is not only fighting Hamas and Gaza, it is fighting a confederation of Iranian-trained, funded, and armed terrorist organizations. From the Houthis in Yemen to Hezbollah in Lebanon, to Palestinian Islamic Jihad in the West Bank, Iran is besieging Israel by proxy. At the same time, Iran is conducting extensive attacks against Americans in the region.

Since Joe Biden took office, Iran and its proxies have attacked American forces more than 100 times.

Let me say that again: 100 times.

That is why we need a person of strength as the U.S. Ambassador in Israel. We need an ambassador who is a champion of the American-Israeli relationship who can bridge the Democratic-driven divide in the alliance. We need an ambassador who is clear-eyed about the Iranian threat and prepared to confront it.

Instead, President Biden has nominated Jack Lew, who at times seems a better friend to Tehran than Jerusalem. The U.S. Senate should reject this nomination to be Ambassador to Israel. A vote for him is a vote to subvert, not strengthen, our ally in its time of need.

As President Obama's Treasury Secretary, Jack Lew was the leading proponent of the disastrous Iran nuclear deal. The deal delivered more than \$100 billion to the ayatollahs. Mr. Lew called the agreement a strong deal and said:

[I]t will make our country safer, it will make our allies safer, and it will make the world safer.

He apparently didn't consult our allies, though, before making that statement because our allies in Israel certainly didn't agree. In fact, Prime Minister Netanyahu called the agreement "a very bad deal." And one poll found that 73 percent of Jewish Israelis believed that the deal posed an existential threat to the Jewish State.

Prime Minister Netanyahu was so opposed to the Iran deal, which Mr. Lew championed, that he traveled to the United States and addressed a joint session of this Congress to urge our opposition.

Mr. Lew condemned Prime Minister Netanyahu's speech as "beyond the pale" and "a huge mistake." Appar-

ently, Mr. Lew also did not consult our own Democratic leader, the Senator from New York, who also voted against the disastrous Iran deal.

Worse still, Mr. Lew stood with President Obama when he refused to veto a United Nations Security Council resolution condemning Israel. This was nothing but an act of spite by Barack Obama against Israel's leadership. Yet Mr. Lew stood by his boss, dismissively asserting that "I don't think it's a great thing for Israel to always have only the United States standing between it and condemnation."

So, according to Mr. Lew, I guess it is better to have Israel condemned than to have Israel's back. Mr. Lew, apparently, doesn't understand that doing what is right is sometimes lonely business.

The next American Ambassador to Israel must be prepared for the hard and lonely work of sometimes standing up against the rest of the region and, indeed, the rest of the world in defense of American and Israeli interests.

Mr. Lew's glib comments demonstrate that he lacks either the nerve or the will to stand up for Israel when it really matters and the chips are down, as they are today.

But Mr. Lew didn't just advocate on behalf of the Iran nuclear deal or attack its Israeli critics; he lied to Congress to protect the deal—indeed, to go beyond what the nuclear deal required. Mr. Lew told the Senate Foreign Relations Committee in the summer of 2015 that Iran would "continue to be denied access to the [American] financial and commercial market."

Mr. Lew also testified that Iranian banks "will continue to be denied access to the world's largest financial and commercial market."

But 7 months later, in early 2016, Jack Lew's Treasury Department granted a license to convert almost \$6 billion of Iranian assets into American currency using our financial system. This was not required by the Iran nuclear deal. This went over and above the dictates of that deal. But apparently Barack Obama and Jack Lew felt bad for the murderous ayatollahs because they weren't getting enough economic benefit out of the deal.

He even pressured two American banks to complete the transaction, and they, sanely and patriotically, said: No thanks. We don't want to touch Iran's blood money.

If that is not lying to Congress, I don't really know what is. But in addition to lying, Mr. Lew neglected to inform Congress that his department was sending its representatives around the world to encourage foreign countries and companies to do business with Iran.

According to a Senate committee report, authored by former Senator Robert Portman, the Treasury and State Department conducted more the 200 so-called road shows in foreign cities to encourage economic engagement with Tehran.

Again, this is not required by the nuclear deal with Iran. Nothing said Jack Lew and his agents at Treasury had to act as the de facto investment bankers and business agents for the murderous ayatollahs.

He apparently felt so much sympathy for the ayatollahs that he and John Kerry, as Secretary of State, would send their agents all around the world, hustling up business for Iran's terror regime.

And now this is the man who is going to represent American interests in Jerusalem? The Senate should not confirm Jack Lew, a man who has lied to Congress both by omission and overt dishonesty. The Senate should likewise not confirm a man who has acted as the de facto business investment banker and business agent for the blood-thirsty ayatollahs.

Mr. Lew's supporters have claimed that although flawed, we need an ambassador to Israel during this crisis, and Mr. Lew is the man in offering. But the fact is, no one is better than Jack Lew. And the sooner we defeat his nomination, the sooner we can find someone worthy of this critical post.

I know my Democratic friends say we have to confirm Mr. Lew to show our support for Israel. I would turn that around and say: We have to defeat Mr. Lew's nomination to show that our Nation is finally serious about confronting the ayatollahs in Iran. And there is no clearer or immediate action that Senators could take to show a new direction for U.S. policy on Iran than to reject the nomination of one of the architects of the Iran nuclear deal.

Both the United States and Israel deserve a lot better than Jack Lew. I urge my colleagues to oppose his nomination.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, I ask unanimous consent that I be permitted to speak for up to 2 minutes and Senator CARDIN be permitted to speak for up to 5 minutes prior to the scheduled rollcall vote.

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

The Senator from Idaho.

Mr. RISCH. Mr. President, I rise in opposition to this nomination, and I rise in support of our strong support for Israel. I understand it is important to move as quickly as we can to have an ambassador in Jerusalem. We are at an important moment in history with the events in Israel. This makes the stakes so much higher and important that we get it right. I believe it means we should take the time to get it right.

This appointment that has been made is very disappointing. As my colleague just mentioned, it really ignores the fact that the underlying problem here is our policy and policies toward Iran. Certainly, we all talk about Hamas. They have done horrible things. The horrific attack on Israel, where they beheaded babies, killed innocent men and women in their beds

sometimes, really, really deserves a response. But it also deserves for us to look at the underlying problem here, which is Iran.

Hamas would not exist if it were not for Iran. Iran arms them, trains them, finances them, and directs them. We all know that. So how does that fit in with this particular appointment?

Well, Mr. Lew did some things which were very much contrary, I believe, to what needs to be done in order for us to redo our policies toward Iran. When it came to the JCPOA—which, as we all know, there was a difference between our side of the aisle and the other side of the aisle on whether we should do the JCPOA or not—Mr. Lew was heavily involved in that. He promised us in the committee that he would not allow Iran to have access to the U.S. financial system. We know, for a fact, that after that, although he denied it, he did, in fact, attempt his very best to have Iran have access to the U.S. financial system. This is borne out by an official report of the U.S. Senate by the Permanent Subcommittee on Investigations. They interviewed the banks that Mr. Lew attempted to twist their arms to give Iran access to the financial system. There was a very detailed investigation that was done on the facts. The facts are contained in this report.

My good friends will say: Oh, but that wasn't a bipartisan report. It is an official report by the Permanent Subcommittee on Investigations. My friends on the other side of the aisle, though, will not deny the facts that are in this report. And the facts are that Mr. Lew is involved in this, as I have described.

I want to support Israel. I think everybody on this floor wants to support Israel. The last thing we need is somebody who is very contrary to our view on how Iran should be handled.

Mr. Lew's response to this was: Well, everybody knew what Obama's policies were, and, therefore, everybody should have known that we would do anything to blindly support the policies.

That is wrong. This is the wrong way to go about it. This is the wrong person, at the wrong time, in the wrong place. We should vote no and support Israel.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, a little over a week ago, I was in Israel with 10 U.S. Senators meeting with the Israeli leadership. I must tell you, they are very much looking forward to having a confirmed ambassador from the United States in Jerusalem to help in regard to the challenges they are now facing as a result of Hamas's terrorist attack in Israel. And they are very much looking forward to Jack Lew being that ambassador. We heard that directly.

His nomination has been welcomed by the Israelis, including Israel's Foreign Minister, who said he looks forward to working with him. The former Israeli Ambassador to the United

States wrote that Lew is "a true statesman, a passionate Jew and a mensch in every sense of the word." He has the support of the Jerusalem Post, the Orthodox Union Advocacy Center, the Anti-Defamation League. The list goes on and on and on. Why? Because he is so well qualified for this position. He has been confirmed by the Senate as a former Secretary of Treasury, as a Deputy Secretary of State, as an OMB Director. And the list goes on and on and on. He was confirmed by an overwhelming majority. It gives us the person as our representative to Israel who has the gravitas to stand shoulder to shoulder with Israel as the United States partners in the challenges that they are facing today.

So there is, to me, no question about his qualifications, no question about his presence being welcomed by our Israeli friends, no question about his knowledge and commitment to these issues. He has worked almost his entire life, in part, to strengthen the U.S.-Israel partnership. He knows the values. He testified to that during this confirmation hearing. And he testified in regard to the issues that my Republican friends are raising, the issues of whether he was forthright with Congress—and he was.

He pointed out that in regard to opening up the banking for Iran, it was to comply with the JCPOA that was negotiated by the Obama administration and which the Republicans were opposed to. And I opposed that agreement.

I helped work with Senator Corker, then chairman of the Senate Foreign Relations Committee—I was ranking Democrat at the time—to develop a process where we would not be surprised by these negotiations and that we would have input into these negotiations. That process passed the Senate by a near-unanimous vote.

As part of that process, we had in-depth discussions with the Obama administration, including Secretary Lew, including Secretary Moniz, and others, who shared with us exactly what was being negotiated. We knew that there was going to be a transfer of funds in regards to the JCPOA. We recognized that the banking system would be open for that limited purpose.

That is not misleading us. It is telling us exactly what we knew was going to happen before we took it up under the review statute. It is just not right to say he misled us. He did not. The report they are referring to was a partisan report issued by the Republicans. There is a reason why it was not bipartisan. They were just trying to double down on their opposition to the JCPOA.

Israel needs a strong U.S. Ambassador who will represent America and be their partner in taking on one of the greatest struggles in their history—the terrorist attack by Hamas that they did on October 7. We need a confirmed ambassador who is knowledgeable as to how they could represent over half a

million Americans who are currently in Israel. We need Jack Lew's expertise to help us get the hostages back safely on the ground in Israel.

I want to thank Secretary Lew for being willing at this time, at this critical moment, to serve his country in this critically important position, and I would hope my colleagues would vote for his confirmation, recognizing that we could not have a more qualified individual to represent America as our Ambassador to Israel.

I yield the floor.

VOTE ON LEW NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Lew nomination?

Mr. CARDIN. 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 Senators are necessarily absent: the Senator from Utah (Mr. LEE), the Senator from Kansas (Mr. MARSHALL), the Senator from South Carolina (Mr. SCOTT), and the Senator from North Carolina (Mr. TILLIS).

The Senator from North Carolina (Mr. TILLIS) would have voted "nay" and the Senator from Kansas (Mr. MARSHALL) would have voted "nay."

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 276 Ex.]

YEAS—53

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

NAYS—43

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

NOT VOTING—4

Lee	Scott (SC)
Marshall	Tillis

The nomination was confirmed.

The PRESIDING OFFICER (Mr. WELCH). 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 majority leader.

Mr. SCHUMER. Mr. President, the Senate, I am proud to say, has now taken an extremely important step in our support of Israel. We have approved, with bipartisan support, Jack Lew to serve as the U.S. Ambassador to Israel. With Israel defending itself against Hamas, this ambassadorship is as important and timely as any nomination that the Senate has confirmed in a long time.

Mr. Lew is the right man for the job of Ambassador to Israel. He is a capable public servant, a fierce ally of Israel's, and commands a broad base of trust and respect, and he is a decent and humane man.

When my colleagues and I met with the Israeli Government, we promised to send them an ambassador as soon as possible. Today, the Senate has kept that promise. Having an ambassador in Israel means stronger diplomatic ties between the United States and Israel at a time when these bonds matter most. It means Israel's messages will be conveyed appropriately to our government, but it also means our government's messages will be sent appropriately to the Israeli Government. So it helps the two-way street of communication—so important right now. Having an ambassador ensures America can work with Israel and communicate with Israel in both directions at the highest level as the fight against Hamas continues.

I thank my colleagues for confirming Mr. Lew on a bipartisan basis. Thank you to Chairman CARDIN and the Senate Foreign Relations Committee, which championed Mr. Lew's nomination.

Finally, I want to applaud the remarkable team at the U.S. Embassy in Israel, all of whom have done exceptional work under the most difficult circumstances.

When I went to Israel with my Senate colleagues, I got to see the Embassy's incredible work up close, especially the outstanding Chargé d'Affaires, but we also saw the need, the vacancy, the hole that was there during a time of crisis when we didn't have an ambassador, and we saw how much we needed one. We are easing the short-staffed Embassy's burden by sending a fully appointed ambassador so they can continue carrying out their mission with excellence during this pivotal moment.

LEGISLATIVE SESSION

MILITARY CONSTRUCTION, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2024—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and the con-

sideration of H.R. 4366, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4366) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

Pending:

Schumer (for Murray/Collins) amendment No. 1092, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 1200 TO AMENDMENT NO. 1092

Mr. HAWLEY. Mr. President, I call up my amendment No. 1200, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Missouri [Mr. HAWLEY] proposes an amendment numbered 1200 to amendment No. 1092.

The amendment is as follows:

(Purpose: To prohibit the use of funds for providing grants, funding, or any financial benefit to Chinese entities)

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON USE OF FUNDS FOR PROVIDING GRANTS, FUNDING, OR ANY FINANCIAL BENEFIT TO CHINESE ENTITIES.

(a) IN GENERAL.—None of the funds appropriated or otherwise made available by this Act may be used to provide grants, funding, or any financial benefit to any entity, including any corporation, that—

(1) is organized under the laws of, is headquartered in, or has its principal place of business in the People's Republic of China, including any Special Administrative Region; or

(2) is subject to the control (as defined in section 800.208 of title 31, Code of Federal Regulations (as in effect on the date of enactment of this Act)) of an entity described in paragraph (1).

(b) DEFINITION OF CORPORATION.—In this section, the term "corporation"—

(1) means an entity with the business structure of a corporation, a company, a limited liability company, a limited partnership, a business trust, a business association, or another similar entity; and

(2) includes any subsidiary or branch of an entity described in paragraph (1).

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes for debate, equally divided.

The Senator from Missouri.

Mr. HAWLEY. Mr. President, the appropriations bills that we are now considering appropriate a total of \$280 billion—\$280 billion—in taxpayer money—money that will be used by Agencies ranging from the Department of Veterans Affairs to Transportation and Agriculture.

This amendment does something very simple. Whatever other disagreements we may have about the spending in these bills, surely we can agree that this money ought to go to Americans and American companies and our allies. So all this amendment does is it