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## Senate

The Senate met at 3 p.m. and was called to order by the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois.

### PRAYER

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

Let us pray.

O God of time and eternity, use our lawmakers today as instruments of Your will. Give them the wisdom to find joy in Your presence, trust in Your precepts, and confidence in Your prevailing providence. As they trust You to enable us to find shelter from the storms that batter our Nation and world, fill them with Your peace. May this be a day when our Senators serve You with gladness because Your joy has filled their hearts. Lord, keep them within the circle of Your will as they seek to honor You with lives of integrity.

We pray in Your sovereign 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 executive clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 4, 2023.

To the Senate:

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

appoint the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

Ms. DUCKWORTH thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

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

The senior assistant executive clerk read the nomination of Irma Carrillo Ramirez, of Texas, to be United States Circuit Judge for the Fifth Circuit.

#### RECOGNITION OF THE MAJORITY LEADER

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

#### REMEMBERING SANDRA DAY O'CONNOR

Mr. SCHUMER. Madam President, last week, America lost a towering figure of the 20th century: former Supreme Court Justice Sandra Day O'Connor.

Through her life, her work, and her legacy, Justice O'Connor forever changed the nature of the Supreme Court. She was the first woman to ever hold the solemn title of "Justice."

And with every case she oversaw and every opinion she authored, Justice

O'Connor carried out her historic role with integrity and distinction. She moved our country forward in so many ways: protecting women's rights, protecting clean air, protecting voting rights, and fighting discrimination.

I can't help but reflect on her calm and steady presence on the Court, even in the most tumultuous of times and in the most divisive of cases. That presence was so needed during her tenure, and she will be sorely missed.

Our thoughts are with Justice O'Connor's family and loved ones.

#### SUPPLEMENTAL FUNDING

Madam President, now, on the supplemental, America's national security is on the line around the world—in Europe, in the Middle East, and in the Indo-Pacific. Autocrats and radical extremists are waging war against democracy, against our values, against our way of life.

Before the year is out, it is important for the Senate to pass an emergency national security supplemental package providing aid to Ukraine, to Israel; humanitarian aid to innocent civilians in Gaza; and deterrence against adversaries in the Indo-Pacific. Both parties understand the consequences will be severe if we fail. Just this morning, OMB Director Shalanda Young warned congressional leaders that absent action from Congress, funding to help Ukraine will run out by the end of the year.

Alarming, process on the national security package has been on ice for weeks—not because Republicans objected to Israel aid or aid to Ukraine or humanitarian aid to innocent civilians in Gaza or the Indo-Pacific but because Republicans have injected partisan and extreme immigration measures into the debate.

Let me repeat that. The holdup on the security supplemental has not been over Ukraine or Israel or the Indo-Pacific but over Republicans' decision to inject hard-right immigration measures into the debate.

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



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Democrats agree immigration should be debated and addressed. But if Republicans want to raise the issue of immigration right now, the onus is on them to present us with bipartisan ideas. Democrats have spent weeks—weeks—engaging in good faith on this issue. In fact, the President's supplemental proposal puts money directly toward vetting asylum claims, reducing court backlogs, and stopping fentanyl, which is exactly what our Republican colleagues say they want.

But instead of meeting us in the middle, Republicans have tripled down on extremist policies that seem dictated by Donald Trump and Stephen Miller, like indefinite detention of asylum seekers and sweeping powers to shut down the immigration system.

Democrats want to be reasonable on immigration. We are willing to make concessions, but we will not keep going in circles if Republicans aren't interested in even meeting us halfway.

Now, just because both sides can't reach an agreement does not mean that we can't get something done. But it must be broadly bipartisan. Neither side can dictate what can be in the bill, which is what many of our Republican colleagues seem to want.

The two parties don't disagree seriously on Israel or Ukraine aid or humanitarian assistance to Gaza or the Indo-Pacific. We should, therefore, work toward passing these areas where we have bipartisan agreement.

The world is watching what we do in Congress these coming weeks. You can bet Vladimir Putin is watching, Hamas is watching, Iran, President Xi, North Korea. All our adversaries are watching closely.

If Congress fails to defend democracy in its hour of need—all because of border policies inspired by Donald Trump and Stephen Miller—the judgment of history will be harsh indeed.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Madam President, now, on NDAA, Democrats have committed to working with Republicans to pass the annual Defense authorization bill through Congress before the end of the year.

Four months ago, the Senate passed our own version of the NDAA with strong bipartisan support. Our bipartisan NDAA made a critical downpayment to rein in the Chinese Government on fentanyl trafficking, the purchase of U.S. farmlands, outbound investments, and more.

We also passed critical parts of AUKUS, one of the most important tools we have for outcompeting the Chinese Government. We must include all of AUKUS in the final agreement.

But, right now, a number of House Republicans—who like to talk a big game on China—are actually sabotaging some of the best tough-on-Chinese-Government accomplishments we have passed in the NDAA. Instead of standing up to the Chinese government, House Republicans seem to be doing their bidding.

For one, House Republican leadership is dangerously close to killing a bipar-

tisan measure to disrupt illicit opioid supply chains—many of which began in China—and punish those who facilitate fentanyl trafficking. This measure, the FEND Act, was adopted with strong bipartisan support in the Senate. It has been championed by the leadership of both the Banking and Armed Services Committees.

Holding the Chinese Government accountable for the fentanyl crisis is the definition of a legislative layup, but House Republicans are trying to kill this bill if they don't get their way on unrelated measures. Instead of making the layup, they are throwing up an air ball.

Incredibly, there is more. Earlier this summer, the Senate overwhelmingly passed a measure limiting the free flow of U.S. investment into China for sensitive advanced technologies like semiconductors, AI, and more. It would codify elements of an Executive order that President Biden issued in August on outbound investments.

What is more commonsense than stopping U.S. dollars from helping Chinese companies beat us on chips and AI and quantum computing?

Yet, once again, House Republicans, with the apparent blessing of their leadership, are blocking the bipartisan measure.

So House Republicans will talk a good game on fighting the Chinese Government but oppose measures to hold that government accountable for the fentanyl crisis, which is so afflicting America. House Republicans will howl that President Biden is not tough enough on China but refuse to codify restrictions on outbound investments that President Biden already issued.

There are only two words to describe House Republicans' record when it comes to China: cynical and hypocritical. We have a chance—a chance—to pass real, bipartisan reforms to help us outcompete the Chinese Government, but House Republicans are going out of their way—out of their way—to kill these wins.

Finally, on UAPs, while it is not related to China, House Republicans are also attempting to kill another commonsense, bipartisan measure passed by the Senate, which I was proud to cosponsor with Senator ROUNDS as the lead sponsor, to increase transparency around what the government does and does not know about unidentified aerial phenomena.

Unidentified aerial phenomena generate intense curiosity for many Americans, and the risk for confusion and misinformation is high if the government isn't willing to be transparent.

The measure I championed with Senator ROUNDS would create a board, just like we did with the JFK assassination records, to work through the declassification of many government records on UAPs. This model has been a terrific success for decades. It should be used again with UAPs, but, once again, House Republicans are ready to kill this bipartisan provision.

Now, we are going to get the NDAA done this year, just like we have for more than six decades, but there is still some more work to do.

#### ASSAULT WEAPONS BAN

Madam President, on the assault weapons ban, later this week, I will join my Democratic colleagues here on the floor to ask unanimous consent to pass the assault weapons ban. I will come to the floor to try and pass the assault weapons ban because, right now, the scourge of gun violence in America is a national crisis.

It wasn't always this way. After I led passage of the Brady Law and the assault weapons ban 30 years ago, America saw a significant decrease in mass shootings and gun deaths.

It is simple: The assault weapons ban works. It saves lives. And one decade since the expiration of the ban, we need it more than ever.

As of today, there have been more mass shootings than days in the year 2023.

Let me say that again. As of today, there have been more mass shootings than days in 2023. And the American people are tired of fearing for their lives, their children's lives, their friends' lives every time people leave the house.

The people of Lewiston, ME, where a gunman murdered 18 people at a bowling alley and restaurant with an assault rifle, are tired of fearing for their lives. The people of Allen, TX, where a gunman murdered eight people at a shopping mall with an assault rifle, are tired of fearing for their lives. The people of Louisville, KY, where a gunman murdered five people at a bank with an assault weapon, are tired of fearing for their lives.

So when Democrats come to the floor this week, again, to pass the assault weapons ban and other gun safety legislation, I urge my Republican colleagues to stand with us. Stand with the American people. Stand against the gun lobby. Stand against gun violence. 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 executive clerk proceeded to call the roll.

Mr. MCCONNELL. Madam 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.

#### REMEMBERING SANDRA DAY O'CONNOR

Mr. MCCONNELL. Madam President, I would like to begin today with a few words about the late Justice Sandra Day O'Connor.

Justice O'Connor was a transformative figure in the history of our country and of our highest Court. She was a trailblazer in both legislative politics and constitutional jurisprudence, and I am grateful for her extraordinary life and for her dedicated service.