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Senate

The Senate met at 3:02 p.m. and was called to order by the Honorable MARK KELLY, a Senator from the State of Arizona.

PRAYER

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

Let us pray.

Give heed, mighty God, to our prayers and hear our petitions. You are a God of justice, who always does what is right.

As Jewish people tonight light the fifth candle of Hanukkah, let there be peace on Earth, and may it begin with us.

Lord, You have examined our hearts. You know our motives. Continue to guide our Senators. Empower them to follow You faithfully, to seek Your will, and to find their peace through fellowship with You. May they trust You for safety, finding their highest fulfillment in knowing they are doing Your will.

When everything seems to fall apart, remind them that, in everything, You are working for the good of those who love You, who are called according to Your purposes.

We pray in Your sacred 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 11, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK KELLY, a Senator from the State of Arizona, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. KELLY 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 proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Richard E.N. Federico, of Kansas, to be United States Circuit Judge for the Tenth Circuit.

RECOGNITION OF THE MINORITY LEADER

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

BORDER SECURITY

Mr. McCONNELL. Mr. President, for all of its flaws, the supplemental request the Biden administration submitted to Congress did correctly identify four especially urgent national security priorities: defeating Russian in-

vasion in Europe, countering Iran-backed terror in the Middle East, deterring Chinese aggression in the Indo-Pacific, and securing America's southern border.

Late last week, President Biden said he was willing to make "significant compromises" on Republican policy changes designed to restore real border security.

And across the country, elected Democrats are emphasizing just how urgent this progress is. The Governor of Arizona reported over the weekend that her State is "at a breaking point" and that it needs Washington to "step up, do its job, and bring security and order to our border." She is a Democrat.

At the frontlines of the crisis that has unfolded on President Biden's watch, the mayor of Nogales, AZ, put it this way:

I think it's time to say enough is enough. . . . I'm a Democrat, a registered Democrat, but I run this city as a human being.

I know many of my colleagues here in the Senate share that frustration. Many of them recognize the urgency of the situation. Just over the weekend, in the time since Senator LANKFORD presented Senate Democrats with this latest opportunity to help fix America's broken asylum and parole system, the crisis at the southern border has actually gotten worse.

With average daily border crossings near 10,000—10,000—CBP is now saying it is releasing 6,600 illegal aliens into the interior every single day. The backlog of asylum cases sits at 3 million—3 million—and counting. And officials have reported arrivals from more than 150 countries just since October 1.

This is what a crisis looks like. This is what the Democratic leader spent last week insisting was "extraneous" to America's national security.

Well, when it comes to keeping America safe, border security is not a side show; it is ground zero.

Senate Republicans have no more spare time to explain this basic reality.

● 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 cannot convince anyone who doesn't want to acknowledge the glaring facts on the ground. The Senate has to act.

ANTI-SEMITISM

Mr. President, now on another matter, years of moral rot and intellectual decay began to catch up with America's most elite universities. The President of the University of Pennsylvania resigned 4 days after failing to state whether calls for genocide against Jews constituted bullying or harassment under her institution's conduct policy.

In the face of an alarming wave of vile anti-Semitism—including death threats—on college campuses, the heads of Penn, Harvard, and MIT did everything they could to avoid condemning one of the world's oldest forms of hatred.

Of course, the Ivy League administrators' lack of moral clarity is not a recent development. For more than 2 months now, universities across the country have been engaged in an embarrassing public cycle of equivocations and apologies.

And for years, elite institutions have sheltered despicable anti-Semites under the guise of academic freedom and let them poison a generation of young minds with hateful, postmodern ideologies. The especially alarming part of the Penn, Harvard, and MIT testimony last week was just how brazenly—brazenly—their cynical embrace of free speech contradicted their response to supposed slights against leftist orthodoxy.

Today's elite college campuses are hardly bastions of free speech. The Ivy League's enforcement of speech restrictions against a laundry list of wrongthink and "microaggressions" would make censors in Pyongyang blush.

There is room to punish faculty for inviting guest speakers with objectionable views or assigning controversial class readings as Penn's president did just last year. There is room to revoke invitations for academic panelists and deplatform visiting lecturers who fail to toe the elite liberal line on social issues, as Harvard has done repeatedly.

But apparently there might not be room in the Ivy League's extensive speech restrictions to take action against calls for genocide against Jews, as Harvard's president told our House colleagues, it would—listen to this—"depend on the context."

Some current—and now former—leaders of America's most elite echo chambers would like us to believe they have a deep and abiding commitment to intellectual diversity and freedom of speech, but they are not fooling anybody. In fact, Harvard ranks dead last in a leading watchdog ranking of campus free speech. Its speech climate rated "abysmal." "Abysmal," how is that for context?

It is rather simple. Universities can enforce their existing speech restrictions evenly or they can start applying their newfound embrace of free speech across the board—and not just for anti-Semites and terrorist sympathizers.

Until they decide, the Ivy League's most philanthropic alumni will continue to vote with their checkbooks. Harvard alone is reportedly facing more than \$1 billion in canceled donations over its president's astounding failure. Even with their gargantuan tax-free endowment, that is real money. And until universities commit to protecting innocent Jews on campus, bright, young students might just vote with their feet.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

GUATEMALA

Mr. DURBIN. Mr. President, over the weekend, I joined Senator TIM Kaine of Virginia on a trip to Guatemala and Honduras. With us were Senators MERKLEY, BUTLER, WELCH as well as Guatemalan-American Congresswomen TORRES of California and RAMIREZ of Illinois.

Both Guatemala and Honduras have struggled with conflict, corruption, stark inequality, and fragile democratic governments.

Many of us have forgotten that until the 1980s, much of Latin America was led by military dictators, sometimes with Cold War-era support from the United States.

Guatemala's bloody 36-year civil war only ended in 1996. It is a reminder of why the U.S. attention to this region's nascent and often fragile democracies is so important.

Guatemala is facing a deeply challenging Presidential transition. In October, Bernardo Arevalo won in a decisive landslide election where he pledged to tackle endemic corruption. Early polls showed him at 3 percent of the vote. When the final election took place, he won by 20 percent, a 1 million vote plurality, but outgoing President Giammattei, and Attorney General Porras are, unfortunately, attempting to undermine that peaceful transition ahead of the January 14 inauguration.

I might add that unlike other elections in Central and South America, this election where Mr. Arevalo prevailed was monitored by international sources, and the votes were challenged in court, counted, and found to be still in his favor, overwhelmingly.

In fact, shortly after President Giammattei didn't show up for a meeting with us one morning, his government crudely tried to annul the recent election results. This clumsy coup attempt—which was globally rejected—must not succeed. The Guatemalan voters' choice must be respected.

I want to raise the attention of the Senate to two Guatemalan political prisoners we asked about but were denied an opportunity to visit in prison, former prosecutor Virginia Laparra and journalist Jose Ruben Zamora. You won't be surprised to hear that both focused on issues of corruption, which is why they landed in jail on nonsense charges.

I look forward to working with the new President-elect, Arevalo, once he is sworn in, and hope their release will be one of his early actions.

HONDURAS

Mr. President, in 2021, neighboring Honduras elected its first female President, Xiomara Castro, who many hoped would bring much needed change after decades of misrule and instability. Though she claims repeatedly to be an ally of the United States and closely aligned with our values, there have been some actions by her government in transition that raise serious concerns about commitment to democratic norms and, unfortunately, of closer ties to China, Cuba, Venezuela, and even Russia. President Castro still has an opportunity to show that we can work together for the common values that we share. I hope she takes that path.

Early in Senator Kaine's adult life, he spent a year in a Jesuit mission in Honduras, teaching Hondurans how to be carpenters and welders. It was in a Jesuit school for impoverished children where he gave a year of his life. I want to commend TIM Kaine for that effort, what he calls his "North Star" in his life, which helped to make him a thoughtful leader and one of the most admired Senators on the floor. His commitment to the region is a reminder that we still have important allies and responsibilities in our own neighborhood.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. President, I would also like to speak briefly on the National Defense Authorization Act. The bill authorizes \$886 billion for America's defense, expanding benefits for servicemembers and strengthening national security. It provides a 5.2-percent pay increase for our troops and the Pentagon civilian workforce, the largest increase in 20 years. Importantly, the conference report excludes a number of dangerous partisan provisions that were designed to rip away the freedoms of the very Americans whom, every day, we send to defend them.

This bill includes a number of provisions I offered, including to uphold Ukraine's territorial sovereignty, as that country fights for survival against Russia. Here is this country, hanging on by a thread, wondering if the United States is going to come to its assistance as people fight and die every single day to stop the invasion of Putin and his forces.

It is hard to imagine that we have reached a point where we have promised to stand by a country like Ukraine in this time of testing and we have mobilized the NATO alliance and many other nations to join us in that effort, and then have the rug pulled out from us by Donald Trump, who said he changed his mind on Ukraine.

To strengthen our security partnerships with our allies, such as the Baltics and Australia, we have to stay the course. I am convinced that the Ukrainians will prevail. We must show that we are determined to help them prove it.

This year the bill also authorizes many important programs. It is not