

TOTAL APPROPRIATION RATES OF OPERATION INCREASES ²—Continued

Appropriation	TOTAL DON		NAVY		MARINE CORPS	
	QTY	Amt (\$K)	QTY	Amt (\$K)	QTY	Amt (\$K)
OMN		4,058,432		3,938,540		119,892
OMNR		102,760		72,986		29,774
OMMC		424,994				424,994
OPN		2,389,073		2,316,278		72,795
PANMC		372,389		264,349		108,040
PMC		197,971				197,971
RD TEN		658,243		417,151		241,092
WPN		978,806		1,016,306		(37,500)
Total Appropriation Rates of Operation Increases ²		11,380,141		9,563,515		1,816,626

² Rates of Operations increases by appropriation are calculated after accounting for new starts and production rate increases. With the exception of SCN and MILCON appropriations, CR restrictions for rates of operation are at the total appropriation level. However, it is prudent to consider proposed Congressional adjustments at a line item level when determining amounts that can be executed during the CR period, in order to preserve Congressional funding prerogatives in an appropriation act.

SUMMARY—TOTAL MISALIGNMENT OF FUNDS IN A 12-MONTH CR

Appropriation	TOTAL DON		NAVY		MARINE CORPS	
	QTY	Amt (\$K)	QTY	Amt (\$K)	QTY	Amt (\$K)
Total New Starts		6,047,801		4,769,048		1,278,753
Total Production Rate Increases		8,628,782		8,419,971		208,811
Total Appropriation Rates of Operation Increases		11,380,141		9,563,515		1,816,626
Estimated Sequestration TOA Shortfall—Yearlong CR		2,737,000		2,222,000		515,000
Misalignment of Funds—12 Month CR with Seq		28,793,724		24,974,534		3,819,190
PB24 Submission				255,752,514		
Total 12-Month CR Misalignments and Estimated Sequestration				(28,793,724)		
12-Month CR/SEQ TOA for DON ³				226,958,790		

³ Assumes no anomalies to lift restrictions on new starts and rate increases, and no authority to realign funding within and between appropriations. Includes PB24 levels for DHA accounts.

SECRETARY OF THE AIR FORCE,
Washington, DC.
HON. PATTY MURRAY,
Chair, Committee on Appropriations,
U.S. Senate, Washington, DC.

DEAR CHAIR MURRAY: As Congress works to advance Fiscal Year (FY) 2024 appropriations legislation, I write to highlight current, significant impacts a Continuing Resolution (CR) and the Fiscal Responsibility Act (FRA) have on the Department of the Air Force (DAF). Our biggest challenges are strengthening our capabilities, as well as recruiting and retaining the world’s best Air Force and Space Force, to prevail, if necessary, in the Indo-Pacific against the People’s Republic of China (PRC) as the pacing challenge. Overall, a year-long CR in FY24 would reduce buying power of the DAF by as much as \$13 billion. Additionally, should a sequester be ordered under the FRA, including discretionary spending levels capped at FY23 levels minus one percent with the directive to exclude military personnel accounts, the impact to the DAF would be an approximate eight percent cut, absent inflation, to absorb the remaining FY24 FRA topline cap.

While CRs and the associated limitations placed on the DAF ability to invest in modernization, as well as in our Airmen, Guardians, and civilians, are significant, the one thing we cannot buy back with any amount of funding is time. The longer the DAF operates under any CR, the more time our pacing challenge has to gain advantage and further increases their ability to inflict unacceptable levels of destruction against our people and capabilities. In 1940, General Douglas MacArthur said, “The history of failure in war can almost always be summed up in two words: ‘Too late.’ Too late in comprehending the deadly purpose of a potential enemy. Too late in realizing the mortal danger. Too late in preparedness. Too late in uniting all possible forces for resistance.

Any length of CR impacts DAF readiness, hinders acceleration of the U.S. Space Force, delays military construction (MILCON) projects, reduces aircraft availability, and curbs modernization in our race for technological superiority. Below are specific examples of current CR impacts on the DAF.

GREAT POWER COMPETITION OPTIMIZATION
IMPACTS
Risks credibility of U.S. nuclear deterrence and undermines two legs of the nuclear triad:

For the future ground-base leg, LGM-35A Sentinel, delays weapon system construction, missile development, and delivery of MH-139 aircraft—essential to nuclear surety and security at a time when the PRC has built 100 new missile silos.

For the future air-based leg, B-21 Raider, delays procurement as the contract award is held to the previous year quantity and funding.

Stops 89 new starts, totaling \$2 billion, and 19 specific initiatives to counter the PRC, totaling \$4.8 billion, which would close key capability gaps and assure U.S. advantage through the Joint Strike Missile, Kill Chain Automation, Collaborative Combat Aircraft (CCA) development, and Moving Target Engagement.

Cancels \$2.8 billion in U.S. Space Force growth for new space architectures critical to the Joint Force in contested environments, including resilient Space Data Transport and Missile Warning/Missile Tracking (MWMT); tactical sensing; and positioning, navigation, and timing (PNT).

Delays procurement of seven National Security Space Launch (NSSL) missions thereby exposing Joint warfighters to significant risk.

MILITARY PERSONNEL & OPERATIONS IMPACTS
Limits DAF capability to cover any increase in military pay accounts including inability to initiate new bonuses or incentive pay designed to address critically-manned career fields.

Degrades operational readiness by underfunding critical accounts such as weapon system sustainment and the flying hour program.

MILCON IMPACTS
Prevents 34 new major construction projects totaling \$1.6 billion, including new weapon system beddowns, Quality of Life (QoL) facilities, and three Indo-Pacific projects fundamental to Agile Combat Employment (ACE) operations.
Prevents five new Energy Resilience and Conservation Investment Program (ERCIP) Defense-Wide MILCON projects, totaling \$138

million, for critical power and water requirements at two U.S. Air Force and three U.S. Space Force locations.

The DAF greatly values your partnership and appreciates your commitment to our Airmen and Guardians. However, the longer the DAF operates under a CR, the greater the impact is on our people and programs. While change is hard and focus on short-term distractions seems enticing, losing to the pacing challenge is unacceptable. No one wants great power competition and no one can predict when conflict might occur, but we must be as ready as we can be—now, tomorrow, and every day. I implore you and your colleagues to advance full-year FY24 appropriations legislation as soon as possible. Thank you for your continued support of our U.S. Air Force and U.S. Space Force.

Sincerely,
FRANK KENDALL,
Secretary of the Air Force.
Mr. TESTER. I yield the floor.

RECESS

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

Thereupon, the Senate, at 1:08 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. Luján).

EXECUTIVE CALENDAR—Continued

VOTE ON COKER NOMINATION
The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Coker nomination?
Mr. PAUL. 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 Senator is necessarily absent: the Senator from Indiana (Mr. YOUNG).

Further, if present and voting: the Senator from Indiana (Mr. YOUNG) would have voted “yea.”

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 338 Ex.]

YEAS—59

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

NAYS—40

Barrasso	Graham	Ricketts
Blackburn	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rubio
Britt	Hoeven	Schmitt
Budd	Hyde-Smith	Scott (FL)
Capito	Johnson	Scott (SC)
Cornyn	Kennedy	Thune
Cotton	Lankford	Tillis
Crapo	Lee	Tuberville
Cruz	Lummis	Vance
Daines	McConnell	Wicker
Ernst	Mullin	
Fischer	Paul	

NOT VOTING—1

Young

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 Senator from Rhode Island.

LEGISLATIVE SESSION

Mr. REED. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

JOURNAL OF PROCEEDINGS

Mr. REED. Mr. President, I ask that the Journal of proceedings be approved to date.

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—CONFERENCE REPORT—Resumed

Mr. REED. Mr. President, I call for the regular order with respect to the conference report to accompany H.R. 2670.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the

amendment of the Senate to the bill (H.R. 2670) to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

Pending:

Schumer motion to recommit the conference report to accompany the bill to the Committee on Conference, with instructions.

Schumer amendment No. 1373 (to the instructions of the motion to recommit the conference report to accompany the bill to the Committee on Conference), to modify the effective date.

Schumer amendment No. 1374 (to Amendment No. 1373), to modify the effective date.

Mr. REED. Mr. President, I ask that Senator ERNST be permitted to speak for up to 5 minutes, and that, following the vote on the Ernst motion to table, Senators HAWLEY and LUJÁN be permitted to speak for up to 10 minutes each.

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

The Senator from Iowa.

Ms. ERNST. Mr. President, Leader SCHUMER is blocking us from having an important and timely debate on Biden's unlawful, immoral policy to use tax dollars intended for our national defense to pay for abortions.

The world is imploding because of Biden's failed leadership and weakness, and our country is under greater threat than it has been in years. Meanwhile, the Biden Department of Defense is waging a war on the unborn.

I never back down from a fight, and Democrats' tactics will not deter my work to stop Biden from forcing the Pentagon to provide transportation tourism for abortion with taxpayers' hard-earned money.

As a mom, soon-to-be grandma, and 23-year combat veteran and retired lieutenant colonel of our great U.S. Army, I firmly believe the Pentagon should be focusing on protecting innocent life, not destroying it. That is why I have led the legislation to overturn this abhorrent policy and why I am here today to continue my fight for life.

Congress has been clear for nearly half a century: The Hyde amendment protects taxpayers from being forced to fund abortions, and that includes the Department of Defense.

Senator SCHUMER should stop obstructing the world's greatest deliberative body from debating this important, longstanding issue.

A “yes” vote on this motion would allow me to offer the House-passed, pro-life provisions similar to my own bill. Including these protections in the Defense bill would restore the DoD's mission integrity by preventing any taxpayer funding for Biden's radical abortion tourism, including travel costs.

America is being threatened by adversaries at home and abroad. Why are President Biden and Leader SCHUMER dividing us with their radical abortion agenda?

This is a moment where we should all stand united in the defense of our Nation. Let's do so today.

I urge my colleagues on both sides of the aisle to vote yes to defeat SCHUMER's gross attempt to silence our voices and those of the unborn.

MOTION TO TABLE AMENDMENT NO. 1373

Mr. President, I move to table the Schumer amendment No. 1373 for the purposes of offering my amendment numbered 1376, and 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 legislative clerk called the roll.

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 339 Leg.]

YEAS—47

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

NAYS—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
Collins	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murkowski	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Welch
Fetterman	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Peters	

The motion was rejected.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. LUJÁN. Mr. President, I rise in support of Senator HAWLEY's motion to table.

And I speak today on behalf of: Annie, Henry, Cipriano, Rosemary, Tina, Louisa, Francisco, Laura, Wilbert, Charles, and the thousands upon thousands of people who have endured the agony and suffering brought on by our nuclear weapons testing in New Mexico and across the country.

In July of 1945, Annie was in her kitchen with her family when, all of a sudden, they heard a boom. The next second, they were on the floor holding onto one another, trying to comfort each other, because around them windows were shattering and walls were crumbling.