

## NOMINATIONS

Mr. President, on another matter, it will be a busy day here on the floor with votes on three highly qualified nominees to serve in the administration and on the Federal bench.

For the information of Senators, we will hold votes today on the nominations of Christopher Fonzzone to be Assistant Attorney General, Sara Hill to be U.S. district judge for the Northern District of Oklahoma—a member of the Cherokee Nation, Ms. Hill would make history as the first-ever Native American woman to serve as a Federal judge in the State of Oklahoma—and, finally, Elizabeth Richard to serve as President Biden's Coordinator for Counterterrorism, a position that has the rank of Ambassador at Large.

Before the Senate adjourns for the holidays, we must also pass a temporary extension of FAA funding or else funding will run out on December 31. A funding extension for the FAA is critical for minimizing chaos during the holiday season. So Congress must get this done as soon as we can.

## MILITARY NOMINATIONS

Mr. President, finally, before we leave for the Christmas holiday, the Senate will also finish confirming the last of the military nominees held up by Senator TUBERVILLE. A few weeks ago, the Senate finally confirmed the vast majority of officers and military nominees who were on hold.

And at the end of last week, the Senate unanimously passed legislation providing for backpay for all military personnel affected by these damaging holds. Providing backpay for these military families was the very, very least the Senate could do to right this awful wrong. I am glad we did it.

But we are not done yet. There are still 11 nominees who are awaiting confirmation. We will not leave town until every last one of these delayed nominees is confirmed. I hope we can do so quickly.

## NEW YORK

And, finally, Mr. President, one of the things I am best known for in New York is my commitment to visit all 62 counties every year. This year, we celebrated our silver anniversary—the 25th year of visiting every one of the 62 counties. And I love it every bit as much today as I did my first year. We finished our tour yesterday morning at Columbia Memorial Hospital in Columbia County.

When I visit the counties, I learn so much. I talk to people. I listen to their needs. When you are up close with people, you see their hopes and their joys, as well as their fears, their desires—so many different things. And when you sit up close with someone and talk to them and learn from them, it makes a huge bit of difference. You can't do your job as a Senator unless you are actually in touch with people, not simply talking on the telephone or reading something. And so I do it, and I love it. And I commit to the people of New York that I will visit every one of the

62 counties next year, at least for the 26th time.

I yield the floor.

## RECOGNITION OF THE MINORITY LEADER

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

## NATIONAL SECURITY

Mr. MCCONNELL. Mr. President, as the Senate convened this week, our colleagues negotiating on border security were still at the table making slow and steady progress. They are chipping away at years of failure to enact basic commonsense border security policy. Reaching an agreement that can pass Congress and become law is easier said than done.

But I am very grateful to Senator LANKFORD for sticking with it. Our colleagues' effort to address the glaring national security challenge here at home is the foundation of our broader responsibility to meet the linked threats we are facing around the world, from the Indo-Pacific to Europe, to the Middle East.

Needless to say, it is a particularly dangerous time for nations that care about protecting their sovereignty from totalitarian thugs and savage terrorists. The headlines are filled with evidence that America's most dangerous adversaries are demonstrably not deterred, and it might have something to do with the Biden administration's penchant for deterring itself instead.

America is a global superpower, but far too often, our Commander in Chief has conducted our foreign affairs with hesitation and weakness. Remember his administration's overwrought fears of "escalation" that kept essential capabilities out of Ukrainian hands or the feeble half measures in response to an ongoing surge in attacks on U.S. personnel in Iraq and Syria.

Reports that the Biden administration now wants to constrain Israel's efforts to destroy Hamas are disappointing but not surprising. Two months ago, the administration was encouraging Israel to slow down its response before entering Gaza. Now, it is telling Israel to hasten its operations and wind them down to a close.

America cannot afford to lose sight of reality. We must not blur the bold-face line between a sovereign democracy that takes great pains to avoid civilian casualties and a terrorist organization that steals humanitarian aid from vulnerable Gazans to fuel its war of hate.

Israel did not choose this conflict. It ended the occupation of Gaza nearly two decades ago, but its policy of seeking to lower tensions was rewarded on October 7 when Hamas unilaterally shattered the cease-fire with rape, torture, terror, and murder: Hamas, the terrorists who diverted mountains of foreign assistance intended for civilian infrastructure to build miles of elaborate terror tunnels instead; Hamas, the cowards who intentionally hide their fighters and weapons in schools and hospitals.

Hamas has repeatedly faced the choice between improving the lives of Palestinians and killing Israelis. Every time, to date, it has chosen violence. And if Hamas survives with its military capabilities and leadership intact, it will make that choice again and again.

This is the reality Israel faces. Its war cabinet knows they must see this fight through. It is the same reality that recent American Presidents have confronted in the fight against al-Qaida and Isis. But for Israel, the determined terrorist threat is on its very borders and its own citizen soldiers are on the line.

So I will repeat what I have said so many times before. Our responsibility as an ally is to provide the time, space, and support Israel needs to finish the job, to condemn shameful attempts at moral equivalence to excuse the genocidal violence of Hamas terrorists and apply double standards to Israel and to offer counsel to our ally in private, not in front page genuflections to the President's leftwing base.

Administration officials and world leaders who care about the Palestinians would do well to focus less on constraining Israel in the short term and more on the challenge of ensuring Palestinian leaders and organizations in Gaza and the West Bank actually care about improving the lives of their fellow citizens in the long term.

Palestinians deserve better than Hamas's cult of death in Gaza. They deserve better than a corrupt and sclerotic Palestinian Authority in the West Bank.

## ANTI-SEMITISM

Mr. President, on another matter, on Sunday, Jewish residents of our Nation's Capital were subjected to a disturbing episode of anti-Semitic hate. As a Torah class at a Washington synagogue concluded and attendees began to leave, they were met on the sidewalk by a man who sprayed them with a foul-smelling substance and yelled "Gas the Jews"—all while filming on his cell phone. This is just one example of the reality facing millions of American Jews.

In the same weekend, hundreds of synagogues across the country received false bomb threats, and thousands of incidents of anti-Jewish hatred have cropped up on American soil in the months since October 7, a rise that leading watchdogs say is the worst in more than 40 years.

The brazenness of this hateful deluge is horrifying by itself, but an even more alarming trend is just how dramatically the moral cancer of identity politics is laying the groundwork for a continued wave of anti-Semitism. According to one recent poll, a full two-thirds of Americans between the ages of 18 and 24 agreed with the following statement:

Jews as a class are oppressors and should be treated as oppressors.

That is the view of two-thirds of Americans between 18 and 24. This is

the scorched-earth Marxist nonsense that has quite publicly seized America's most elite universities.

As our former colleague, the President of the University of Florida, put it in a recent column, "In this upside down system, an oppressor's speech is violence. Sometimes an oppressor's silence is violence. But for the oppressed, even violence is just speech."

Mr. President, I ask unanimous consent to print President Ben Sasse's full comments in the RECORD. This is the ideology that is poisoning the new generation. This is the world's oldest form of hatred, and we cannot ignore it.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Atlantic, Dec. 14, 2023]

#### THE MORAL DECLINE OF ELITE UNIVERSITIES

(By Ben Sasse)

In the spring of 1994, the top executives of the seven largest tobacco companies testified under oath before Congress that nicotine is not addictive. Nearly 30 years later, Americans remember their laughable claims, their callous indifference, their lawyerly inability to speak plainly, and the general sense that they did not regard themselves as part of a shared American community. Those pampered executives, behaving with such Olympian detachment, put the pejorative big in Big Tobacco.

Last week, something similar happened. Thirty years from now, Americans will likely recall a witness table of presidents—representing not top corporations in one single sector, but the nation's most powerful educational institutions—refusing to speak plainly, defiantly rejecting any sense that they are part of a "we," and exhibiting smug moralistic certainty even as they embraced bizarrely immoral positions about anti-Semitism and genocide.

Despite the stylistic similarity of these two images, they had a substantive distinction. Yes, both sets of presidents sat atop sectors experiencing a collapse of public trust. Higher education commanded the confidence of 57 percent of Americans a mere eight years ago, but only 36 percent of Americans by this summer, and a steeper decline is likely coming as a consequence of the grotesqueries of the past two months. And yes, both sets of testimonies—of the tobacco executives, and the elite-education executives—revealed a deep moral decline inside their respective cultures. But here's a difference: The tobacco executives were lying, and subsequent legal discovery showed how extensive their understanding of nicotine was. The three university presidents, however—with their moral confusion on naked display—were likely not lying; instead, we saw a set of true believers in a new kind of religion.

It is important to note that the three presidents who testified before Congress—Liz Magill, who subsequently resigned as president of the University of Pennsylvania; Sally Kornbluth, of the Massachusetts Institute of Technology; and Claudine Gay, of Harvard University—didn't open themselves up to perjury charges. Instead, they revealed themselves as having drunk the Kool-Aid of a new and cultlike worldview. Along with so much of higher education, especially outside the hardest of sciences, they have become acolytes of a shallow new theology called "intersectionality." This is neither a passing fad nor something that normies can roll our eyes at and ignore. As Andrew Sullivan presciently predicted a mere six years ago, the

tenets of this all-encompassing ideology have quickly spilled beyond trendy humanities departments at top-30 universities, and its self-appointed priestly class tried tirelessly to enforce its ideology.

At root, intersectionality teaches that the relative victim status of various groups is the deepest truth, and this framework must drive our interpretation of both natural and built reality. Truth, moral claims, beauty, dignity, the explanatory value of a research insight—all of these must be subjugated to a prior determination of the historical power or powerlessness of certain sociological categories. This victimology decrees that the world, and every institution therein, must be divided by the awakened into categories of oppressors and oppressed. Immutable group identities, rather than the qualities, hopes, and yearnings of individuals, are the keys to unlocking the power structures behind any given moment: All the sheep and goats must be sorted.

The bullying certainty of this belief system is indeed boring, but that is not to say that every move is predictable. For instance, depending on their skin tone, sexual orientation, or religious views, tenured Ivy Leaguers earning five times the median American income may be categorized as oppressed. Conversely, depending on their skin tone, sexual orientation, or religious views, janitors at Walmart may be considered, within the intersectionality matrix, to be irredeemable oppressors.

By way of disclosure: I am a university president turned United States senator turned university president again. The institution I now lead, the University of Florida, faces all sorts of challenges, and Florida is the site of important battles about the responsibilities of academia to our society. As a public university, our incredibly talented and dedicated faculty aim to provide an elite education that promotes resilience and strength in our students so that they are tough enough, smart enough, and compassionate enough to engage big ideas in a world where people will always disagree.

Growing up, I idolized Martin Luther King Jr., who championed universal human dignity with clear-cut moral authority. From memory, writing in a jail cell in Birmingham, he synthesized, refined, and applied the Western canon's greatest philosophers, from Socrates to Abraham Lincoln, to America's predicament. While damning the original sin of white supremacy, he consistently offered hope that our country could overcome injustice with love. It's gut-wrenching to think that America's greatest civil-rights leader—one of the greatest Americans in the country's entire history—would have his "Letter From Birmingham Jail" criticized and dismissed for citing only dead white males if it were written today. Too much of elite academia cares little for universal human dignity, leaves no space for forgiveness, and exhibits no interest in shared progress.

Today, free will, individual agency, forgiveness, personal improvement, and healthy cultural cross-pollination are all obliterated by omnipotent determinisms. This is why academics at the Smithsonian created a graphic for children that portrayed America as an irredeemably racist society, asserting that "rugged individualism," "the nuclear family," and "hard work" are "internalized . . . aspects of white culture." The message is clear: Success is always a privilege given, never the result of hard work; virtues such as self-reliance are unattainable for minorities.

These elites believe that the world must be remade. Since the beginning of time, oppressors—the "privileged"—ran roughshod over the oppressed or marginalized. Now oppres-

sors must be brought low to atone for history's sins. It is a faith without guardrails, without grace, and certainly without reconciliation. It requires a life of moral struggle against the devil and the world, but with no eschatology of hope. There is no heaven coming here.

This religiosity has colonized humanities departments across supposedly secular higher education. Institutions ostensibly dedicated to the search for truth, to the exploration of ideas, and to the advancement of human flourishing have, instead, devoted themselves to inquisitions and struggle sessions.

Students catalog microaggressions and conflate comfort with safety. Faculty who dare to treat students like adults with a bit of grit face professional consequences. Administrators police language. Hiring committees compel DEI statements. Academic conferences provide safe spaces instead of thought-provoking forums. Admissions officers devise formulas to rank students based on race, class, and gender. Universities respond haplessly to mobs wielding the heckler's veto to shut down thoughtful deliberation.

The moral confusion on too many campuses after the October 7 massacre of 1,200 Israelis fits a familiar pattern. The acceptability of the speech depends on the speaker. Individuals from oppressed groups are given leeway to target oppressor groups through disruptions and threats. This victimology allows Palestinians and their supporters (the oppressed) to target, intimidate, and harass Jews (the oppressors).

In the morally backward universe of American campuses: The terrified Jewish students at Cooper Union, locked in the library while a mob banged on doors and spat anti-Semitic chants, are the bad guys. A group of Harvard students who surrounded and harassed a Jewish student are the good guys. It's not hard to see why the Harvard students who occupied University Hall in a pro-Palestinian demonstration were offered food instead of being arrested.

Three fundamental tenets of a free society are that beliefs are not necessarily true merely because they are held by a majority, or wrong because only a minority agree; that while we seek to eliminate violence, we do not seek to suppress diversity of views; and that souls cannot be compelled. The reigning orthodoxy on supposedly elite campuses is that the first two theses are retrograde, and the third is naive because souls don't even exist.

In this upside-down system, an oppressor's speech is violence. Sometimes an oppressor's silence is violence. But for the oppressed, even violence is just speech.

The university presidents who testified before Congress were not wrong that the line beyond protected speech is action—this is the well-established American tradition. But having so selectively applied that standard in the institutions they wield, they forfeited any claim to be motivated by protecting speech; they are simply in the business of choosing allies and outcasts based on a dogma of victimology. Harvard's freshman orientation specifically instructs students that failing to adhere to new dogmatic linguistic constructions that didn't exist a few years ago is abuse, and students anticipate consequences.

These academic leaders did not arrive at this dogma of victimology recently. They built their careers on it, funded it, celebrated it openly. When the rape of Israeli women cannot be unequivocally condemned because of their status as Jews, when calls for genocide require additional "context," it is clear that many of country's putatively best minds are unable to make basic moral judgments.

A 2019 conversation with some highly degreed Ivy Leaguers still rings in my ears. A number of white academic advocates of the term Latinx told me, when I still represented Nebraska in the Senate, that it would be “racist” not to teach newly arrived El Salvadoran immigrants to rural Nebraska to refer to themselves by this newly invented word. To recall the aphorism attributed—probably apocryphally—to George Orwell: “Some ideas are so stupid that only intellectuals believe them.”

Harvard, Princeton, and Yale were originally founded as seminaries. They are seminaries once again. The doctrine they embrace is both insecure and oppressive in its prohibition of insiders and outsiders from pursuing free inquiry. Rather than wrestle with hard questions about human dignity, individual agency, and speech, many in the Ivy League seem poised to double down on fanaticism.

Cults tend to excuse their failures: The world is ending, but our mystic math was a little off. As this crisis unfolds, America’s elite academics are tinkering with their doctrinal formulas. Rather than abandon their theology, they’re attempting to rejigger the charts and reweight the numerology.

We cannot heal these declining institutions simply by recalculating the grid so that Jewish people are moved from the “powerful” square to a “powerless” slot. The problem is the tyranny of the power grid itself, and its disinterest in both ideas and universal human dignity.

Changing one president here or there isn’t enough. Intersectionality is a religious cult that’s dominated higher education for nearly a decade with the shallow but certain idea that power structures are everything, the Neanderthal view that blunt force trumps human dignity.

The nonsense we’ve seen seeping off campuses this fall is jarring but not surprising, given that the absurdities inside this worldview have not been pressure-tested. This is because its adherents, those who wield the power of some of our society’s most prominent institutions, have prohibited anyone from asking questions, demanding that their religion remain immune to challenge.

Rebellion against this arrogant worldview was inevitable. Many of us have long expected a correction against the certainties of this campus creed, and I suspect that the public’s They can’t say what? reaction to Kornbluth, Gay, and Magill might prove to be a breaking point. While populists have always found the bashing of elites fashionable, this moment calls for something more constructive. It also calls for something deeper than free speech for free speech’s sake.

We ought to dispense with the laughably absurd notion that these university presidents are somehow steadfast champions of free speech. Where was this commitment when MIT canceled a speech from a climate scientist who voiced opposition to affirmative action? Where was this obligation when a lecturer said she felt pushed out of Harvard for suggesting that sex is a biological fact? Where was this duty when Penn tried to fire a law-school professor who made odious comments about minority groups and immigration policy? These elite institutions make the rules up as they go and stack the deck against disfavored groups. Ask conservative students how many loopholes they have to jump through to reserve spaces or invite speakers. Ask the students who report holding back their views in class or paper—topic selection for fear of facing consequences. For that matter, ask anyone who has been paying attention for the past 20 years. These universities aren’t doggedly committed to free speech; they’re desperately trying to

find some cover. The expensive public-relations firms they’ve hired for crisis management are grasping at straws.

This is not merely—or primarily—a free-speech issue. Yes, of course, universities ought to be informed by speech. At the University of Florida—where, despite the Ivy League’s hegemony of the national conversation, we award twice as many bachelor’s degrees each year to extraordinary students as Harvard, Yale, and Princeton combined—we are proud to uphold the First Amendment rights of all our students. America’s First Amendment gives everyone the right to make an abject idiot of themselves, and we will defend that right as we also defend our students from violence, vandalism, and harassment. But this is deeper than those speech issues. What’s at stake is nothing less than the mission of a university. Our campuses are meant to be communities of scholars pursuing truth together, in a community built to discover, teach, share, and refine. A foundational commitment to human dignity is essential to the very purpose of education. Unfortunately, the presidents of Harvard, MIT, and Penn abandoned that commitment in front of Congress last week. At a perilous moment, they failed the test.

Higher education is facing a crisis of public trust. The simple fact of the matter is, fewer and fewer Americans believe that universities are committed to the pursuit of truth. Understanding why isn’t hard at a time when elite institutions make excuses for illiberal mobs. The perception that ideologues and fanatics are running the show on campus is, sadly, based in reality. The public sees it. Donors see it. Boards see it. Alumni see it. We recognize callousness and indifference—we saw it from Big Tobacco in 1994 and we’re seeing it from the Ivy League now. The public is not about to forget it.

As administrators, donors, faculty, and trustees of institutions around the country, this is our moment. It is up to us to rebuild trust in higher education. It is our responsibility to speak plainly, defend our students, defend pluralism, and tend to the high calling of educating.

The only way forward is for universities to embrace classical liberalism—with its values of freedom, tolerance, and pluralism, all grounded in human dignity. Recasting oppressors and oppressed is a dead end. As the cult of intersectionality implodes before our eyes, it is time for higher education to commit itself to earnestly engaging new ideas and respectfully participating in big debates on a whole host of issues. Universities must reject victimology, celebrate individual agency, and engage the truth with epistemological modesty. Institutions ought to embrace open inquiry. Education done rightly should be defined by big-hearted debates about important issues.

More curiosity, less orthodoxy. Explore everything with humility, including views of sex and gender that were standard until the previous decade, classical traditions, America’s promise and progress, and the concept of universal human dignity—the very thing that Hamas and its apologists reject. Engage the ideas. Pull apart the best arguments with the best questions. Do it again and again and again. Build communities that take ideas seriously, so that scholars and students can grow in both understanding and empathy.

Self-government makes high demands of its citizens. Today’s students will be called to lead in a complicated world where not everyone will agree, where trade-offs will be necessary, where basic values inform the work of navigating complex realities. The current illiberal climate on campuses is the kind of tragedy that could doom a republic. We cannot let that happen.

To keep America’s universities the envy of the world, we need to make our institutions welcoming homes for those who are passionate about the glorious mission of education and the communities of free thought it requires. If you entered academia because you share that joy, find institutions that are serious about renewing higher education and are serious about stewarding this incredible calling. Those of us—left, right, or center—who value human dignity, pluralism, and genuine progress and who want to make sure that we pass these blessings to the next generation cannot abandon institutions to post-liberals on the left who would destroy them from within or post-liberals on the right who would tear them to the ground. At our best, the academy promotes human flourishing in ways that no other sector can. If we commit ourselves to the work of creating, discovering, and serving—not enforcing impersonal hierarchies of power or stifling inquiry—we’ll rebuild public trust.

Those of us called to higher education—members of boards, presidents, administrators, professors, and donors—owe it to future generations to build something better.

Mr. McCONNELL. I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. OSSOFF). Without objection, it is so ordered.

The majority whip.

ISRAEL

Mr. DURBIN. Mr. President, it has been 2 months since the horrific Hamas attack that killed 1,200 innocent Israelis and saw another 240 people taken hostage—some of them Americans, including Hersh Goldberg-Polin with family in my State of Illinois.

For anyone who watched 60 Minutes this past weekend, the ordeal shared by one of the released hostages was harrowing and almost unimaginable. These hostages have been subjected to brutal physical and psychological torture. Some 115 hostages are believed to still be held, and I have long called for a humanitarian pause by both sides that includes the release of all the hostages as quickly as possible.

I believe this remains the right path forward, and I hope our government will pursue this goal. But make no mistake, this Hamas attack was a reminder that there are still those who do not recognize Israel’s right to exist. I do; and I understand their right to self-defense.

But what has happened since October 7 raises larger questions about how Israel should defend itself, how it should retaliate and address the long-term need for two neighboring people to learn to live in peace.

Early in this conflict, I urged Israel to learn from our mistakes in the United States after the deadly attacks on September 11, to not make the mistakes in the fog of their rage and pain that we made. I fear some of the important lessons we learned the hard way may not have been heeded by this Israeli Government.