

and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Kunesh nomination postcloture; further, that all postcloture time be considered expired at 10:45 a.m. and the Senate vote on the confirmation of the nomination, followed by the motion to invoke cloture on the Werfel nomination; that if cloture is invoked on the Werfel nomination, the vote on confirmation be at a time to be determined by the majority leader in consultation with the Republican leader; further, that following the cloture vote on the Werfel nomination and notwithstanding rule XXII, the Senate resume legislative session and Senator HAGERTY or his designee be recognized to make a motion to discharge the Committee on Homeland Security and Governmental Affairs from further consideration of H.J. Res. 26; that if the motion is made, all the time on the motion be considered yielded back and the Senate vote on the motion to discharge; that if the motion is agreed to, Senator HAGERTY or his designee be recognized to make a motion to proceed; finally, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. For the information of the Senate, the confirmation vote on the Werfel nomination is expected to occur immediately upon the disposition of the joint resolution. Therefore, Senators should expect two rollcall votes at 10:45 a.m. and two votes later in the day.

#### ORDER FOR ADJOURNMENT

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of Senators GRAHAM, BOOZMAN, and LANKFORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

#### DC CRIMINAL CODE

Mr. GRAHAM. Mr. President, I am going to turn this over to Senator HAGERTY and my other colleagues here in a minute, but I just, one, want to recognize Senator HAGERTY from Tennessee for doing something that needed to be done.

The Congressional Review Act allows us, as a body, to look at certain enact-

ments coming from the DC—District of Columbia—City Council for our approval. I am just going to go through the highlights here, but tomorrow, we will be voting on Senator HAGERTY's proposal to disapprove legislation that was passed regarding revising the DC criminal code.

And Senator HAGERTY has done a good service for the people of the District of Columbia and, I think, for the body and the Nation as a whole.

So what are we talking about? This is numbers for the District of Columbia, your Nation's Capital: Total DC crime has increased 25 percent from 2022 to 2023 as of March 3. Carjackings are up 111 percent, have increased for the fifth straight year. Homicides are up 40 percent, and DC has already reached 38 homicides. The average homicide suspect has been arrested 11 times before committing a homicide. Sexual assaults are up 123 percent. Property crimes are up 32 percent. There have been 393 robberies in DC during the last 2 months.

According to the Metropolitan Police Department, there are 430 fewer officers than they had in 2019. It is the lowest number of officers since the 1970s.

I don't know where to end this thing other than to say that the DC City Council, in light of all of this information, passed a law over the objection of the Mayor that would reduce the maximum sentence available for crimes such as carjacking, robbery, home invasion, burglary, firearm offenses, when all of these offenses are at a historic high. So Senator HAGERTY saw what they did and said: This is insane.

I just read to you a dramatic increase in crime across the board—personal property, sexual assault, and murder—and the DC City Council passed a law over the objection, the veto, of the Mayor to reduce maximum sentences to eliminate nonenhanced mandatory minimum sentences for all offenses, except first-degree murder; lowers maximum sentences to 45 years; expands judicial sentencing reconsideration to all criminals after 20 years of imprisonment; reduces the scope and maximum penalty for felony murder. The bottom line is, instead of increasing punishments, they decided to dramatically decrease punishments for the crimes that are out of hand.

So when Senator HAGERTY introduced this legislation that would reject this, things started changing—starting with the President of the United States, who said that he was going to veto any attempt by the Congress to stop the DC law from becoming law.

Well, something happened because he has changed his mind. In the House, Democrats and Republicans passed this Congressional Review Act overwhelmingly. The bottom line is President Biden has now indicated he will sign it, and DC City Council is trying to find a way to take it off the books. I doubt if they can.

So, Senator HAGERTY, sometimes we wonder if we make a difference here.

You have made a difference. You have brought this body together because I would anticipate, tomorrow, that we are going to have an overwhelming vote to reject the DC City Council's efforts to revise their criminal code to make it less deterrent.

All of us live up here during the week. It is our Nation's Capital. It is one of the most beautiful places I have ever visited. But crime is out of control. And we need to restore law and order to our Nation's Capital, and this effort by Senator HAGERTY is now being joined by a legion of Senate Democrats. And I want to thank each and every Democrat for stepping forward and joining Senator HAGERTY and all the Republicans for saying no to this bad idea of being soft on crime in a city that is overwhelmed by crime.

So if there was an award to be given for bad ideas, I would nominate what the DC City Council did in trying to reduce punishments for crimes against persons and property at a time when the city is on fire in terms of crime. So Senator HAGERTY and others have stepped into the breach. Tomorrow, we are going to vote and we are going to end this ill-conceived idea. And I want to thank Senator HAGERTY for his leadership, and I look forward to being his wingman tomorrow.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. HAGERTY. Mr. President, I would like to say that I appreciate and am very touched by the remarks of the good Senator from South Carolina, Mr. GRAHAM.

And I thank Senator GRAHAM so much for his support and his presence here tonight.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, I rise today to discuss the staggering crime problem plaguing the Nation's Capital and an outrageous attempt to unleash even more of it on residents and visitors alike.

The DC City Council unanimously voted last year to substantially weaken its criminal code, including by eliminating life sentences and most mandatory minimums for any crime but first-degree murder.

It is also lowering maximum penalties for some violent offenses like carjacking and robberies. These so-called reforms weren't just opposed by Republicans; they were even a bridge too far for the District's Democratic Mayor who vetoed the legislation, only to see that overruled by the City Council by a 12 to 1 margin.

DC is experiencing a wave of the very crimes this proposal is going soft on. There have been 99 carjackings so far this year. Thirty-eight homicides have occurred in 2023, and 203 murders took place in the city last year—the second consecutive year its total surpassed 200.

This preposterous answer to DC's public safety crisis was also rejected by the Washington Post editorial board,

which said the city could become more dangerous while even further tying the hands of police and prosecutors if this effort were to succeed.

Let's be clear, only in an overwhelmingly liberal city, with years of support from liberal lawmakers at the Federal level, would something like this ill-conceived crime spree incentive be possible. It is just bad policy. It is also unbelievably insensitive and disrespectful to victims on the receiving end of heinous and violent crimes.

There is no justice in downplaying crime. There also can be no pretense of keeping the public safe and upholding the law and order when leaders refuse to demand true accountability from those who brazenly break the law.

How should these victims react to these senseless proposals that delegitimize their suffering and the consequences that they will provoke?

Unlike our Democratic colleagues, Republicans won't make excuses for criminals, and we won't sit back and allow far-left ideology to gut the criminal justice system of civility to deter and punish unlawful, violent behavior.

For too long, our friends on the other side of the aisle have used, frankly, irresponsible rhetoric about crime and policing that would inevitably lead to ideas as bad as this or worse. From "defund the police" to "reimagining justice," there has been no shortage of liberal slogans and agendas to undermine the rule of law and minimize crime's societal impacts.

Democrats in Washington, including President Biden, have only poured fuel to the fire. Many have openly embraced these absurd concepts, including the 173 House Democrats who refused to overturn the DC Council and stand up on the side of common sense.

Let's not forget the ultimate irony in all of this, which is the fact that for the last 2 years, Democrats were demanding the Senate abolish the legislative filibuster in order to ram through party-line votes on incredibly bad policies, including DC statehood.

It seems that, for Democrats, giving the District complete autonomy over its affairs is a useful political talking point, until it isn't. If that doesn't undermine just how bad faith the push to wreck the Senate was, I really don't know what will; and I am so grateful a few of our colleagues on the other side had the courage to reject it.

So, Mr. President, I am pleased to hear that my colleagues and the President—and apparently even the DC City Council—seem willing to draw the line here. Thank goodness.

The question of how long it will last or if they have really learned a time-tested lesson is still quite open. For the Nation's Capital and our entire country, I hope this outbreak of sanity and appreciation of law and order is long lasting.

I thank Senator HAGERTY for leading the charge. He has done a tremendous job, and I think it made a real difference.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I was on the plane—Southwest Airlines to be specific—this particular Monday, flying up from Oklahoma City to Washington, DC, to be able to come here to the office, begin to do a week of work.

The plane was absolutely filled with people coming in that also work in DC in different Agencies, lots of tourist groups that are actually coming up, groups of students that are here. All kinds of folks were on the plane because they were coming to Washington, DC, because it is the Nation's Capital. It is the Nation's Capital and the spot where the entire world—every diplomat from every country—comes to Washington, DC, to be able to meet with Members of the Senate, Members of the House, the President, and the Executive team. They come to be able to interact because this is the central point of the government of the United States. They expect to come and to be able to see the White House, be able to see the Capitol, be able to tour around phenomenal Smithsonian institutions and be able to see that.

This is what they also see when they come to Washington, DC, now. That is the common view that is also around the city because, in the last few years, since the "defund the police" movement took over the city council, the city council in Washington, DC, did several things.

They took out student resource officers in schools, saying that SROs—the student resource officers in schools—they were what they called a pipeline from school to prison. So to solve the issues around schools, they just stopped enforcing in the schools. And do you know what has happened? Crime has gone up around schools, and problems have continued in schools.

Crime has gone up 25 percent just in the last year in Washington, DC—just in the last year. So far, in 2023, according to the Metropolitan Police Department—now, remember, we are in March of 2023. So far in 2023, there has already been 38 homicides in this city, 215 assaults with a dangerous weapon, 298 robberies, 164 burglaries, 1,182 motor vehicle thefts, and from last year to this year, arson is already up 300 percent in Washington, DC. And this has become the common sight around the city.

What in the world is going on? In the middle of rampant increase in crime in Washington, DC, the DC City Council's response to this in an overwhelming vote was to reduce penalties for felonies and to be able to say that if you commit a misdemeanor, then you actually have to have a jury trial as well, knowing full well that would clog up the courts, and basically misdemeanors would never be heard, and so they just wouldn't happen. No one would actually get a misdemeanor record in Washington, DC.

So their plan to end this rampant increase in crime is just not to enforce

the law, and if you were caught, you would get out faster, to get back to the street to be able to commit crimes again.

Listen, there are amazing people who live in this area, Washington, DC, remarkable residents who love this city and love this country, and they do not want to be afraid for their kids going to school.

We had a gentleman who actually worked full time to provide what they call safe passages for kids to be able to get back and forth from their homes to their schools. His whole focus was just to be able to bring down crime in Washington, DC. He was murdered not long ago on one of those same streets in DC.

This should not be so for this great capital and for this great Nation, and the response should not be, we are just not going to enforce the law. That is what the DC Council has said they are going to do.

To her credit, the Mayor of Washington, DC, vetoed that bill when it came out of the city council, and the city council overrode her veto and said: No, we are going to do it anyway.

In response, Senator BILL HAGERTY has brought up what is called a Congressional Review Act, a challenge to this, and he has taken the next step to be able to say it is not just a Congressional Review Act but to say Congress has the responsibility and the right to actually watch over what happens here.

This is not outside the bounds of Congress's responsibility. The U.S. Constitution, article I, section 8, line 17, says this. Here is the responsibility of Congress:

[Congress should] exercise exclusive legislation in all cases whatsoever over such District . . . as may, by cessation of particular states, and the acceptance of Congress, become the seat of government of the United States.

That is describing where we are right now. In our constitutional responsibility, Congress has the responsibility to oversee what is happening in Washington, DC, and to make sure this area is a safe place.

Congress, in decades past, has passed over what is called home rule to Washington, DC, to say to the city council: You have the responsibility to be able to make decisions for what is going on. But Congress still has the congressional, constitutional responsibility to be able to oversee DC. So it is entirely appropriate for Senator HAGERTY to bring this up and say it is time that Congress steps in on the city council and speaks out for our constitutional obligation and says we cannot have rampant crime in the seat of our Republic.

This vote that is coming up tomorrow is going to override the city council. It is hard to believe that the U.S. Congress has to vote to override a city council vote, but that is our constitutional responsibility, and we should take that and be able to do it.

This is important for the safety of all those folks who were on that plane with me and for all the folks who are coming next week from Oklahoma who will be on spring break. This city will be full of Oklahomans who come to visit all these museums, and it needs to be a safe place for them to be able to be in, and it needs to be a spot they want come to, not a spot that looks like this everywhere all over the streets. This should not be so.

It is time that we speak out for a simple principle: Defunding the police, decriminalizing criminal activity, taking school resource officers out of schools, and saying “We just won’t enforce the law” doesn’t stop crime; it accelerates crime.

For the good people of Washington, DC, they just want a safe city to live in. For folks who work and tour here, they just want to come to a safe place where they are not afraid. Let’s invite them to come see the capital, not see this all over the city.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. HAGERTY. Mr. President, I would just like to thank my colleagues GRAHAM, BOZEMAN, and LANKFORD for being here this evening to support this effort.

We need to make certain that our Nation’s Capital doesn’t become a national embarrassment, and we need to make certain that we send a strong message that the American public have had it with crime in America. The crime spree that is happening in our major cities must come to an end.

We are putting a marker on the ground tomorrow. I want to thank all my colleagues, both Republican and Democrat, who are joining me in this.

I yield the floor.

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#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:35 p.m., adjourned until Wednesday, March 8, 2023, at 10 a.m.

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#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 7, 2023:

##### THE JUDICIARY

ROBERT STEWART BALLOU, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA.

ANDREW G. SCHOPLER, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

ARUN SUBRAMANIAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

##### DEPARTMENT OF JUSTICE

KATE E. BRUBACHER, OF KANSAS, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF KANSAS FOR THE TERM OF FOUR YEARS.

ISMAIL J. RAMSEY, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS.