



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 118th CONGRESS, SECOND SESSION

Vol. 170

WASHINGTON, TUESDAY, MARCH 19, 2024

No. 48

Senate

The Senate met at 3 p.m. and was called to order by the Honorable PETER WELCH, a Senator from the State of Vermont.

PRAYER

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

Let us pray.

Almighty God, the Heavens proclaim Your glory, and the skies display Your craftsmanship. Shine Your light on our path as we work today.

Lord, You have led America through troubled times in the past. Be now for us a source of life, light, and liberty.

Give wisdom to our Senators. May they follow Your light, trust in Your might, and find strength for life's fights. Teach them what they should think, say, and do, so they will not stumble along the way. Replace doubt with faith, fear with courage, and despair with hope.

We pray in Your powerful 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, March 19, 2024.

To the Senate:

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

appoint the Honorable PETER WELCH, a Senator from the State of Vermont, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. WELCH 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 consider the following nomination, which the clerk will report.

The senior assistant executive clerk read the nomination of Nicole G. Berner, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

RECOGNITION OF THE MAJORITY LEADER

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

ISRAEL

Mr. SCHUMER. Mr. President, I would like to begin today by addressing the reprehensible and dangerous comments made yesterday by former President Trump. The former President's comments were utterly disgusting and a textbook example of the kind of anti-Semitism facing Jews, pushing the dangerous anti-Semitism trope of dual loyalty. To say you hate Israel or your religion because you have one political view over the other

is sick. It is hateful. It is unadulterated anti-Semitism, and it serves to use Israel as a political wedge, further damaging the bonds between the United States and Israel.

We have always tried—I have always tried through the years—to keep everything we do on Israel bipartisan. And to use it for partisan purposes hurts Israel, hurts America, and displays how low Donald Trump would go.

And nobody who breaks bread with anti-Semites like Nick Fuentes and who called White supremacists in Charlottesville “very good people” or who, as was recently reported, said, disgustingly, that Hitler did some good things has any right—any right—to lecture Jewish Americans about their personal political beliefs.

I condemn the former President's irresponsible comments and urge others from both sides—both sides—to do the same.

GOVERNMENT FUNDING

Mr. President, now on approps, Congress has less than a week to finish the job of fully funding the government for the remainder of the fiscal year. We all know it has been a difficult, drawn-out appropriations process for everyone in Congress. Appropriators in both Chambers, their staff, my staff, and I have kept at this for months.

But today we have good news. Earlier this morning, I announced that negotiators from both parties reached an agreement last night on the final six appropriations bills. We now have a bipartisan agreement for Defense, Financial Services, Homeland Security, Labor-HHS-Education, the legislative branch, and State and Foreign Operations.

The Senate and House appropriators are now working swiftly to turn this agreement into legislative text as soon as possible so Members can review, finalize, and ultimately take a vote in the coming days. Once the House sends us a funding package, I will put it on the floor of the Senate without delay.

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



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Now, it is a very good sign that we begin the week by announcing this agreement, but I want to be clear, there is a lot of work to do in the coming days. If both parties proceed in the same manner we did 2 weeks ago—quickly, constructively, and without unnecessary partisan dithering—then I am hopeful we can finish the appropriations process without causing a lapse in government services.

We haven't had a government shutdown since 2019. There is no good reason for us to have one this week now that we are getting very close to finishing the job.

UKRAINE

Mr. President, on Ukraine, it is not an exaggeration to say that right now—right now—the survival of the Ukrainian people, the fate of American leadership in the world, and the odds of victory for Vladimir Putin depend a lot on what Speaker MIKE JOHNSON does in the near future. Any moment he wants, Speaker JOHNSON has the power to put on the floor of the House a bipartisan national security package that passed the Senate over a month ago with 70 votes.

This supplemental package will provide Ukraine precisely with what they are sorely lacking: military equipment, ammunitions, intelligence support, advanced weaponry, and more. Every day that the supplemental sits idly in the House is another day more Ukrainian troops are killed on the battlefield because they lack the basic tools to defend their country. And sadly, because the House has not acted, the situation is now very dire in Ukraine.

Speaking in Germany earlier today, Secretary of Defense Lloyd Austin warned that Ukraine's survival is now in grave danger. Russia is now making three times as much artillery and munitions as the United States and Europe. Making matters worse, Ukraine is now also beginning to run out of soldiers. Without more U.S. support, one European official predicted last week that "this is not a question of years, this is a question of weeks and months."

Leader MCCONNELL and I—in broad, bipartisan support—got the supplemental passed here. Leader JOHNSON should do the same. The clock is ticking for Congress to act. The eyes of the whole world are on the House. Our allies and adversaries alike are waiting to see what Speaker JOHNSON is going to do about the supplemental. And the answer is very simple: Speaker JOHNSON, put the supplemental on the floor of the House for a vote. I guarantee that if Members have a chance to vote on this bill, it will pass with the same kind of bipartisan support we saw in the Senate.

I have urged the Speaker repeatedly that he must do the right thing and stand up to Putin. This is a legacy-defining choice for the Speaker and potentially a history-altering decision. The Speaker can either stand up to defend democracy or he can cast his lot

with Donald Trump and MAGA extremism who are practically rooting for Putin to win.

JUDICIAL CONFERENCE

Mr. President, on forum shopping, last year I came to the floor a number of times to speak about a grave problem in our Federal judiciary known as judge shopping, where hard-right litigants bring cases before sympathetic judges in order to push their radical agenda.

Last summer, I led a number of my Senate colleagues in writing to the Judicial Conference, asking that they recommend policy reforms to better ensure impartially and basic fairness. I am very pleased that last week, the Judicial Conference responded to our concerns by announcing a new policy to assign civil cases that have statewide or national implications to judges at random across a district instead of going to a predictable single judge in a single division.

These reforms would prevent absurd situations like the one we saw last year in the Northern District of Texas, where one extremist judge was hand-picked by the hard right to revoke FDA approval of mifepristone nationwide.

If you care at all about impartial courts, last week's announcement was good news and probably came across as just common sense. So it was quite striking and, frankly, deeply troubling to see the Republican leader come down to the floor last week and excoriate the Judicial Conference's announcement. The Republican leader accused the Conference of "taking the bait" of partisan Democrats, as if randomly assigning judges to cases is inherently partisan. The Republican leader seems to want to see judges be handpicked, when we know their views already, to make decisions. That flies in the face of justice.

He claimed that it is not the place of Senators to weigh in on how the courts administer themselves. Well, Congress created the Judicial Conference a century ago precisely to recommend policy updates like this.

We all know, of course, what the deal is here: The Republican leader is fuming because these recommendations would make it harder for hard-right partisans to hijack our courts for their purposes. Leader MCCONNELL is not even pretending to hide his partisan motivations in this case, and that is deeply damaging to the trust of our courts. I would encourage the Republican leader to focus more on finding ways to restore trust in the judiciary than defending an obviously abusive practice that most Americans would oppose.

I believe that Congress—Congress—has a duty to conduct oversight of the Federal judiciary. We will keep investigating abuses within our court system going forward.

NOMINATION OF NICOLE G. BERNER

Mr. President, on nominations, finally, today, the Senate will confirm

another exceptional judge to the Federal bench—Nicole Berner to serve as a circuit court judge for the Fourth Circuit.

Ms. Berner is an accomplished labor lawyer with over 17 years of experience fighting for working people as general counsel at the SEIU—one of the largest unions in the country. Once confirmed, Ms. Berner will also make history as the first openly LGBTQ person to serve on the Fourth Circuit. Ms. Berner will bring much needed professional diversity to the courts and personal diversity to assure every American that they have representation in our judiciary.

After Ms. Berner's confirmation, the Senate Democratic majority will have confirmed over 180—over 180—highly qualified, diverse judges to the Federal bench. These are judges outside the status quo—people of color, women, judges with diverse professional backgrounds who are making the courts better reflect the people they serve. In fact, last week, I am proud that the Senate confirmed the 100th Black woman to serve a lifetime Federal judgeship in the history of the United States.

Senate Democrats will continue working with President Biden to confirm more judges and bring more balance to the courts in the weeks and months ahead.

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. Mr. 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.

GOVERNMENT FUNDING

Mr. MCCONNELL. Mr. President, this week, the Senate faces one more test to complete its annual appropriations process, and the stakes really couldn't be higher for Americans' security at home and abroad.

The work we have outstanding amounts to nearly 70 percent—70 percent—of the discretionary budget. Once again, I am grateful to our colleagues on the Appropriations Committee for their commitment to regular order. I am especially grateful to Senator COLLINS for fighting to advance Republican priorities throughout the process, particularly in the Defense appropriations bill.

Predictable annual allocations are essential to meeting national defense responsibilities. They allow for effective investments in modernizing our forces, developing new, cutting-edge capabilities, and expanding the industrial capacity that will drive long-term strategic competition. Needless to say, investments like these are especially critical right now as the gulf between