

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

the threats we face and the Biden administration's willingness to address them seems to be growing wider. President Biden has just turned in his fourth straight budget request that would cut defense funding after inflation. So the work before us is gravely necessary, and I am encouraged that we are beginning this week with an agreement in hand to actually complete the process.

Congress has secured a path forward to fund the Department of Homeland Security, which will allow us to complete the fiscal year 2024 appropriations process in the coming days. As always, making headway depends on serious cooperation, and I am grateful to our appropriators and negotiators for their commitment to working in good faith. Providing for the common defense is among our most basic constitutional responsibilities, and we need to be honest with ourselves: Growing threats and increasing military requirements make fulfilling this responsibility even more critical.

The legislation in front of us will not be Congress's last word, but it represents an important down payment, and I look forward to working with my colleagues to complete the annual appropriations process very, very soon.

#### NATIONAL SECURITY

Now, Mr. President, on another matter, over the weekend, Putin claimed electoral victory in a display of his regime's disdain for the Russian people. With a fresh 6-year term in office, he is on track to pass Joseph Stalin as the longest ruling despot in modern Russian history.

For the past 2 years, Putin has sacrificed tens of thousands of its countrymen on the altar of an obscene neo-Soviet fantasy of Stalinist empire building. The human cost of Russia's war of aggression—to Russians and Ukrainians alike—is truly tragic, but this weekend's sham election came at a particularly critical moment in this conflict, and the Kremlin is showing its cards.

Former Russian President Medvedev laid out exactly how Putin intends for his lawless conquest to end. Here is what he said:

[The] entire territory [of Ukraine] is the territory of the Russian Federation.

As he sees it, Ukraine's "complete and unconditional surrender," full "demilitarization," and reparations to Russia would help forge a "benevolent consensus" on peace.

This is from a close ally of Vladimir Putin—the autocrat who said that "negotiating with Ukraine just because it's running out of ammunition" was "ridiculous."

Russia has been showing us its intentions for over 2 years now, but for anyone who still struggles to see what is going on here, the words of Russia's leaders leave no room for doubt.

As I said before, Putin and his allies are emboldened precisely because the West is hesitating—because America is hesitating. They are spelling out their true intentions because they sense that

we might not have the resolve to actually resist them.

Here is the truth: Russia is playing for keeps. It is set on subjugating a sovereign democracy—whole hog.

There is every reason to believe this war ends with a negotiated outcome—most wars do—but it is absurd and self-defeating to insist on negotiations without preparing Ukraine to operate from a position of strength. Whether or when Putin ever decides to turn from his bid for total conquest to the negotiating table, it will be lethal Western assistance that determines what comes next.

That is why what Congress does next will influence the eventual outcome of this conflict. What we do will determine whether an administration that wants to facilitate negotiations has the leverage to produce terms favorable to America and our allies. Our next move will either reaffirm America's global influence or kneecap—kneecap—both Washington and Kyiv.

Anyone who thinks starving partners of support is good diplomacy or politics needs only to look at the Biden administration's withdrawal from Afghanistan. If Congress does its job, it will be American weapons in Ukrainian hands—and stronger forces and defense industrial capacity here at home—that determine what conclusions the world draws from the first major land war in Europe since 1945—whether or not authoritarians conclude they can continue to redraw maps by force; whether or not America's top strategic competitor concludes that we are not prepared to defend our interests or equip our friends to defend ourselves; and whether or not the next Commander in Chief inherits an unfixable quagmire.

Every day that the national security supplemental spends as a Senate-passed bill and not a law is a day that America's adversaries smile. The decisions before Congress, both in annual appropriations as well as in the supplemental, are about more than Ukraine or Israel; they are about whether America has the will to defend our interests and uphold our influence.

The ACTING PRESIDENT pro tempore. The Democratic whip.

#### DREAM ACT

Mr. DURBIN. Mr. President, I rise again today to discuss an issue that I have been working on for more than 20 years: the ongoing uncertainty and plight facing America's Dreamers.

It was a little over 20 years ago when my office in Chicago got a telephone call. There was a girl graduating from high school in Chicago, and she had a problem. The good news was she was a musical prodigy; she played the piano, and she was extraordinary. The bad news was she was undocumented.

She had been brought to the United States at the age of 2. Her parents had brought her originally from Korea through Brazil to Chicago. Her father's goal in life was to become a minister of a church and preach the gospel, and she used to travel with him to these

churches and pound away at the piano while he was practicing his sermons. Over the years, she enlisted in a program called the Merit music program and developed her piano skills to an extraordinary level.

All of her teachers said to her—Tereza Lee was her name—you have got to go to music school. Juilliard, Manhattan Conservatory—you qualify for all of them.

So she sat down to fill out the application and came to the space that said her nationality and citizenship. She didn't know what to put there, so one of her friends called our office, figuring Senator DURBIN would know the answer. Well, we found the answer, and it was terrible. Because she was an undocumented person in the United States and had been here since the age of 2, her recourse under the law was and still is to leave the United States for 10 years and petition to come back in. She was 18 years old. Her prospect was ridiculous.

As a result of that casework, I decided to introduce a bill called the DREAM Act. The DREAM Act basically said, if you came to the United States under the age of 18, grew up in this country, and had no problems with the law, you should have a path to citizenship. It was that basic. Well, as one can guess, we tried to pass that bill many times. It has passed on the floor of the Senate a couple of times, but never have we been able to get both the Senate and the House together on this issue.

I continue to come to the floor to talk about it because there is a new wrinkle. It seems that one of my former Senate colleagues became President of the United States, Barack Obama. He had cosponsored the DREAM Act, and I appealed to him, along with Senator Richard Lugar, a Republican of Indiana, to create by Executive order some program that could protect these young people. He created DACA. DACA, at one point, had almost 800,000 young people in America protected from deportation as they renewed every 2 years their status with DACA so they could go to school; they could have a life; and maybe, someday, at some future time, actually become citizens of the United States.

I thought the best way to describe this issue to people—because it is still in controversy and still tied up in the courts as to whether DACA will have a future—was to share stories of the DACA recipients and who they are. I do that again today. This is the 141st DACA recipient Dreamer about whom I have told the story here on the floor of the Senate.

This young man's name is Edon Molla. He came to the United States with his family when he was 2 years old, fleeing the war in Kosovo. He excelled in the United States. He was the salutatorian of his high school class; and he helped to lead his high school basketball team to three undefeated seasons, three State titles, and two national championships.