

my predecessor, Mary Fallin. She had done a great job there. She worked as a staff assistant. That is the person answering the phones. That is the entry-level position into the office.

She graduated from college and determined that she wanted to be able to serve our country. She came to Washington, DC, worked for a Member of Congress she didn't know at that time at all, and landed her first job on the Hill and went to work.

Michelle Altman, one of my very first hires that I had as a brandnew House Member in 2010, is now leaving my staff as my chief of staff. She has literally worked her way through the office, from answering the phones at the front desk all the way to being in the top leadership position on my team.

In supervising individuals on my team, she knows how to supervise all of them because she has done just about every task in the office. She continues to be able to work and to engage with people to be able to mentor and help others in the office be better at what they do. It is a gift to every young staff member that comes in to be able to have somebody that knows what they are talking about and has a passion for my State of Oklahoma.

She knows half the people in my State of 4 million people, and she gets to interact with people on the phone. She tracks what is happening in the news. Although she lives up here, she stays in close contact with what is actually happening in my State of Oklahoma. She has loved the State of Oklahoma and served in ways that Oklahomans will never know in the tasks that she has taken on for now the last 14 years in serving alongside of me.

She is tenaciously competitive. She is a person that plays golf and wants to be able to win. She is an avid horseback rider and loves to be able to get on her horse. If she is going to escape from the craziness of Washington, DC, it is going to be riding a horse somewhere.

She also is quite a shot with a shotgun as well. My team—when we get together on our staff retreats, we will often do trap shooting or skeet shooting. When we get out there, we will do a competition among all of our staff. So when all of our staff—both from instate and Washington, DC—all compete for the best shots, it often ends up Michelle and I end up in the very final round, and I am not embarrassed to tell you that in the final rounds, she has beaten me before in trap and skeet shooting.

She is tenaciously competitive but also incredibly gregarious. She loves to study policy. She loves to engage in the politics of the conversation. I am also not afraid to be able to note that she knows politics better than I do. She is a student of how things actually move and has done a great job.

She knows the lyrics to every song, but don't ask her to quote a single movie—she can't tell you. In fact, at

one point, among all of our staff, there was this ongoing dialogue about different quotes from the movie "Princess Bride" that just moved among our staff for a couple of months, different random statements from the movie "The Princess Bride," and she had a blank stare long enough that one of us looked at her and said: You have never seen this, have you? She had to admit that she had never seen the movie "The Princess Bride." So I literally brought her a copy—this was an old-school DVD—and handed it to her and said: Your assignment as my chief of staff is to watch "The Princess Bride" this weekend and come back and give me a report on the movie. She now understands all of the jokes among the staff on the movie "The Princess Bride."

She has been through a countless number of vote-aramas, BRACs. She was here during the Affordable Care Act conversation, debate, fiscal cliffs, debt ceiling, an endless number of late-night votes where all they could do was watch us here on the floor as they were back in the office, trying to be able to track everything going on.

I am grateful to have had a chief of staff that has worked so hard, so remarkably for the State of Oklahoma and has been a person that has been able to be beside me for years now.

She is leaving. She is starting a consulting firm. Her skills will still be used to be able to support the Nation and the task at hand. I know Michelle's faith. She will be a person that will continue to walk with God and follow God's leadership in the days ahead as she follows what she sensed as a calling to be able to do.

But I have been grateful to be able to have the time, and my State of Oklahoma is grateful to Michelle Altman for what she has taken on for the sake of our State and the Nation.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. PETERS). The Senator from Texas.

NOMINATION OF MUSTAFA TAHER KASUBHAI

Mr. CORNYN. Mr. President, I have served on the Senate Judiciary Committee my entire time in the Senate. As the Presiding Officer knows, one of the responsibilities of the Judiciary Committee is to vet and to vote on a President's nominees for judicial office.

These are unique jobs because they last literally a lifetime, so it is very, very important that we vet these nominees. In my case, in the case of Texas, Senator CRUZ and I have appointed a group of the best lawyers in the State of Texas on something we call the Federal Judicial Evaluation Committee to help us screen the people who want to serve on the Federal bench, and so we are then in a position to enter a conversation with the White House, whether it is a Republican or a Democrat, about whether or not we will vote for and support that nominee for the Federal judiciary.

There is something called the blue slip which is unique to the Senate Ju-

diciary Committee where, if a home State Senator does not return a blue slip on somebody that the President has nominated, the committee will not process that nominee.

So the Judiciary Committee has a very important role and one I think consistent with the responsibilities of vetting and considering these lifetime-tenure judges.

For 13 years, I was a judge myself on the State court bench in Texas, so I have some strong views about the qualities that make for a good judge. A good judge is not a policymaker wearing a black robe, because judges don't stand for election—or at least Federal judges do not.

So I have been watching very closely President Biden's judicial nominees to make sure they meet at least the minimum standard to serve on the Federal bench, but I have to say that President Biden's unqualified judicial nominees are a problem. Not all of them but some of them stand out, and one in particular continues to face big problems in this Chamber.

Earlier this week, the Senate was expected to vote on Judge Mustafa Kasubhai, who was nominated to serve on the U.S. District Court for the District of Oregon. He was set to receive a vote on Tuesday, but Senator SCHUMER pulled that down. He is the one who sets the schedule in the Senate. He pulled that down at the last minute because he obviously did not have the votes to confirm this nominee.

They were expected to push that vote to today because perhaps there would be enough Senators that would be absent the day after the Juneteenth holiday that it would actually change the outcome and make it more likely that he would be confirmed. But then it became obvious that this nominee was so controversial that even a poor attendance day would not lead to his confirmation. All I have to say to that is, thank goodness.

Our colleagues have delayed Judge Kasubhai's confirmation vote again, and I sincerely hope this will mark the end of the road for this particular nominee. Given everything we know about the judge, it is clear that he is not fit for a lifetime appointment to the Federal bench. Maybe there is some other job in government he would be qualified to do but not serve as a Federal judge.

When nominees appear before the Judiciary Committee, of course, they are asked about their judicial philosophy. They are asked about their ideology, their world views, and how they would operate if confirmed. This is basic stuff.

With Judge Kasubhai, we don't have to wonder how he would function as a judge because he has a long record on the bench as a U.S. magistrate, and he also previously served as a circuit court judge in Oregon. He has been on the bench since 2007, so he has an extensive record that we can look to as a way of predicting how he will behave,

how he will perform the duties if confirmed on the Federal bench. That is exactly what we evaluated in the Judiciary Committee, and we quickly spotted a number of red flags.

One of the most critical qualities for a judge is impartiality. Good judges are like good referees. They don't pick sides, they don't play favorites, and they don't make decisions that are essentially a result-oriented process. In other words, they start as a blank slate, consider the law and evidence, and then make a decision, not the other way around.

Judges should make decisions based solely on the law and the evidence presented in a courtroom—that is pretty basic stuff—nothing more, nothing less. In recent years, though, we have seen a disturbing trend of judicial activism.

That is entirely appropriate if you are an elected representative because the voters get to vote on you, but if you are a lifetime-tenure judge, to basically usurp the role of the political branches and to make policy yourself is an abuse of that power. That happens when judges inject their personal beliefs and biases in their decision-making process, and unfortunately this nominee has a record of doing that.

Throughout his career, he has repeatedly shown that he has an agenda, and I question his ability to give litigants a fair shake. That is the most basic responsibility of a judge. If you are someone, let's say, charged with a crime or maybe a civil litigant or maybe just any other one of a number of different types of cases, you want to be able to walk into the courtroom knowing that the judge has not already decided the case against you.

So when the judge, for example, requires all the people in his courtroom to announce their preferred pronouns as part of the process, I think you begin to question, can this judge actually be fair and treat everybody the same?

Look, we live in a diverse country, and some people find that sort of question appropriate and others do not, which is fine. Everybody is entitled to their own beliefs. But I believe it is completely inappropriate to have a Federal judge who will effectively require this sort of proclamation by ordinary litigants or chill anyone who may have a religious or other objection from claiming a pronoun.

Imagine this same protocol but with a different question. What if a judge told the parties they had to declare their religious affiliation before the judge would hear the case? Imagine lawyers, litigants, and witnesses being told to announce before an entire courtroom if they identify as a Christian, a Muslim, a Jewish person, an atheist, or some other religion. We wouldn't tolerate that sort of outcome or question in a courtroom. Would that be viewed as an act of inclusion or would it be condemned as religious discrimination?

Our court system is and should remain blind to who you are, where you come from, how rich you are, or whom you represent. Everyone is entitled to a fair shake, no matter what. That is the minimum required under our Constitution. In order for that to happen, judges have to set aside their personal beliefs and apply the law as written. Judge Kasubhai has proven that he cannot and will not do that.

I am afraid the judge's woke courtroom policies won't end there. Clearly, his own liberal bias has infiltrated his ability to make rational decisions on the evidence.

Consider this: In an interview a few years ago, Judge Kasubhai said:

We have to set aside conventional ideas of proof when we are dealing with the interpersonal work of equity, diversity, and inclusion.

Now, the standard of proof and what qualifies as evidence are things you learn about in law school that are applied to every single case. But now for the judge to say that we need to set aside those conventional ideas of proof when we are dealing with equity, diversity, and inclusion sends a very troubling signal. What I take that to mean is that he will disregard the facts, the law, and the applicable legal standard to get the results he wants.

Making matters worse, he later referred to diversity, equity, and inclusion as “the heart and soul of the court system.” I would argue that the “heart and soul” of our court system is the pursuit of justice and equal treatment under the law, not pursuit of diversity for its own sake.

I can't imagine anything more terrifying to a litigant than to walk into a courtroom where the judge has already put his finger on the scales of justice—a judge with an agenda.

Of course, judges are duty-bound by their oath to operate without fear or favor. They must base their decisions on the law, the evidence, and the facts before them, period. Based on Judge Kasubhai's history on the bench, I have no confidence that he will do that. He has a record of judicial activism. He has made it abundantly clear he is willing to set aside the facts and the law when considering some cases. He has proven that he values his own ideology more than he does his commitment to the rule of law or the evidence that is presented in court, and he has proven that he can't prevent his personal views from bleeding into his decisions as a judge.

Judge Kasubhai is not qualified for a lifetime appointment to the Federal bench. I know this, and I believe my Democratic colleagues know this too, which is why this vote had to be rescheduled a couple of times because Senator SCHUMER, who sets the agenda, wonders whether or not even enough Democrats will vote for the nomination to get him confirmed. The fact that Democratic leadership can't rally the votes among their own Members says everything you need to know about this nominee.

The American people, no matter where they live, deserve to have fair and unbiased judges on the bench, and they certainly deserve better than this nominee.

I believe the majority of Senators oppose this nomination, and I hope this marks the end of the road for this unqualified nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

FORT BELKNAP INDIAN COMMUNITY WATER RIGHTS SETTLEMENT ACT OF 2023

Mr. TESTER. Mr. President, I appreciate the recognition.

I rise today to talk about an issue that is a disaster. Earlier this week, we saw a water diversion project, that takes water from the St. Mary drainage and puts it in the Milk River, literally blow up. That siphon that blew up had been around for over 100 years. It is critical for Northern Montana. The project is near a town called Babb, MT.

The siphon failure caused thousands of gallons of water to flood the surrounding area, leading to extensive damage to local businesses in that area, and will damage irrigation opportunities for 120,000 acres. What do I mean when I say “damage irrigation”? They won't have any water to irrigate. It also provides water to four municipalities, two rural water systems, and two Tribes. It is a vital source of water for North Central Montana's water users and to so many farmers who feed the world.

Now, the timing of this could not be worse because there are literally hundreds of farmers and ranchers who are currently depending on the Milk River Project to irrigate their crops. Because of the severity of the situation, I immediately called on the Biden administration to work to ensure that the local community and irrigators have the resources they need to fix this problem and include the Milk River Project in the administration's domestic supplemental package.

That is what the administration can do, but Congress also has an opportunity and actually an obligation to do our job. Congress can unlock critical funding for the Milk River Project once again by passing the Fort Belknap Indian Community Water Rights Settlement.

The Fort Belknap Indian Community Water Rights Settlement Act is a critically important piece of legislation that addresses a wide range of issues. I am not going to get into all the details, but I will say this: When finalizing this settlement, the Fort Belknap Indian Community recognized how important the St. Mary Canal is to all the water users in North Central Montana. Because of the leadership and the vision from Tribal leaders like President Stiffarm, the Fort Belknap Indian Community Water Rights Settlement