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Senate

The Senate met at 3 p.m. and was called to order by the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois.

PRAYER

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

Let us pray.

Our Father in Heaven, because of the abundance of Your mercies, we thank You for the gift of another day. We don't pray for tomorrow and its needs, but we do intercede for this day, which now bathes us in its returning light.

Lord, give wisdom and courage to our Senators, as You set Your seal upon their lips. Restrain them from speaking words that needlessly hurt or discourage. As lovers and servants of this land of freedom, make our lawmakers worthy of the past and equal to the present. Mold them to Your purposes. Fashion them with Your powerful hands. Shape them on the anvil of these days of destiny into instruments fit for Your use.

We pray in Your majestic 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 8, 2024.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Ms. DUCKWORTH 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 resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Nancy L. Maldonado, of Illinois, to be United States Circuit Judge for the Seventh Circuit.

RECOGNITION OF THE MAJORITY LEADER

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

U.S. SUPREME COURT

Mr. SCHUMER. Madam President, American democracy stands today at a perilous crossroads. One week ago, the six conservative Justices on the Supreme Court undermined the most

basic premise in our constitutional order, that no one—no one—is above the law.

They incorrectly declared that former President Donald Trump enjoys broad immunity from criminal prosecution for actions he took while in office. They incorrectly declared that all future Presidents are entitled to a breathtaking level of immunity so long as their conduct is ostensibly carried out in their official capacity as President.

They incorrectly declared, in effect, the same thing Richard Nixon told David Frost in 1977. Nixon said:

When the President does it, that means that it is not illegal.

That is what the Court, in effect, was saying.

We were all taught in grade school that there are no kings here in America, but what the conservative Justices have done is effectively placed a crown on Donald Trump's head. In their judgment, the President is now free to behave however he likes, even to behave criminally, and as long as he argues that he was acting as President, he is, in many ways, untouchable.

The conservative majority's decision on immunity is the most un-American proposition, the very antithesis of what the Framers envisioned. Presidential immunity is nowhere to be found in the constitution, and this lawless ruling underscores just how hollow the conservative Justices' commitment to originalism truly is.

We Democrats will not let the Supreme Court's decision stand unaddressed. The Constitution makes plain that Congress has the authority to check the judiciary through appropriate legislation. I will work with my colleagues on legislation classifying Trump's election subversion acts as "unofficial acts" not subject to immunity. We are doing this because we believe that in America, no President should be free to overturn an election

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



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against the will of the people, no matter what the conservative Justices may believe.

As we work on this important matter, we will also keep working on other proposals to reassert Congress's article I authority to rein in the abuse of our Federal judiciary. The American people are tired—just tired—of Justices who think they are beyond accountability.

The Supreme Court's ruling in *Trump v. United States* is just the finishing touch on one of the most destructive Supreme Court terms in modern history. A few days before the ruling on Presidential immunity, the MAGA Court also upended 40 years of precedent by overturning the *Chevron* doctrine. In doing so, they have potentially turned the Federal Government upside down in a very dangerous way, declaring that judges now know better than Agency experts on matters ranging from student loans to Medicare, to AI, to climate change, to net neutrality, and so much more.

From now on, anytime there is a shred of legislative ambiguity, anytime Congress didn't explicitly anticipate every conceivable scenario for how Agencies should apply complex policy, judges are now free to impose their own views even if they don't know a lick about the policy in question, even though they are the unelected branch of government. It is impossible for the Congress to think of every possible scenario, so either you have subject-matter experts in the administration making a judgment call or unelected judges making a judgment call. That was the whole point of the *Chevron* doctrine—to give administrative subject-matter experts some deference.

The MAGA Court's annihilation of the *Chevron* doctrine is their latest and most dangerous attempt to side with powerful special interests against the wishes of the middle class, to come up with new legal theory to suit their ideological needs and overturn decades of well-accepted precedent.

These cases are just the start. In the last few months, the conservative majority on the Supreme Court also has upheld racial gerrymandering in South Carolina—can you imagine?—allowed the criminalization of homelessness, struck down the commonsense ban on bumps stocks, defanged the EPA's ability to regulate against air pollution, and so much more.

It all points to a clear, growing, disturbing trend emerging out of the Supreme Court. It is plain as day—plain as day—that this MAGA majority is hell-bent on siphoning power away from the electorate and from the other branches in order to reshape America in their ultraconservative and extreme vision.

So I will repeat what I said at the top of my remarks. American democracy now stands at a crossroads. The MAGA Court's disastrous rulings are the clearest illustration of why elections have consequences. And this year, the

American people will choose between two vastly different visions for our country.

If Donald Trump returns to the Oval Office, if Republicans retake control of Congress, the disastrous rulings coming out of the Supreme Court will just be the start. The chaos we saw on January 6 will just be the start. If they get the chance, Donald Trump and the MAGA right will plunge our country into an abyss of extremism that the vast majority of Americans oppose and America has really never seen.

Nowhere else is this contrast between Democrats and Republicans as clear as on the issue of reproductive freedom. This week, Senate Democrats intend to pick up where we left off in June by bringing every single Member of this Chamber to task on a woman's fundamental right to choose. It is our goal to take up a very simple resolution, co-sponsored by every female Senator in our caucus and myself, that asks a very, very simple question: Where do Senators stand on freedom of choice? Do we believe that a woman should have a basic right to reproductive care? Do we agree that the rights protected under *Roe* should be Federal law? Freedom of choice is perhaps the defining issue for Americans this year, and this week, every Senator must show where they stand. Of course, Democrats have already made it abundantly clear where we stand: Yes, we emphatically believe women should be free to make their own healthcare choices.

Democrats also believe in building on the incredible progress of the last 3½ years. Under Democratic leadership, we made great strides in America to lower the cost of living. We made prescription drugs, like insulin, more affordable. We have brought manufacturing jobs back to our shores. We have invested in clean energy economy. On the world stage, we have stood up to defend democracy against autocrats and restored America's good name among the free nations of the world.

Donald Trump and the MAGA right cannot say any of this. Instead, what Donald Trump and MAGA Republicans have made clear is that if they get into power, they will dismantle American democracy as we know it. MAGA radicals are long done with talking and euphemisms. The leader of one of America's most powerful conservative think tanks recently made the hard right's goals very clear:

We are in the process of the second American Revolution, which will remain bloodless if the left allows it to be.

That, Madam President, is the kind of talk that leads to political violence.

To go down the road that MAGA radicals want to take is to take America into the twilight zone—something more akin to the autocratic fervor we saw in Europe in the early 20th century than the America we all know and love.

So the stakes for our country this year are immense. Here in the Senate, Democrats will continue bringing to

the floor the issues that matter to Americans most and will work ferociously to defend them.

While it is tempting to reduce elections nowadays to a form of reality TV, the truth is, the stakes are much higher. It is a battle for two radically different visions of our country.

I yield the floor.

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. SCHUMER. Madam 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.

JUDICIAL NOMINATIONS

Mr. SCHUMER. Madam President, on another matter, the Senate this week will continue its work confirming more of President Biden's outstanding nominees to the Federal judiciary.

The nominees that have passed through this Chamber have in many cases been historic, and today is no exception. The Senate will vote on the nomination of Nancy Maldonado, who will be the very first Hispanic judge on the Seventh Circuit if confirmed.

Under President Biden and Democratic leadership, the Senate has confirmed 35 Hispanic judges to date, and nearly two-thirds of all our nominees have been people of color. When our courts more faithfully reflect our country, it is a good thing for faith in our judiciary, which we greatly need right now.

I am confident that Judge Maldonado will make an excellent judge. I am proud to vote in favor of her confirmation and thank my colleagues who will do the same.

I yield the floor.

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. MCCONNELL. Madam 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.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. Madam President, this week, the Senate convenes with important business to address. America's closest allies are in town. The eyes of the world are on the most successful military alliance in human history. Friends and foes are watching to see whether the superpower that forged the NATO alliance and guided its success across seven decades has the will to continue to lead.

This week, with the leaders of dozens of allied nations here in Washington, the Senate could do its part to answer that question. We could show America's most trusted friends and partners