

overturn rules issued by Agency experts when they are challenged by corporations.

In another case, *Ohio v. EPA*, Justice Neil Gorsuch inadvertently demonstrated how ill-equipped the Justices on the Court are to substitute their judgement for Agency experts. In an opinion siding with Republican States that challenged an EPA pollution control plan, Justice Gorsuch repeatedly—repeatedly—and incorrectly referred to nitrous oxide, which is laughing gas, as we know, rather than nitrogen oxide, the pollutant the EPA is seeking to control. So the Court was arguing that the Agencies didn't have the power to make these decisions in detail and failed to describe properly the entity that was being regulated by the EPA.

The Court's decision giving Justices like Justice Gorsuch the power to second-guess these Agency experts is a body blow to our government's ability to protect the health and safety of the American people.

In another misguided opinion, the Court's six Republican-appointed Justices ruled in *Trump v. United States* that a President may be immune from criminal prosecution for abusing the power of government for personal or political gain.

This case is unimaginable.

Specifically, the Court held:

[T]he nature of Presidential power entitles a former President to absolute immunity from criminal prosecution for actions within his conclusive and preclusive constitutional authority. And he is entitled to at least presumptive immunity from prosecution for all his official acts.

Not only does the decision bar prosecuting a President for any official act, it prohibits prosecutors even from using any official act as evidence to help prove a President engaged in illegal unofficial acts.

And, in ruling that Donald Trump is "absolutely immune from prosecution for the alleged conduct involving his discussions with Justice Department officials," the Court has given a green light to a future President to use the Justice Department for corrupt purposes.

The Justice Department, whose mission is to enforce the law, defend the interests of the United States, and ensure public safety, will no longer enjoy its traditional independence. It could, instead, serve as a weapon to be wielded by a corrupt President.

So what does all of this mean?

It means that a corrupt President may hide behind their office for protection from prosecution, under the law, for even the most egregious wrongdoing.

It means the Supreme Court's conservative majority has effectively endorsed Richard Nixon's infamous claim that "when the president does it . . . that means that it is not illegal." In fact, much of the conduct at the heart of Nixon's Watergate scandal could, arguably, be considered official acts, making them presumptively immune under the current interpretation.

And, in the aftermath of *Trump v. United States*, a court would not even have been allowed to question Nixon's motives in order to have determined whether he acted unlawfully.

The Court's ruling has also left Congress and the judicial branch with limited options when dealing with a delusional or a corrupt executive.

The minority leader stated during the second Trump impeachment trial:

We have a criminal justice system in this country. We have civil litigation, and former presidents are not immune from being accountable by either one.

Unfortunately, this is no longer the case because the Court's conservative majority has demolished the ability to hold any President accountable for abuses of power.

It was not long ago that then-Judge Roberts sat before the Senate Judiciary Committee and told me directly and personally:

No man is above the law.

Then-Judge Gorsuch also testified, and he said:

Nobody is above the law in this country.

And then-Judge Kavanaugh told the committee:

No one is above the law. And that is just such a foundational principle of the Constitution and equal justice under the law.

But now they seem to think that a corrupt President is, in fact, above the law.

When the American people head to the polls this November, they should keep this case, *Trump v. United States*, in mind. We must ensure that our next leader is a person who will respect the rule of law even though he is now, because of this Supreme Court decision, immune from prosecution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

NATO

Mr. CORNYN. Mr. President, today, world leaders are descending on our Nation's Capital for an important NATO summit, the 2024 NATO summit—the North Atlantic Treaty Organization. It is fitting that this gathering is taking place in our Nation's Capital because this is where the story of NATO began.

In April of 1949, leaders of the United States and our closest allies gathered here in the Nation's Capital to sign the North Atlantic Treaty. With the stroke of a pen, those 12 countries became the founding members of the North Atlantic Treaty Organization.

The core mission of NATO can be summed up in only two words: collective defense. An attack against one ally is considered an attack against all allies. Of course, Europe had been through two devastating world wars, and the hope was, by creating the North Atlantic Treaty Organization, that aggression could be deterred and, thus, the peace maintained.

Seventy-five years ago, this commitment aimed to deter the Soviet Union from expanding its influence into West-

ern Europe. Nearly 23 years ago, the collective defense clause was invoked for the first and only time in history in the wake of the attacks on the United States on 9/11. America's NATO allies were there when we needed them—an act of friendship and support that we should never forget.

Today, the collective defense clause continues to serve as a firewall that safeguards NATO member states and underpins global security. And in the 75 years since NATO was founded, its membership has grown from 12 to 32 countries, and its influence continues to grow with the recent additions of Sweden and Finland.

Beyond ensuring the security of its members, NATO plays a key role in maintaining peace and stability around the world. Suffice it to say, NATO leaders have a big job ahead of them this week. Conflicts are unfolding around the globe, and democracy is under attack by the world's leading aggressors.

Nearly 2½ years have passed since Russia invaded Ukraine, and the fighting has not let up. Yesterday, Russia fired missiles at a children's hospital in Kyiv and other sites across Ukraine—killing at least 38 people and injuring more than 100.

In addition to the fighting in Europe, a war is also raging in the Middle East, as we know. More than 9 months have passed since the horrific terrorist attacks by Hamas against civilians in Israel, but Israel is not only defending its sovereignty against Hamas. It is also battling direct fire from Hezbollah and Iran. Just to be clear, Iran is the head of the snake here. Hezbollah and Hamas are proxies for Iran, committed to the ultimate destruction of Israel.

In addition to the conflicts in Europe and the Middle East, tensions are growing in the Indo-Pacific as well. The Chinese Communist Party continues to bully and threaten China's neighbors in the region. Just last week, China anchored one of its Coast Guard ships off the coast of the Philippines in a clear act of intimidation. This came after another incident last month when Chinese Coast Guard crewmen attacked Filipino sailors trying to resupply the Sierra Madre. One sailor lost his thumb, and a Philippine Navy boat was left in tatters. Clearly, China is testing America's commitment and the commitments of democracies around the world to protect a treaty ally in the Pacific.

While the Senate was in recess last week, I had the privilege of traveling to Romania, Armenia, and Malta with a bipartisan delegation of Members led by our friend, Senator ROGER WICKER—the ranking member of the Armed Services Committee and one of the principal delegates to the Organization for Security and Co-operation in Europe.

Our conversations with our allies around the world affirmed a key point that cannot be overlooked: None of these conflicts that are playing out today are occurring in a vacuum—not

the wars in Ukraine or in the Middle East or the tensions in the Indo-Pacific. Everything is connected. We might wish that it weren't true, but it is inarguably true, and this instability we are facing today has serious downstream consequences.

As each of these conflicts has played out, we have witnessed a daunting realignment of powers around the world that is reminiscent of what we saw in the 1930s with the rise of Germany.

Today, Russia, China, North Korea, and Iran have grown closer and closer together through an intricate web of weapons, technology, and energy transfers. In short, the tyrants of the world today are drawing closer and closer together, forming a modern-day axis of evil. When these big powers are at odds, the international order frays, and the regional players take advantage of the situation as it suits their interests. That point was driven home during our visit to Armenia—the former Russian satellite—when we discussed the ongoing instability in the Caucasus.

Now, I know you have to pull out a map to figure out where some of these countries are, but they are critical in terms of our analysis of the threats not only in the region but in the potential to spread those threats and major conflicts to other parts of the world.

In 2020, Russia brokered a deal to end the military conflict between Armenia and its neighbor Azerbaijan over longstanding territorial disputes. Russia promised to deploy peacekeepers to the region to enforce that agreement, but it is safe to say that Russia has not upheld its end of the deal. Each year since that deal was reached, Azerbaijan, supported by Türkiye, has encroached further and further into Armenian territory, and Russia has done nothing to stop it, notwithstanding its agreement to do so. Understandably, Armenian leaders are outraged by the situation. They signed a treaty, after all, to prevent this exact scenario, and Russia has abandoned its promise.

Our conversations with the Armenian leaders were powerful reminders of why it is so important to honor our security commitments around the world. We have made a commitment to our NATO allies, to Ukraine, to Israel, and to other partners around the world to support their security. But the truth is, their security is part of our security because we know, from history, that conflicts can arise in unpredictable places and can spread like a wildfire, thus directly challenging the United States' national security.

So that is why we cannot and we must not back out of these promises and risk other countries seeing us as an unreliable ally, because the truth is that weakness or unreliability is a provocation to the bullies and tyrants and autocrats around the world. When they see weakness, they continue to probe until they come up against resistance. Whether we are talking about an ally or an adversary, countries around the world must not doubt

America's commitment to our own national security, as well as the security of our allies, partners, and friends.

I say all of this to emphasize how much is at stake today. Presently, this is the most dangerous period of our history and of world history since World War II. We are talking about far more than the fates of individual states or governments. The stability of the international order is hanging in the balance.

With the NATO summit here in Washington this week, the eyes of the world are once again on the leadership. Like it or not, if the United States fails to lead, there is no other country that can fill the void. This is part of the responsibility that comes with being the preeminent economic and military power in the world—again, not for the purpose of conquest but for the purpose of deterring and discouraging conflicts from breaking out because, again, we know how these can spin out of control as a result of miscalculation or a mistake or otherwise.

Leaders from around the world—our friends and allies—are watching to see how the United States responds to the threats unfolding around the globe. They are watching us to see if we will live up to our commitments—things like the Budapest Memorandum in 1994, wherein we agreed to protect the sovereignty of Ukraine in exchange for their giving up their nuclear weapons. At the time, Ukraine had the third largest arsenal of nuclear weapons in the world, and they gave up those nuclear weapons in exchange for that guarantee to protect their sovereignty. That is part of what is at stake today in Ukraine.

Our friends and allies are watching our support for Ukraine, our assistance for Israel, and the message that we are sending to China. They are testing our attention span to see if we are so distracted by other major conflicts or other things happening around the world that it creates an opening for smaller ones, and they are watching to see if our commitments to our allies are truly ironclad and can be depended upon.

So, this week, President Biden has one job to do, and that is to deliver a clear and powerful message to our allies. He must reaffirm America's commitment to collective defense. He must demonstrate decisive leadership and solidarity with our NATO allies. He needs to deliver a strong warning to our would-be adversaries that attacks against the United States and our allies will not be tolerated.

Russia, China, Iran, North Korea—they are all watching, and there is no room for weakness or vacillation when it comes to sending this important message of deterrence. Deterrence, of course, is what maintains the peace. We never want war. We never want military conflict. We want to be so strong and so intimidating with our friends and allies that our adversaries won't take that step of initiating a military conflict.

I hope President Biden can summon up the energy and the forcefulness and the ability to express this important message to our friends and allies around the world because our adversaries are watching, but so are our friends.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

160-YEAR ANNIVERSARY OF THE BATTLE OF MONOCACY

Mr. YOUNG. Mr. President, in 1864, after 3 years of Civil War, many citizens of the North were ready for peace. The 13th Amendment had passed in this very Chamber but failed to do so in the House of Representatives, and the fate of Abraham Lincoln's Presidency—and perhaps the continuation of the war—was on the ballot.

In that spring of 1864, Lincoln placed his hand on a Hoosier general's shoulder, and he said: "I believe it right to give you a chance." What he really meant was a second chance.

I rise to mark a day 160 years ago when that second chance and a refusal to flinch from duty, even in a forlorn hope, saved our Nation's Capital and possibly much more than that.

Not long after his meeting with Lincoln, that same soldier was ushered into the office of Secretary of War Ed Stanton.

"What do you know of the Middle Department?" the Secretary asked.

"Nothing," his visitor replied.

"Nothing?" the Secretary repeated.

"I am from the West," General Lew Wallace answered.

By "the West," Wallace meant Crawfordsville, IN, and that is exactly where he was when the year began—an officer whose career appeared to be at a dead end.

Two years before, the division under his command arrived late to the Union lines during the first day of fighting at Shiloh. Wallace was scapegoated after one of the deadliest battles in the war up to that point. He was removed from his command in the Army of Tennessee and placed on reserve. Requests for a reinstatement failed.

"I had cast my last throw. What next?" Wallace wondered.

The answer came from another Hoosier—President Abraham Lincoln. Wallace was to report to Washington and take command of the 8th Army Corps and the Middle Department even though he didn't even know where the Middle Department was headquartered. The answer, Stanton told him, was Baltimore, and that is where Wallace headed after buying a Rand McNally map of the United States for 15 cents.

In early July, Wallace sat at his desk studying that map closely. He had just received word from the anxious president of the Baltimore and Ohio Railroad that Confederate troops were advancing through the Shenandoah Valley. The path from there to Washington, DC, was wide open. The city was poorly defended with Union soldiers. They were away attacking Richmond at the time.

"Washington, seriously menaced, was incapable of self-defense—that much was clear," he wrote years later.

Staring at that map, Wallace understood that the threat was very real and his responsibility was crystal clear. Without orders—without orders—he departed for Monocacy Junction, where the roads and railroad leading to Washington and Baltimore crossed a tributary of the Potomac.

Upon arrival, he stood on a bluff looking down on the Monocacy River and the green pastures and golden wheat fields beyond it. He could see the steeples of Frederick, MD, not far off and the Catoctin Mountain on the horizon.

The peaceful summer was interrupted with the echo of distant gunfire. Soon it was clear: General Robert E. Lee had sent General Jubal Early north to take Washington. He had crossed the Potomac and was on his way east toward Monocacy Junction, perhaps to Baltimore—more likely to Washington, just 40 miles away.

Wallace had already moved with great urgency. He messaged Washington to recall troops and prepare for an attack. He called in what brigades or parts of brigades he could to augment his own men, eventually raising a force of several thousand. Then he spread them thinly along the eastern bank of the river, determined to block its bridge just long enough for reinforcements to arrive in the Capital.

On the night of July 8, the eve of the battle, Wallace laid down and placed his head on a folded coat, but anxiety made sleep impossible. Could he throw a hastily gathered and mostly green force in the way of a superior army, in an objective so hopeless? The Navy Yard up in flames, the Capitol menaced, the library inside it looted, the treasury emptied, foreign heads of state rushing to recognize the Confederacy—and then, most painfully, the image of Abraham Lincoln "cloaked and hooded, stealing like a malefactor from the back door of the White House just as some gray-garbed Confederate brigadier burst in the front door."

The next morning, July 9, when the Confederate Army of over 15,000 arrived at Monocacy River, it was met with fierce resistance from the outnumbered Federals. Rebel charges were repeatedly turned back until late in the afternoon, when Wallace, after heavy losses—nearly 1,300 dead and wounded—ordered his men to withdraw toward Baltimore.

Early's battered army paused for the night before it continued on to Washington. When he reached its gates on the 11th, Union reinforcements were waiting. A skirmish at Fort Stevens followed, and the rebels departed empty-handed.

The Union stand cost the Confederates a full day—a full day—and with it, their chance at Washington.

Monocacy. Monocacy. Monocacy is usually unmentioned among the list of consequential Civil War battles, but

today, on its 160th anniversary, we reflect on its importance. You see, had Early's men taken the Capital, however briefly, the humiliation could have persuaded a war-weary population to dismiss Abraham Lincoln.

What then would be the fate of the 13th Amendment or the eventual terms of peace? Because of Wallace's steely resolve and his men's uncommon valor, the questions went unanswered. Lincoln was reelected. The following January, the 13th Amendment to forever end slavery passed Congress. The war was over by April, and the Union was preserved. And General Lew Wallace, not unlike the hero of a novel he later wrote, was redeemed.

When it comes to words, Wallace will always be best known for "Ben-Hur," but the message he forwarded to Washington after the Battle of Monocacy is timeless too. It should inspire all of us still, a reminder that rising to our duty, no matter the odds or even outcome, can change the course of history.

I did as I promised. Held the bridge to the last.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING JAMES M. INHOFE

Mr. WICKER. Mr. President, I rise this morning to discuss national defense and, in particular, the importance of the NATO alliance as quite a number of our friends from NATO have arrived in Washington to celebrate the 75th annual meeting of this important defense organization.

I can hardly talk about national defense and NATO and the importance of keeping our defenses strong without calling attention to the sad fact that our former colleague, Senator Jim Inhofe of Oklahoma, passed away today. I am told that Senators LANKFORD and MULLIN will seek recognition at a later time to speak extensively about this remarkable statesman who has passed from among us, and Members will be notified of when that might be should they want to join in.

But at this point, at this pivotal moment when I wish to talk about national defense, let me just say a word or two about my friend and colleague of some 30 years, Jim Inhofe.

As a young man, as a young family man, Jim Inhofe quickly learned how to build a business and create jobs, and he did so successfully. Only a few years later, as a municipal leader, he found out how to build consensus and he took that knowledge with him to Capitol Hill as a Member of the House of Representatives and then as our colleague here in the U.S. Senate.

Jim Inhofe demonstrated that he continued to know how to build con-

sensus and get things done for his fellow Oklahomans as well as for his fellow Americans.

Anyone who knew Jim Inhofe knew that he was a dedicated Christian. Jim Inhofe was a man of great faith with, in particular, a heart for Sub-Saharan Africa. He visited there countless times, encouraged numerous—probably hundreds—of his fellow Senators and representatives to accompany him to visit some of the most challenged countries in Sub-Saharan Africa. He hosted countless Prayer Breakfasts there. He got to know the leaders in those countries and their families by name. He was a remarkable Christian friend to those in Africa.

Jim Inhofe was an accomplished pilot. He flew solo around the world at age 56. As a Member of Congress, he was known as a straight shooter who was not afraid to challenge the conventional wisdom, as he did so on numerous occasions.

Jim and his wife Kay were married for 64 years. Together, they had four children and 12 grandchildren, one of whom they found and adopted and rescued during a trip to Africa.

I would mention that Kay Inhofe has been a special friend and adviser to my wife Gayle for these decades.

Again, I am informed that Senators MULLIN and LANKFORD will lead fuller discussion of this remarkable statesman who has passed from among us. But today, as I talk about national defense and NATO, I send my love, and we in the Senate send our love and condolences to the entire family and to the State that he loved, Oklahoma.

NATO

Mr. President, I would note, as Members have seen and as the public is reading and hearing about, that this week, 32 nations are gathering in Washington for NATO's 75th anniversary summit. Our alliance has reached this remarkable milestone, 75 years. Its longevity reaffirms its past success and its enduring value.

Our bond must remain strong, particularly at this hour. We are in the most dangerous global security threat since World War II. Almost all of our witnesses before the Armed Services Committee tell us that we are in the most dangerous global security threat for generations. As we navigate today's new challenges, NATO still stands as an indispensable alliance.

In this consequential moment, NATO is receiving a new leader. I congratulate the outgoing Secretary General Jens Stoltenberg, and I welcome our new Secretary General Mark Rutte.

NATO's 75th anniversary and its leadership transition provides Senators an opportunity. We have a chance to remember why NATO matters, and we have a chance to call upon every member—every Nation member—to recommit to our alliance. I call upon my colleagues in both Houses and in the administration, our friends, to recommit to this important and vital alliance.

As Mr. Rutte takes office, he has a significant challenge to confront.