

The legislative clerk read as follows:

A resolution (S. Res. 807) to constitute the majority party's membership on certain committees for the One Hundred Eighteenth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 807) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

EXECUTIVE CALENDAR

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FILIBUSTER

Mr. THUNE. Mr. President, it is no secret that Democrats increasingly subscribe to the philosophy that if you don't like the way the game is going, you change the rules. We have seen it in striking fashion with the Supreme Court. Democrats respond to pretty much every Supreme Court decision that they don't like these days with claims not just that the Court's decision was wrong but that the Court itself is illegitimate.

As the President made clear with the release of his de facto Court-packing plan this summer, if Democrats are elected, we can confidently expect them to lose no time in remaking the Court to their liking to ensure they get the policy outcomes they want.

Of course the Supreme Court is not the only institution the Democrats have a problem with. Democrats are also frustrated they haven't gotten a blank check for their far-left priorities in the Senate. So if Democrats win in November, they intend to change the rules of the Senate—specifically the filibuster rule—to ensure that they can steamroll through their plans to remake the government and the country.

The Democrat leader made that very explicit last month at the Democrat National Convention when he said that his party would change the rules to pass Democrats' so-called voting rights legislation—more accurately described as a Federal takeover of elections designed to give Democrats a permanent electoral advantage.

He also indicated that his conference would move to change the rules to pass abortion legislation—perhaps Democrats' bill to codify abortion up until the moment of birth.

Really, the only question remaining seems to be whether Democrats will abolish the filibuster completely or just render it meaningless by carving out exemptions for all Democrats' most cherished priorities.

I have spoken on the floor more than once about the importance of the filibuster. The Founders intended the Senate to be a counterbalance to the House. It was designed as a more stable, more thoughtful, and more deliberative legislative body to check ill-considered or intemperate legislation or tyranny by the majority.

As time has gone on, the legislative filibuster is the Senate rule that has had perhaps the greatest impact in preserving the Founders' vision of the Senate. The filibuster acts as a check on imprudent or highly partisan legislation, it forces discussion and compromise, and critically, it ensures that Americans whose party is not in power also have a voice in Congress.

As one Senator said a few years ago when abolishing the filibuster was under consideration, "Folks who want to see this change want to eliminate one of the procedural mechanisms designed for the express purpose of guaranteeing individual rights . . . and would undermine the protections of a minority point of view in the heat of majority excess." That Senator was Joe Biden.

As another Senator once said when a change to the filibuster rule was under discussion, "The bottom line is very simple: the ideologues in the Senate want to turn what the Founding Fathers called the cooling saucer of democracy into the rubber stamp of dictatorship. . . . They want, because they can't get their way . . . to change the rules in midstream, to wash away 200 years of history. They want to make this country into a banana republic where if you don't get your way, you change the rules! . . . It'll be a doomsday for democracy if we do."

"It'll be a doomsday for democracy if we do."

The Senator who said that, of course, was the current Democrat leader of the Senate—the same leader who has announced that his party will "change the rules in midstream" to force through Democrats' priorities.

I suppose the Democrat leader could have had a change of heart. This once-fierce defender of the filibuster could have become convinced that the filibuster no longer serves a useful purpose. But if that is what this is, if this is truly a principled change, then I would like to hear the Democrat leader endorse the abolition of the filibuster if Republicans win the election. I would like to also hear him argue that a Republican Congress and a Republican President should be able to force through every legislative priority Republicans want, whether that is real border security legislation or a ban on killing unborn children past the point in a pregnancy where they can feel pain.

I suspect, however, that the Democrat leader has not had this change of heart. In fact, I suspect that if President Trump wins the election and Republicans take the House and the Senate, the Democrat leader will be happy to use the filibuster to check Republican legislation, just as he did during President Trump's first term.

Funnily enough, I don't recall hearing much from Democrats about the need to abolish the filibuster back then. In fact, 32 Democrats, including then-Senator KAMALA HARRIS, signed a letter in April of 2017 calling on Senate leadership to preserve—preserve—the legislative filibuster.

In short, it is pretty clear that the Democrat leader's change of heart isn't principle; it is political expediency. Democrats believe that the rules should apply when they serve the aims of the Democrat Party and that the rules should be abolished whenever they interfere with Democrats' far-left agenda.

If Democrats abolish the filibuster in whole or in part, it would, to quote the current Democrat whip, "be the end of the Senate as it was originally devised and created going back to our Founding Fathers."

The minority party in the Senate and in the country would no longer have any meaningful voice in legislation. The loss of the filibuster would also create legislative whiplash, with one party passing all its most controversial proposals when it has unified power in Washington and then the other party undoing all of that legislation and passing its own proposals when it gains unified power. To say that that kind of legislative instability would be bad for our country is an understatement. Sharp changes in Federal policy every few years would mean endless confusion for Americans and could spell serious trouble for the economy.

Abolishing the filibuster would not only be bad for our country, I suspect Democrats would regret it on their own behalf—and sooner rather than later.

I realize that Democrats have hopes that if they pass their so-called voting rights legislation, it will help them stay in power, but surely—surely—Democrats don't believe they can maintain a permanent hold on government.

There have been some pretty robust Senate majorities in American history, but sooner or later, power has always shifted. When it inevitably does, Democrats are likely to bitterly regret the loss of the legislative filibuster. Democrats have already had cause to regret the loss of the filibuster for judicial nominations. More than one Democrat Senator has openly admitted regretting the Democrats' move to abolish the filibuster for judges and for other nominees. They ought to take a lesson from that.

If Democrats have the incredibly naive idea that they can somehow preserve the filibuster by simply creating a carve-out for their top legislative priorities, they should think again.

The unravelling of the filibuster for judicial nominations should be a lesson to both parties on how well weakening the filibuster or creating a filibuster carve-out would work. Democrats carved out a filibuster exception for executive and judicial nominees, and Republicans, when they got power, took it to its logical conclusion.

A legislative filibuster carve-out would be the end of the legislative filibuster—period.

It has become disturbingly clear that the Democrat Party is committed to getting its way in whatever way it can, no matter how many institutions it damages or how many rules it breaks in the process. But I would hope that at least some of my Democrat colleagues might think about the fact that their operating principle of “the rules don’t apply to us” is generally more associated with despots than democratic republics and that they would put the long-term health of our country and our institutions above short-term partisan gain.

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

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

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CORNYN. Mr. President, I don’t think it is any secret that the United States is facing a myriad of security threats both here domestically and abroad. I have said—and I truly believe—this is the most dangerous time our country has experienced since World War II due to the axis of autocracies, as they are sometimes called, ranging from Iran to Russia, to China, to North Korea.

But right here at home, we have a huge, gaping national security threat called the southern border. We know it is being exploited by drug traffickers, human smugglers, and, yes, perhaps, even by terrorists. Out of the, roughly, 10 million or so people we estimate who have crossed the border during the Biden-Harris administration, about 2 million of them are what the Border Patrol calls “got-aways.” In other words, they are people evading law enforcement and, perhaps, for a good reason: either they are carrying drugs; they have criminal records; or, heaven forbid, they want to do us harm through some sort of terrorist attack.

But, as we look around the world, we see countries like Israel, our close ally in the Middle East, defending its right to exist following a brutal and unprovoked attack by the terrorist group Hamas, which is a proxy of Iran. Iran and its proxies are even more emboldened than ever as they continue to wreak havoc across the region. Oh, by the way, they are also enriching uranium in pursuit, perhaps, of a nuclear weapon.

In Europe, we know that Ukraine continues to defend its sovereignty in the wake of Russia’s invasion more than 2 years ago, but actually it goes back earlier than that. Russia actually invaded Ukraine in 2014 and basically took over the Crimea, and nobody seemed to do much about it, by which Putin thought: OK. I got away with that. I am going to come back for another bite.

Then, following the devastating withdrawal of American and Allied troops in Afghanistan 2 years ago—we were just over in the Rotunda, honoring the lives of the servicemembers who lost their lives in Kabul 2 years ago as a result of the withdrawal from Afghanistan. But after that, Putin logically thinks: Well, the Taliban got to take over Afghanistan without a shot being fired. The United States coughed up tens of billions of dollars of equipment, ammunition, and transportation, and so maybe, just maybe—this is Putin’s thinking—I believe, maybe, I can go ahead and invade Ukraine, and I can march on Kiev, and not a shot will be fired.

Well, he underestimated the will of the Ukrainian people, to be sure.

In the Indo-Pacific, China continues to be aggressive and belligerent and to threaten the stability of the region, especially the future of Taiwan.

So there is a lot at stake, and the eyes of the world are on the United States.

I have had a chance, like so many of us, to travel around the world and talk to our friends and allies. What I have learned is that no one—no nation—can substitute for the leadership of the United States of America. If America acts, others will follow. They will join us, perhaps, but no one will take the initiative if the United States is standing back.

It is true that terrorists and dictators are watching to see how we respond. Vladimir Putin watches what we do. President Xi in China, Kim Jong Un in North Korea, and the Supreme Leader in Tehran—they all watch what kind of reaction they get when they push. If there is no pushback they keep coming.

So the question is, Will we brush all of this off and try to explain it just as regional conflicts; or will we stiffen our spine, lock arms with our friends and allies, and commit to defeating evil and aggression in all its forms?

Well, to meet this crucial moment, we need to solidify support for our military and our national security. That is the No. 1 job of the Federal Government. No local government or State government, no private entity can provide for the common defense. That is the No. 1 job of the Federal Government. Everything else comes after that, because if you don’t do that, none of the rest matters.

We are currently contemplating a short-term spending bill called a continuing resolution. But our commanders, the Secretary of Defense—

current and past—will tell you that a continuing resolution is one of the worst things you can do to the military because there are no new starts, no programs that we have authorized that plan for the future, particularly if you are looking at a funding bill of 3 months or 6 months in duration.

Even President Biden’s own Defense Secretary acknowledges that any delay in funding and in the National Defense Authorization Act hampers their ability to plan. So it is not just the funding; it is also the annual exercise known as the National Defense Authorization Act.

We know that our committees here in the Senate, the Armed Services Committee both in the Senate and in the House, have done a lot of work on a bipartisan basis to prepare the National Defense Authorization Act. But here in the Senate, this seems to be the last thing on the majority leader’s schedule and the last thing on his mind.

We are scheduled to be here roughly 2½ more weeks before we break for the November 5 election. In other words, we won’t even be in session in October. So then we will come back after the election in the so-called lameduck, and one of the must-do bills that we have to pass is the National Defense Authorization Act.

It didn’t have to be this way. We could have scheduled—the majority leader could have scheduled both an appropriations process that would make sure we didn’t have to pass short-term continuing resolutions. We could have taken up the good bipartisan work of the Armed Services Committee and put the National Defense Authorization bill on the floor. But the majority leader would have none of that. It is just not a priority for him.

So what are we doing instead? Well, we are taking up judicial nominations, which are not insignificant, but they pale in comparison to the responsibility that Congress has to provide for the common defense. And we do that two ways: One, we pass the National Defense Authorization Act each year; and, No. 2, we fund the military and the rest of government.

When we do this, when the majority leader makes this choice, it doesn’t give our commanders the certainty they need to make decisions that will serve both our short-term and long-term interests.

For our forces to continue the fight wherever necessary around the world, they need resources. They need stability. They need predictability. And they need to be able to start new, important programs like multiyear procurement programs to shore up our industrial base to make sure we have the resources we need to deter aggression anywhere in the world.

There is nobody else to do it. It is the responsibility of Congress. Nobody can do this for us. We can’t say, well, this is too hard, or it is inconvenient, or we have to go campaign for reelection.