families. Well, today's bill is about as pro-family as it gets. It helps create families—IVF does. It says that access to IVF should be a basic right for all. And it will make sure insurance companies cover IVF treatments in their plans.

The last point is key. Expanding insurance coverage for IVF is something the vast majority of Americans support. A survey from Pew Research from last month showed that even a majority of Republicans surveyed support it—even a majority of Republicans.

Nevertheless, 3 months ago, nearly every Senate Republican voted against protecting IVF in this Chamber. It was astounding to watch them. With a straight face, our Republican colleagues claimed that, of course, they cared about supporting families; of course, they supported IVF—just not enough to actually vote to protect it.

That makes no sense—no sense. Republicans can't just talk their way past an issue as personal as IVF. What ultimately matters is how they vote on the issue.

So to my Republican colleagues today, you get a second chance: Either stand with families struggling with infertility or stand with Project 2025, which aims to make reproductive freedoms extinct.

If the Republicans truly care about helping families, they should vote yes to protect IVF. If the Republicans truly reject the insanity and cruelty—cruelty—of Project 2025 and its extreme conservative agenda, they should vote yes to protect IVF.

On the other hand, if Senate Republicans vote no today and strike IVF protections down again, it is further proof that Project 2025 is alive and well.

So, again, we hope Republicans join us to do the right thing. We ask Republicans to join us because women's reproductive freedoms are in a time of crisis, and we need to push back.

It has been 2 years since the MAGA Supreme Court overturned Roe v. Wade. Today, 22 States have passed abortion restrictions—14 of them essentially full bans. Over one in three American women have lost access to reproductive care. Many of them have to drive hundreds of miles out of State to get the care they need, and that still often comes with long wait times. Doctors fear they will be jailed if they offer treatments. Women in need are at risk of being turned down at hospitals, and it can become a matter of life and death.

This week, America tragically learned of the first confirmed case of a woman dying because abortion bans prevented her from getting the care she needed. She was a young woman from Georgia, a 28-year-old and the mother of a 6-year-old. She had to travel out of State to get reproductive care, and when she needed emergency surgery after a rare complication, doctors in Georgia delayed giving her the care she needed because of the new restrictions on the books. By the time she went into surgery, unfortunately, it was too late. She tragically passed away. The State declared that her death was preventable had she only gotten care sooner.

Worst of all, there are, undoubtedly, more cases like hers. These are the terrible and deadly consequences of restricting reproductive freedom. The tragedy that happened in Georgia, of a preventable death because of abortion bans, is why Project 2025 is so dangerous: deadly restrictions to reproductive care; monitoring women's pregnancies; banning mifepristone; laying the groundwork for a national abortion ban; putting IVF at risk.

To my Republican colleagues, the choice is yours. Americans are watching; families back home are watching; and couples who want to become parents are watching too. Republicans cannot say they are pro-family but vote against protecting IVF. They cannot say they reject Project 2025 but vote against protecting IVF. That is what is at stake today. I urge everyone to vote yes.

GOVERNMENT FUNDING

Now, Mr. President, on the CR, the clock is ticking for Congress to reach an agreement to keep the government open beyond the September 30 deadline. That is 13 days away. At this point in the process, the only way we can prevent a harmful government shutdown is by both sides working together to reach a bipartisan agreement. That is the only way.

Speaker JOHNSON is reportedly going to hold a vote on a 6-month CR tomorrow, but the only thing that will accomplish is to make clear that he is running into a dead end. We must have a bipartisan—a bipartisan—plan instead.

Now, I will say this: For all of its faults, I am heartened about one thing that Speaker JOHNSON is doing. Speaker JOHNSON's plan preserves the essence of the Schumer-Johnson agreement that set top-line funding levels for the current fiscal year, 2024. It is encouraging to see that Speaker JOHNSON, at least for now, is resisting the hard-right choices in his party and not pushing across-the-board cuts that would be so harmful to the American people. I hope it is a sign that the Speaker realizes that these bipartisan funding levels must be part of any solution moving forward.

But, beyond that, the Speaker's CR is too unworkable. I urge him to drop his plan and to work together to reach a bipartisan agreement with the other leaders: Leader MCCONNELL, Leader JEFFRIES, and myself as well as the White House. We do not have time to spare.

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 legislative 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.

HONORING SHERIFF'S DEPUTY JOSH PHIPPS

Mr. MCCONNELL. Mr. President, unfortunately, I need to begin this morning with some tragic news from Kentucky.

Late last night, Sheriff's Deputy Josh Phipps, of Russell County, was killed in the line of duty. His sacrifice is a sober reminder of the debt we owe our courageous law enforcement officials. They are the first to run toward fire and the first to put themselves in harm's way to keep us safe.

Today, I know the entire Commonwealth is holding Sheriff's Deputy Phipps in our thoughts and our prayers. So I would ask my colleagues to join me in sending our deepest sympathy to Russell County and the Phipps family as they mourn his loss.

JUDICIAL ETHICS

Mr. President, on another matter, free speech has been an animating principle for my entire career here in the Senate. I am second to no one in my defense of the First Amendment. So I have found the recent habit of the Federal judiciary's bureaucracy to try and abridge its protections alarming, to say the least.

The courts are where citizens go to have their free speech rights vindicated against censorious government officials. I know this from experience. I sued to stop the anti-speech campaign finance rules signed into law by President Bush, and I took it all the way to the Supreme Court.

But where do people go when the courts decide to behave like any other branch of government? When they put other interests over the First Amendment? Even having to ask the question is troubling.

Two of my colleagues and I recently wrote to the head of the Standing Committee on Federal Rules to express our opposition to the proposed amendment to the rules governing appellate courts. The amendment is the result of persistent bullying of the Senate Democrats, and it would force parties seeking to be heard as friends of the court to disclose their donors in certain instances.

The forced disclosure of donors is a longstanding offense against the First Amendment. This has been abundantly clear since Justice Harlan eloquently explained it in NAACP v. Alabama. The courts only tolerate forced disclosure in cases of actual candidate electioneering to ensure election integrity. But court cases aren't elections, and friends of the court are not candidates. The fact that the Appellate Rules Committee doesn't understand this and wants to chill free speech by mandating donor disclosure is a shocking reversal of NAACP v. Alabama.

That is why my colleagues and I encouraged the Standing Committee, the Judicial Conference, and the Supreme Court to scrap—scrap—this unconstitutional amendment.

Unfortunately, there is even more. Another committee in the judiciary bureaucracy, the Codes of Conduct Committee, recently amended one of its advisory opinions to prevent law clerks from seeking political employment. This is the same committee that tried to ban Federal judges from joining the nonpartisan Federalist Society while allowing them to join the highly partisan and leftwing American Bar Association. The committee reversed itself on that boneheaded decision after an uproar, an uproar from the judges of all political stripes.

In its new advisory opinion, the committee concluded that clerks could seek employment from law firms, impact litigators, elected officials, and the government, but they cannot even talk to political parties or candidates for office about a job. Doing so, they conclude, ''risks linking the judge's chambers to political activity, which could compromise the independence of the judiciary.''

Consider just how absurd this is. First, political activity is at the core of freedom of speech. To single it out for a special disability among clerks seeking employment turns the First Amendment on its head. Prohibiting a clerk from discussing employment options with the Harris campaign because it might make ''the judiciary'' look bad hurts the clerk's constitutional rights in order to preserve some theoretical, attenuated interest.

Second, it is indeed a special disability and one that has no correspondence to the real world. Why is the ''link'' any more problematic when a clerk wants to talk to a Republican campaign, which is prohibited, but not when she wants to talk to an elected Republican, which is allowed? What about seeking employment as a political appointee in a highly partisan Garland Justice Department? Do the large law firms to which the Democratic Party outsources its campaign litigation not provide a ''link'' to the judiciary?

Indeed, one prominent law firm, the Elias Law Group, explicitly claims that its goal is to elect Democrats. And yet a clerk can presumably seek employment there but not from the Democratic National Committee? These are distinctions without differences.

But wait, there is more. Last week, the Judiciary Conference, in its zeal to take a hard line against misconduct in the workplace, referred a disgraced former judge to the House for impeachment. Yes, that is right. They referred a private citizen for impeachment.

Without getting into the merits of the allegations against the former judge—other than to note that they caused him to resign in disgrace—this was a remarkable action by the Federal bureaucracy. They were surely aware that whether or not you can impeach a former official is hotly disputed, but they referred it anyway.

In other words, while trying to make a point about one political issue—workplace misconduct in the judiciary—they ended up making a point about another one—the impeachment of former officials. And for what? Forty sitting Senators have already said that you can't do this as a matter of constitutional law, thereby making the conviction all but impossible.

The judiciary itself is under increasing attack from Democrats who want to destroy it as an independent branch of government, and the judicial bureaucracy seems desperate to appear apolitical. It has been taking affirmative steps to virtue signal on issues that matter to Democrats, from Federalist Society membership to single-judge divisions to amicus disclosure.

It would be one thing if this were empty virtue signaling, but we are talking about behavior increasingly in tension with constitutional provisions, including First Amendment rights.

So my advice to the Judicial Conference is this: The way to avoid getting involved in politics is to avoid getting involved in politics.

TOBACCO-FREE USE ACT

Now, on another matter, Mr. President, I would like to end on something the walls of this Chamber don't hear enough of—some good news. According to an annual survey conducted by the CDC and the FDA, the number of young people in America smoking e-cigarettes dropped to its lowest level in the last decade. Let me say that again. E-cigarette use among America's youth is now roughly one-third of the alltime high it hit just 5 years ago.

There are a lot of factors at play in this downward trend, but one powerful tailwind originated right here in the Senate.

In 2019, youth e-cigarette use was at its peak. That is the year that I wrote and introduced the Tobacco-Free Use Act with my good friend Senator KAINE from Virginia. Our bipartisan bill raised the minimum age to purchase tobacco products, including e-cigarette devices, from 18 to 21.

We didn't try to reinvent the wheel. We knew that nearly all smokers—roughly 95 percent of them—started by the age of 21. By raising the age limit, less tobacco winds up in high schools, which means less opportunity for children to get their hands on addictive vaping devices.

This issue hits close to home. Kentucky has the highest cancer rate in the country. In years past, we have even topped the list for higher proportion of cigarette-related cancer deaths.

Now as the senior Senator from Kentucky, my decision to spearhead this litigation surprised some people. My home State has a close connection to tobacco. But as I pointed out in the past, Kentucky farmers don't want their children forming nicotine addictions any more than any other parent.

If we have learned anything in the fight against addiction is that families are right to be worried. At this critical stage of development, nicotine products can be the first step in a life maligned by serious health problems.

So while more work remains, I am proud that the Senate stepped up to address this public health crisis, and I am grateful to see this legislation is actually making a difference.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRUMP ASSASSINATION ATTEMPT

Mr. THUNE. Mr. President, before I begin, I just want to say how grateful I am that President Trump is safe after what appears to be a second attempt on his life in the space of 2 months.

The trend this election cycle has taken toward violence is disturbing to say the least, and I hope this weekend's events will prompt reflection on our political discourse and the importance of not letting our disagreements lead to the dehumanization of our opponents.

I am grateful for all the law enforcement personnel who responded and helped prevent another tragedy, and I look forward to seeing a thorough investigation.

NATIONAL SECURITY

Mr. President, perhaps the most important thing we do here in Congress is to provide for our Nation's defense. I have said it before, and I will say it again: If we don't get national security right, the rest is just conversation. Everything else we do in government and our very existence as a nation depends on our getting security right.

National security, Mr. President, is not a one-and-done kind of a situation. We can't rely on a one-time military buildup or the reputation we have earned as a superpower to keep our Nation safe. Tactics change, technology changes, weapons change, and reputations—even strong ones—eventually change if they are not backed up with substance. Maintaining a robust national defense has to be a permanent focus, year in and year out. There is no time in which we can afford to put national security on the back burner or underfund our Nation's military—which brings me to where we are today.

Mr. President, in July of this year, the Commission on the National Defense Strategy released its report. It had this to say:

The Commission finds that the U.S. military lacks both the capabilities and the capacity required to be confident it can deter and prevail in combat.

Let me just repeat that.

The Commission finds that the U.S. military lacks both the capabilities and the capacity required to be confident it can deter and prevail in combat.