

as chairman of our local Mid-America Council of the Boy Scouts but also became national president of Boy Scouts of America. He served as chairman of the Board of Governors of the USO, cared about our veterans and wanted to make sure we were serving them, cared about our military people. He also cared about the arts and was chairman of Omaha Performing Arts.

He and his wife Carmen cared about people. Together, they fostered more than 100 infants awaiting adoption.

John was an outdoorsman and a conservationist. He really was one of those people we would describe as a renaissance man—running a fantastic business, giving back to the community. He was the kind of American that built this country.

John passed away last month, leaving a legacy that is having a lasting imprint on our community of Omaha, the State of Nebraska, and indeed our entire country.

I greatly admire John Gottschalk for the kind of man he was, the example he set for the rest of us. He will be greatly missed, and I will miss him greatly.

I yield the floor.

The PRESIDING OFFICER. (Mr. HICKENLOOPER).

The majority whip.

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H.R. 5009

Mr. DURBIN. Mr. President, I would like to take a minute to note the fiscal year 2025 NDAA conference agreement the Senate is voting on this week.

Congress has passed a bipartisan Defense authorization bill every year without fail since 1961, a remarkable feat. And in an increasingly partisan Senate, it is even more remarkable.

Every year, when the final text comes, there are inevitably Members on both sides of the aisle who like some provisions and dislike others. That is what compromise is all about.

This year's text is no different. It includes a historic pay raise for junior enlisted troops. It provides continued support for Ukraine's territorial integrity and Baltic security cooperation.

This bill authorizes important military construction projects. It reauthorizes my READ Act to continue quality basic education programs for vulnerable children around the world.

At the same time, it also continues troubling restrictions that make it unnecessarily difficult to finally close the detention center at Guantanamo Bay. And it fails to include important provisions I sponsored that would have accelerated PFAS remediation and enabled the skilled DACA holders to enlist in the military to address our recruitment challenges.

But there is one provision in this conference agreement that troubles me, a provision that would ban certain medical treatments for transgender children of servicemembers. It eliminates the ability of military families to work with medical professionals and make their own decisions about the healthcare needs of their own children.

That is why I am a cosponsor of Senator TAMMY BALDWIN's amendment to remove this language from the bill.

SIXTH ANNIVERSARY OF THE FIRST STEP ACT

Mr. President, I would like now to highlight an important milestone. This coming Saturday, December 21, will mark the sixth anniversary of the First Step Act becoming law. That moment resulted from overwhelming bipartisan majorities in the House and Senate coming together to pass landmark criminal justice reform.

I was honored to be the lead Democrat sponsor of this legislation, along with the lead Republican sponsor, Senator CHUCK GRASSLEY. Senators CORY BOOKER and MIKE LEE joined us.

The First Step Act acknowledges the obvious: The vast majority of people who are incarcerated will someday be released. So we must prepare them to successfully return to their communities.

In the last 6 years, this law has safely and effectively reduced populations in overcrowded Federal prisons, reuniting families and revitalizing communities.

The First Step Act looked toward the future by providing opportunities for the incarcerated people to reenter society successfully. It helped to reform harsh drug sentencing laws of the past and remedy their effects.

I authored bipartisan legislation, the Fair Sentencing Act of 2010, that reduced the unjust 100-to-1 sentencing disparity between crack and powder cocaine offenses.

Under the First Step Act, the Fair Sentencing Act's reforms were made retroactive, allowing those who still serve sentences imposed before the change in law to be resentenced. I am thankful for the tireless efforts of many dedicated advocates and families who never gave up hope that this bill would become the law.

Since the passage of the First Step Act, 6 years ago, I have met with many Americans who successfully returned home because of this historic legislation.

The First Step Act has been a tremendous success. Of more than 40,000 people released under this law through January of this year, only 9.7 percent have been rearrested or returned to custody. Compare that to the Bureau of Prisons' overall recidivism rate of 45 percent—5 times that number. Unfortunately, some elected officials are calling now for a return to the punitive policies of the past, despite the success of the First Step Act.

Here is the reality: We all deserve to live free from crime, but the War on Drugs, with its inflexible mandatory minimums, did not make communities safer. Instead, the so-called War on Drugs filled the prisons with young, mostly African-American men, and, at the same time, the price of illegal drugs went down, and the use of illegal drugs went up. The strategy didn't work.

The First Step Act shows that we can do more than be just tough on crime.

We can be, once and for all, smart on crime and achieve accountability without excessive punishment and incarceration.

It is our job in Congress to thoughtfully respond to the enduring crisis of substance abuse in America. We should provide more opportunities for those who are incarcerated to reenter society successfully, reunite with their families, and contribute to their communities.

And, we need to build on the bipartisan success of the First Step Act and work together to craft new policies to reduce crime in America.

Six years ago, the First Step Act was signed into law by President Donald Trump, during his first term in office, while my lead Republican sponsor, Senator CHUCK GRASSLEY, was chair of the Senate Judiciary Committee. With Donald Trump returning to the White House and Senator GRASSLEY returning as chairman of the Judiciary Committee, we have the opportunity to build on the success of the First Step Act.

Six years ago, we wrote the blueprint for reimagining rehabilitation and protecting public safety. We know that it works.

We must remember that passing this law was just the first step in a long journey toward rethinking rehab and reversing failed reaches. Today, as I reflect on what we achieved by correcting our past wrongs and investing in the power of second chances, I also recognize that more must be done to make our justice system fair and to keep America safe.

We should learn from the experiences of individuals who have been incarcerated under misguided policies and are now seeking to reform the criminal justice system for the future.

As we celebrate this anniversary, I will continue to work with my colleagues to reform outdated sentencing laws and improve conditions of confinement and rehabilitation within our Federal system.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

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RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

WILDLIFE INNOVATION AND LONGEVITY DRIVER REAUTHORIZATION ACT—Continued

The PRESIDING OFFICER. The Senator from Virginia.

UNANIMOUS CONSENT REQUEST—S. 399

Mr. WARNER. Mr. President, I rise today in support of Senator KAINE's request for unanimous consent for the Senate to pass the Saving the Civil Service Act. It is a critical bill that I hope all my colleagues would agree needs to be enshrined into law.

One of the great strengths of our democracy is that we have an independent, merit-based civil service. Back in the 19th century, we saw what happens when you had a Federal workforce that was made up of a system of spoils and political patronage. So the Congress, back in 1883, said: We ought to put in place an independent civil service.

That has been the law of the land for the last 150 years. Virtually every other industrial nation in the world has modeled their independent workforce after the American model.

We have 2 million Federal employees across the country. Virginia has 147,000. There are close to that many in Maryland and in the District, but they are all over. Senator HIRONO mentioned earlier Hawaii has some of the highest concentration.

Senator KAINE's bill, which we are all proud to be cosponsoring, would simply say: Let's not break that system.

The idea—and the incoming President has said he wants this—to make and get rid of a merit-based civil service is, in my mind, beyond comprehension. Do you really want that nurse at the VA hospital, that the first criteria we are looking for is who did she vote for as opposed to whether she knows nursing; or that air traffic controller that says: Well, I may have been politically active for an unpopular candidate, so I am going to get fired? Or, more likely, one of the things that we have seen that has been a strength of our system: The independent economist at the Bureau of Labor Statistics, Presidents of each party get mad when their numbers come out each month because those numbers are independently verified. Do you want to fire all those folks and put in political loyalists?

The rest of the world would run from that, and it would, frankly, undermine the reserved nature of the U.S. dollar as the currency of the backbone of the world, if we are cooking the books on our economic numbers.

There are a host of other examples that we could go almost category by category. I can tell you, the vast majority of Federal workers whom I interact with, most of them could actually have done better in the private sector. They do this work because of that sense of public service.

And if you get rid of a merit-based system and do it all for political patronage, who is going to actually join

that kind of government on a going-forward basis?

This would undermine our economy, undermine our security, and obviously undermine the ability of the American people to get a fair administration of government services.

With that, I am going to yield to my good friend, the Senator from Maryland Senator VAN HOLLEN.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I want to thank my colleague from Virginia Senator WARNER, who just addressed this very important issue, and my friend and colleague, the other Virginia Senator, Senator KAINE, who is making the motion today that we pass his Saving the Civil Service Act.

This is a critical piece of legislation to protect one of America's best innovations, which is the idea of a non-partisan, merit-based Federal workforce—one that serves all Americans, regardless of political affiliation; one where you don't take a political test to decide whether you have the credentials for the job; you take a skills-based, knowledge-based test to decide if you are best for the job.

Our Federal workers are the air traffic controllers who ensure safe passage when Americans fly; they are the inspectors who protect our food supply; they are the folks who determine whether or not medicines put on the market are going to be both safe and do what they say they are going to do; they are the folks at the Social Security Administration in Baltimore City who make sure that people get their Social Security checks on time; they are the nurses and doctors at veterans hospitals who help our veterans; and many, many other essential functions.

Today, the only criteria for their employment is performance. It is what they know, not who they know. They are qualified to serve based on those credentials, and they do a good job protecting the American public. And they serve in those jobs regardless of what President is in the White House and what party that President may belong to. Their duty is to serve the American people.

So why are we here on the floor? Because the incoming administration has threatened to change the longtime practice of making sure we have a merit-based civil service.

At the very end of the last Trump administration, they proposed something called schedule F, which would allow them to convert merit-based positions into politically based positions—in other words, substituting political cronies for qualified merit-based Federal employees. That is a recipe for corruption.

Our predecessors, a long time ago, recognized that. That is why, back in 1883, the Congress passed the Pendleton Act to create the merit-based civil service. Prior to that, we had a spoils system, where people who worked on campaigns thought that they could get

any job they wanted, regardless of their qualifications, because of their political party label.

In fact, the reason we ended up getting the Pendleton Act—one of them—was that, in 1881, one of those people, who had worked on a political campaign and thought they should have gotten a job and didn't, assassinated President Garfield. So at that time, the country was shaken, and they said: We have to get rid of the spoils system and replace it with a merit-based system.

I want to just make two other points because the incoming administration, as I said, tried this schedule F idea at the end of the last administration. This time, they are talking about doing it near the beginning of this incoming administration, which is why we are here on the floor today trying to take this action to prevent that from happening.

I want to point out that Presidents have about 4,000 political positions to fill. We are talking about the Secretary of Defense, the Secretary of State. Presidents have the discretion already—the power today—to nominate people for those 4,000 positions. So we are not talking about taking that away. We are saying: You can't convert thousands of other positions that today are based on merit into those political type of jobs.

Finally, we have heard a lot about the need for more government efficiency, and count me in. Count all of our colleagues from Virginia and Maryland and I think probably both sides of the aisle in on the idea of trying to make sure that we achieve greater efficiencies in government. But I will not support and we will not support something that, under the cover of the claim of government efficiency, is simply a Trojan horse to undo our merit-based system and turn it into one based on political cronyism because that leads to corruption, which will erode the public's confidence and erode the quality of service that our Federal civil servants provide.

So I want to again thank my colleague from Virginia Senator KAINE for all he has done. I want to thank my colleague from Maryland Senator CARDIN, who has also been a great partner in this.

I yield to the Senator from Virginia Senator KAINE.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I appreciate my colleagues Senator WARNER and Senator VAN HOLLEN. We just had a press conference where Senator CARDIN and Senator HIRONO also came to speak about the importance of this issue.

As everybody knows—you learned this in civics in grade school—officials in the United States swear loyalty not to the President but to the Constitution of the United States. Under the Constitution, Congress passes laws, and the President enforces them.

But from the beginning days of our country, the President can't do all the