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## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

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

Let us pray.

Eternal God, the fountain of wisdom, we thank You for those who guard our fragile gift of freedom. Thank You for Senators who more than self their country love, who daily make courageous decisions that keep us free. Lord, use the Members of this body to ensure that this precious gift of liberty will remain inviolate for those who come after us.

Thank You also for the brave souls, stout hearts, and indomitable spirits of those who have paid the ultimate price for the privileges we enjoy. Sustain and comfort the families they have left behind.

During this blessed moment of talking to You, we ask that Your presence will follow us throughout this day.

And, Lord, we continue to fast and pray for the people of Ukraine.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore 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.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. BUDD). Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant executive clerk read the nomination of Linda McMahon, of Connecticut, to be Secretary of Education.

The PRESIDING OFFICER. The Senator from Iowa.

#### NOMINATION OF LINDA MCMAHON

Mr. GRASSLEY. Mr. President, the Senate will soon vote to confirm Linda McMahon to be Secretary of Education.

I know that some people feel that the Secretary of Education should have extensive experience in a school system; however, it is important to remember that education is still mostly a State and local responsibility. There is no such thing as a Federal superintendent of schools. The U.S. Department of Education doesn't run any schools. Our many public school systems in this country do not report to Washington, DC, and Washington also has no authority over what is taught in our schools around the country.

The job description of a Secretary of Education is to manage a bureaucracy that runs a number of funding programs. By all accounts, Linda McMahon did a great job running the Small Business Administration in the last Trump administration. I have no reason to believe that she cannot run the Department of Education. I think she understands the difference between the State and Federal role in education.

I also expect that she understands the difference between the executive and legislative branches when it comes to the serious policymaking of education. Congress passes the laws and holds the power of the purse. We have also the responsibility to make sure

that laws are faithfully executed by the executive branch of government. I expect Linda McMahon to respond to all the congressional inquiries in a timely and responsive manner.

#### WORLD HEARING DAY

Mr. President, on another subject, this day, March 3, is World Hearing Day. Approximately 38 million Americans report hearing loss. Meanwhile, an estimated 29 million American adults could benefit from using hearing aids. So I would like to speak to you about the importance of hearing health and treating hearing loss.

Hearing and balance of the body are deeply connected. Even mild hearing loss puts you at greater risk of a fall. Hearing aids can help prevent that risk.

Treating hearing loss can lower the risk of dementia. Untreated hearing loss has been linked to loneliness and isolation. It can cut you off from those around you.

Historically, hearing aids have been unaffordable and inaccessible. I have heard from Iowans who told me about their struggles hearing and how they want hearing aids to hear their kids and grandkids, but they held off on buying hearing aids because they were so expensive.

Now, that brings me to the reason that Senator WARREN and I led the bipartisan effort to pass and implement legislation called the Over-the-Counter Hearing Aid Act. We did that in 2017. That law made over-the-counter hearing aids available as a safe, effective, and accessible option for adults who had no greater than mild to moderate hearing loss.

I am also working to ensure that seniors have access to a range of hearing and balance healthcare services in my bipartisan Medicare Audiology Access Improvement Act.

I encourage Americans to take steps to protect and care for their hearing as well as monitor for signs of potential hearing loss.

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



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I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant executive 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.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

NOMINATION OF LINDA MCMAHON

Mr. THUNE. Mr. President, the Senate will vote later today to confirm Linda McMahon to be Secretary of Education. Mrs. McMahon is an accomplished businesswoman and public servant. She is known for her role in building World Wrestling Entertainment, better known as WWE, from a small operation to a large and thriving enterprise. And she has used her success to give back and make a positive impact.

Mrs. McMahon led efforts to promote reading and civic engagement through WWE. She spent 16 years on the board of trustees for Sacred Heart University in her home State of Connecticut. She served on the Connecticut Board of Education. In his first term, President Trump tapped Linda McMahon to lead the Small Business Administration, where she was known for listening to small businesses to make the SBA a more effective Agency.

She will bring valuable experience, an incredible work ethic, and a passion for education to her new role leading the Department of Education. And she has a big task ahead of her. Let's acknowledge that. In January, the Nation's report card revealed that American students are still struggling to make up ground lost during the pandemic. Reading scores among fourth and eighth graders declined again, after falling in 2022 and 2019. One-third of eighth graders are reading below a basic level—the highest proportion ever recorded. Math scores showed modest improvement, but they still remain below prepandemic levels. And there is a widening gap in student performance. This should concern all of us.

As the son of two public school educators and father of two daughters who went to public schools, I know this problem is not going to be fixed by Washington bureaucrats. It is going to be fixed by good teachers, administrators, school boards, and parents—the people who are closest to the students and most invested in their success.

The Federal Government provides less than 10 percent of funding for schools in this country. The other 90 percent of funding—money that keeps the lights on, pays teachers, and buys new textbooks—well, that comes from State and local governments and from private sources. But while the Federal Government provides a small percentage of education funding, it is responsible for an outsize amount of bureaucracy and mandates in education. More

often than not, it is these policies that are holding back school districts from innovating and ultimately improving the education that they provide.

I am glad that Mrs. McMahon recognizes that education is not one-size-fits-all. States have different needs. School districts and individual schools have different needs. And every student has his or her own needs and aspirations. So I am glad that Mrs. McMahon plans to work in a way that empowers those closest to the student, because they are in the best position to do what is right for that student.

When I met with Mrs. McMahon, we had a long conversation about South Dakota's unique education needs, including our Tribal schools, and I look forward to working with Linda McMahon to limit bureaucracy, empower State and local governments, and let good teachers do what they are best at and what they love to do, and that is to help students succeed.

PROTECTION OF WOMEN AND GIRLS IN SPORTS ACT

Mr. President, most Americans are familiar with title IX. That was the landmark legislation designed to create equal spaces and opportunities in education for women. Title IX is particularly notable for the effect it has had on women's sports.

With its requirement that Federal funding recipients create equal athletic opportunities for women and girls, title IX paved the way for the women's athletic programs we see today at colleges and universities and high schools around the country. But now the gains that have been made through title IX are under attack.

Around the country, we have seen men—biological men who identify as women—take up spaces and medals in athletics meant for actual women. Swimming, track, volleyball, soccer, basketball—this is happening across a range of sports. And the problems here are obvious.

First of all, there is the physical danger that can be posed by men participating in women's sports. But this is about much more than any physical danger; this is a matter of fairness and equality. Title IX, as I said, was created to give women opportunities in spaces that have been denied them, to give women the same opportunities that men enjoy. That is not possible when men are involved in women's sports.

Biologically, men possess physical advantages when it comes to sports—things like greater muscle mass and greater aerobic power—which means that, by and large, men are likely to dominate women's sports, taking wins and medal opportunities away from women. And this isn't hypothetical. This is actually happening.

Let me quote from an August 2024 United Nations report on violence against women and girls, which addresses the participation of men in women's sports:

Policies implemented by international federations and national governing bodies,

along with national legislation in some countries, allow males who identify as women to compete in female sports categories.

In other cases, this practice is not explicitly prohibited and is thus tolerated in practice. The replacement of the female sports category with a mixed-sex category has resulted in an increasing number of female athletes losing opportunities, including medals, when competing against males. According to information received, by 30 March 2024, over 600 female athletes in more than 400 competitions have lost more than 890 medals in 29 different sports.

Let me just repeat that:

According to information received, by 30 March 2024, over 600 female athletes in more than 400 competitions have lost more than 890 medals in 29 different sports.

Now, that, as I said, is from a United Nations report. This isn't some myth that conservatives have dreamed up; this is happening.

I could go down a list of examples here in the United States: the female runner who did not qualify for the women's 55-meter final at the State championship because a biological male identifying as a woman qualified in her place; another female runner who resigned herself to second place at best because, as she said, she knew there would be no winning against the biological male who finished a full minute and 22 seconds ahead of the second place female finisher; the male pole vaulter who won the women's competition with a vault that exceeded that of the second place female finishers by 6 inches; the women's basketball team that saw nearly half of its season's points scored by a male.

That is just a sampling of the stories that are out there. Of course, the female athletes in question aren't just being robbed of their potential places on a winner's podium; they are also being robbed of the opportunities that might be associated with that place—things like college scholarships. As one female runner who was robbed of multiple wins by a biological male described the situation:

It robs girls of the chance to race in front of college scouts who show up for elite meets, and to compete for the scholarships and opportunities that come with college recruitment. I'll never know how my own college recruitment was impacted by losing those four state championship titles to a male. When colleges looked at my record, they didn't see the fastest girl in Connecticut. They saw a second- or third-place runner.

Mr. President, this isn't fair. Girls should not be having to compete in races that are stacked against them. Women deserve their own athletic opportunities, opportunities that are not taken away from them by biological males who have their own spaces in which to compete. They deserve a level playing field.

And this is not a niche position. A 2025 New York Times poll found that 79 percent of Americans—including, I might add, a majority of Democrats—believe that biological males identifying as women should not be allowed