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## Senate

### 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 Sean Duffy, of Wisconsin, to be Secretary of Transportation.

The PRESIDING OFFICER. The Senator from Iowa.

#### NOMINATION OF SEAN DUFFY

Mr. GRASSLEY. Mr. President, today, we are confirming former Congressman Sean Duffy as the new Secretary of Transportation.

Our Nation's infrastructure is essential to the economy, trade, and vitality of each of our 50 States. In Iowa, it is fundamental to moving our agriculture products, manufacturing goods, and, of course, our 3.3 million people.

I have long supported sound, sustainable infrastructure policies that provide certainty to businesses, States, and the transportation community. I agree that businesses and State and local governments need long-term visions and plans to ensure our infrastructure networks remain strong and support our Nation's economic growth and competitiveness.

We are soon faced, in this body and in the entire Congress, with reauthorizing our Nation's surface transportation laws. I am glad that Congressman Duffy understands, from representing Northwest Wisconsin, that rural America has many infrastructure needs—as many as urban areas. I supported the bipartisan infrastructure bill to provide needed funding to repair and replace Iowa's aging infrastructure. I look forward to working with him to advance Iowa's priorities and sound policies for the Nation.

Now, in the case of Secretary Duffy, even though I didn't meet with him in

my office, like I do a lot of nominees, I stress today the importance of responding to congressional letters and inquiries. Congress has a constitutional duty to perform oversight over the executive branch for, as we learn in high school civics, what we call checks and balances. Congress not only passes laws and appropriates money, but we have a responsibility to make sure that those laws are faithfully executed by whomever is President of the United States.

Oversight, then, allows us to hold bureaucrats accountable to the rule of law, and it helps to keep faith with taxpayers. Or another way of saying it, if we have transparency in government, which the oversight of Congress ought to implement, we have greater accountability of our work.

Currently, I have been conducting oversight over the FAA and the safety of Boeing aircraft. I fully expect the new Secretary to respond to all congressional inquiries in a timely and responsive manner.

When people come to my office, I remind them of that question they get from every chairman of every committee: Will you answer the letters that we send, or will you appear before Congress, or will you take our telephone calls?

Every one of them says yes, but that is not entirely how it works out. I use an example of the Justice Department the last 4 years—as I showed soon-to-be Attorney General Pam Bondi—that I wrote 158 letters to the Justice Department. And if I got answers, they were partial answers, but most were not responded to. That is not the way that the executive branch of government, either under a Democrat or Republican President, should be handling or, let's say, should be thumbing their nose at the legislative branch of government.

So when people say yes to these questions that they are offered by the chairmen of the committee, I say to them: It would be more honest if you

The Senate met at 10 a.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.

Our Father in Heaven, You have created us for Your glory. Bless our Senators in their work. Lord, unite them in their efforts to find common ground and to work for the good of the Nation. May they seek creative ways of living a life of service that honors You.

Lord, guard them from danger and keep them from transgression. As You work out Your plan for humanity, inspire our lawmakers with a joy that makes all difficulties seem worthwhile. Spare them from desiring success that focuses on things that pass away and ignores the things that last forever.

We pray in Your loving 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. MULLIN). Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

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



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would say maybe instead of saying yes. So I hope that Secretary-to-be Duffy will respond to my inquiries about the FAA and Boeing aircraft.

I look forward to working with former Congressman Duffy to support long-term infrastructure policies to keep our manufacturing and our agriculture sectors robust and to support our State and local communities that depend on their jobs.

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.

#### INTERNATIONAL CRIMINAL COURT

Mr. THUNE. Mr. President, this past November, in an extraordinary and illegitimate move, the International Criminal Court issued arrest warrants for Israeli Prime Minister Binyamin Netanyahu and former Israeli Defense Minister Yoav Gallant.

The court's decision was troubling on multiple levels. First, the International Criminal Court, or ICC, has no jurisdiction over Israel or its citizens. Neither Israel nor the United States is a party to the treaty establishing the court, and thus the court has zero authority over Israel or its leaders.

Second, the court's clear suggestion of moral equivalence between the Government of Israel and the Hamas terrorists who attacked Israel and oppress their own people is beyond the pale. Israel wages war against terrorists; Hamas wages war against innocents.

The only reason Israel has been waging war against Hamas is because Hamas chose to launch a massive attack on innocent civilians that resulted in 1,200 deaths and the taking of approximately 250 hostages, more than 80 of whom are still in captivity today.

When it emerged last year that the ICC was planning to seek warrants for Israeli officials, a Republican-controlled House of Representatives brought up legislation to sanction those responsible at the ICC. Forty-two Democrats voted for it, but the legislation was dead on arrival in the U.S. Senate, with the Democrat leader refusing to bring it up for a vote.

When the ICC released its warrants last November, I promised that if Democrats would not bring ICC sanctions legislation to the floor for a vote, I would. Today, I am following through on that promise. The bill before us today will sanction foreign individuals who are involved in ICC efforts to investigate, arrest, or prosecute U.S. citizens or citizens of U.S. allies that are not party to the ICC.

The bill passed the House again earlier this month with the support of every Republican, plus more than 40

Democrats, and I hope we will see a strong bipartisan margin in the Senate as well—first, because this illegitimate targeting of a key U.S. ally should concern all of us, and second, because while the ICC is targeting Israeli leaders today, it could easily set its sights on Americans and American soldiers in particular tomorrow. It has happened before, back in 2020.

While the United States will not be turning over any of our military members to the ICC, the issuance of warrants for U.S. soldiers and military leaders could jeopardize American troops' ability to move freely where needed and impede our ability to defend our country and stand with our allies.

I want to thank Senator COTTON for all his work on this bill, as well as Senator RISCH.

I hope—I hope—my Democrat colleagues will join Republicans to swiftly get this legislation over the finish line and to the President's desk.

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

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

Mr. BARRASSO. Mr. President, criminals in the world today have an international friend. That friend is called the International Criminal Court. The ICC is headquartered in Europe. It claims unchecked power and power to enforce very loosely defined so-called international law, and they are unaccountable. The ICC is a kangaroo court.

The U.S. has never ratified this treaty, neither has Israel. We are not members with this group. This so-called court seems to me to just do the bidding of the country of Iran. It never issued arrest warrants for leaders of Iran. It never tried to prosecute Assad, the former dictator of Syria.

The ICC embraces a legal fiction and a moral fraud. It is the fraud and the fiction that Israel violates human rights and that sovereignty doesn't matter. They also believe that Israel doesn't have a right to defend themselves.

Last year, we saw the ICC issue an unjust and unlawful arrest warrant for the Israeli Prime Minister Binyamin Netanyahu. Israel's former defense minister was also targeted. The charges that the ICC brought were baseless; they were biased. And, basically, the ICC tends to continue to go after the Jewish State.

Many descriptions of President Netanyahu are absurd; they are inaccurate. Let's get to the facts. The facts are there was a brutal attack on October 7 of 2023 by Hamas. It was the deadliest single day for the Jewish people since the Holocaust. Israel has a funda-

mental right to defend itself, and America stands with the people of Israel. Israel went to extraordinary lengths to limit civilian casualties.

Hamas deliberately hid behind civilians. Hamas uses innocent individuals as human shields. Israel has allowed hundreds of thousands of tons of food and supplies to go in to help the people of Gaza. When the food doesn't meet the actual needs of the civilians there, it is not because they haven't sent enough, it is because Hamas steals it first. Israel isn't a member of the ICC. The court has no jurisdiction over it.

Israel is a democracy. Israel's judiciary is robust, and it is independent. The ICC is deaf to these important facts. It lives in an anti-Israel echo chamber.

Because of this prejudice against Israel, the ICC has also attacked Israel's allies. In 2020, the ICC started to investigate American servicemembers who served in Afghanistan for alleged war crimes. President Trump responded swiftly and strongly. He froze the assets of the ICC officials who were involved in the corrupt investigation. President Trump also imposed visa restrictions on ICC officials and on their families.

So then what happens? Then Joe Biden gets into the White House, and former President Biden—I love saying "former"—former President Biden wrongly and weakly overturned these effective sanctions. President Trump restored the sanctions on his first day back in office last week.

So today the Senate will hold a critical vote on a bipartisan bill to hold the International Criminal Court accountable. Senator JIM RISCH of Idaho and Senator TOM COTTON of Arkansas have been leaders on this issue here in the Senate. Under the bill we are going to be voting on today, any ICC official, employee, or associate who works to investigate, arrest, detain, or prosecute American citizens or our allies will face immediate sanctions.

This bill also blocks U.S. funding from the ICC—every penny. Critically, it ensures American taxpayers are not in any way contributing their hard-earned money to foreign institutions that attack our servicemembers.

Passing this bill sends a strong message—an important message—that we in America will not tolerate the ICC's lawfare against Israel. If the ICC attacks America or its allies, the consequences will be swift, will be serious, and will be severe. This is about much more than Israel.

The ICC also threatens America's safety, our security, and our sovereignty. Like Israel, America is not a member of the ICC. Well, Israel is the target today. The ICC could turn around and target American servicemembers, and even our leaders, in the future. The House of Representatives has passed legislation to sanction the ICC. They have done it several times. Its bipartisan support continues to grow and grows stronger in the most