

land, the final plan prohibits coal leasing on over 4 million acres by inexcusably prohibiting all future development outside of a 4-mile radius from current development—over 90 percent of North Dakota's affordable, reliable coal, out of touch. It is gone.

It also blocks 213,000 acres, or 44 percent, of federally owned oil and gas acreage from future development. This restriction alone deprives the State—and we are a small State—of \$34 million annually and—get this—the State's Common Schools Trust Fund a minimum of \$50 million.

And if that wasn't enough, non-Federal minerals are also held hostage to the Federal Government's management plan. As I mentioned earlier, these RMPs govern subsurface acreage. Whether it is coal, oil, or gas, federally owned subsurface minerals are intermingled with State and private mineral owners. In plain speak, the Biden resource management plan is a de facto taking from the State and private mineral owners.

Throughout the rulemaking process, this point was made very clear, but BLM ignored it. And it is unacceptable and needs to be undone. And I will add that it needs to be undone by Congress so it is clear to the bureaucracy that this sort of resource management plan is out of bounds.

By passing this resolution, we reassert congressional intent and remind the bureaucracy: Our boundaries are not optional.

Mr. President, this rule will need to be replaced once we repeal it. Thank goodness Congress had the foresight in the Congressional Review Act to say no replacement rule could be substantially similar to the one it is replacing. But by no means does it preclude the proper replacement of a rule.

I have the utmost confidence in Secretary Burgum and Deputy Secretary MacGregor to get this done right, but this cannot sit on the back burner.

Nearly 6 years ago, during the first Trump administration, I wrote a letter on behalf of a single constituent advocating for this RMP to be updated so he could develop some of his privately held minerals. They started the work, but unfortunately the Biden administration finished the work.

While Congress is acting to repeal their disastrous plan today, the administration must swiftly replace this RMP, ensuring North Dakota gets the best long-term plan possible to responsibly utilize our natural resources.

I urge my colleagues to support this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise in support of the resolution that Senator CRAMER and I introduced to overturn the Bureau of Land Management resource management plan for North Dakota.

This flawed plan, finalized during the closing days of the Biden administra-

tion, undermines BLM's multiple-use mandate and restricts access to vast, taxpayer-owned energy reserves in North Dakota. It is yet another example of the Biden administration's overreaching Green New Deal agenda intended to block access to domestic energy production.

North Dakota is an energy powerhouse and the third largest oil-producing State in the Nation. Our energy producers operate under the highest environmental standards in the world.

But the Biden administration's North Dakota resource management plan ignores that record of responsible energy development. Instead, the North Dakota resource management plan seeks to curtail coal, oil, and gas production by locking away taxpayer-owned energy reserves and jeopardizing our Nation's energy security.

Under this plan, nearly 213,000 acres—or 45 percent—of Federal oil and gas acreage is closed off to new leasing. It also closes off access to over 4 million acres—nearly 99 percent—of Federal coal, impacting development at all of North Dakota's major lignite coal mines.

These restrictions will drive up supply costs for baseload coal-fired powerplants—costs that will be ultimately passed on to electric customers across the region. We supply a large region of the Midwest with electric power.

This comes at a time when energy demand is rising. As manufacturing is brought back home and new industries like artificial intelligence and data centers are coming online, our need for affordable, reliable energy is only growing. It makes no sense for the Federal Government to restrict access to the very resources needed to power our economy.

In North Dakota, BLM manages 58,000 acres of surface land and about 4.1 million acres of subsurface minerals. Federal minerals are scattered and often intermingled with State and privately owned minerals due to North Dakota's unique split estate. So when the Federal Government imposes blanket restrictions as included under the Biden-era resource management plan, it blocks development of State and privately owned minerals as well.

The State of North Dakota estimates that this plan would cost \$34 million every year in lost revenue from oil and gas alone, including revenue for school trust lands that is meant for North Dakota classrooms.

I am pleased to join Senator CRAMER and Congresswoman JULIE FEDORCHAK in introducing this CRA resolution, and I urge my colleagues to support it and help overturn this overreaching and restrictive plan. By passing this resolution, we can continue working with President Trump and Interior Secretary Burgum to take the handcuffs off and unleash North Dakota's full energy potential.

I yield the floor.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 459, Jennifer Lee Mascott, of Delaware, to be United States Circuit Judge for the Third Circuit.

John Thune, Jim Justice, Ashley B. Moody, Steve Daines, Thom Tillis, Rick Scott of Florida, Roger Marshall, David McCormick, Tom Cotton, Kevin Cramer, John R. Curtis, Marsha Blackburn, Lindsey Graham, Pete Ricketts, Mike Lee, Ron Johnson, Mike Rounds.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jennifer Lee Mascott, of Delaware, to be United States Circuit Judge for the Third Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Oklahoma (Mr. MULLIN), and the Senator from North Carolina (Mr. TILLIS).

The yeas and nays resulted—yeas 50, nays 47, as follows:

[Rollcall Vote No. 552 Leg.]

### YEAS—50

Banks	Graham	Moran
Barrasso	Grassley	Moreno
Blackburn	Hagerty	Murkowski
Boozman	Hawley	Paul
Britt	Hoeven	Ricketts
Budd	Husted	Risch
Capito	Hyde-Smith	Rounds
Cassidy	Johnson	Schmitt
Collins	Justice	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Sheehy
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Curtis	Marshall	Tuberville
Daines	McConnell	Wicker
Ernst	McCormick	Young
Fischer	Moody	

### NAYS—47

Alsobrooks	Hickenlooper	Rosen
Baldwin	Hirono	Sanders
Bennet	Kaine	Schatz
Blumenthal	Kelly	Schiff
Blunt Rochester	Kim	Schumer
Booker	King	Shaheen
Cantwell	Klobuchar	Slotkin
Coons	Lujan	Smith
Cortez Masto	Markey	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warmack
Fetterman	Murray	Warren
Gallago	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden
Heinrich	Reed	

### NOT VOTING—3

Cruz	Mullin	Tillis
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The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 47.

The motion is agreed to.

# EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Jennifer Lee Mascott, of Delaware, to be United States Circuit Judge for the Third Circuit.

The PRESIDING OFFICER. The Senator from Arkansas.

## LEGISLATIVE SESSION

Mr. COTTON. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE BUREAU OF LAND MANAGEMENT RELATING TO "NORTH DAKOTA FIELD OFFICE RECORD OF DECISION AND APPROVED RESOURCE MANAGEMENT PLAN"—Motion to Proceed

Mr. COTTON. Mr. President, I move to proceed to H.J. Res. 105.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.J. Res. 105, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Land Management relating to "North Dakota Field Office Record of Decision and Approved Resource Management Plan".

### VOTE ON MOTION

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. COTTON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 553 Leg.]

### YEAS—51

Banks	Cramer	Husted
Barrasso	Crapo	Hyde-Smith
Blackburn	Curtis	Johnson
Boozman	Daines	Justice
Britt	Ernst	Kennedy
Budd	Fischer	Lankford
Capito	Graham	Lee
Cassidy	Grassley	Lummis
Collins	Hagerty	Marshall
Cornyn	Hawley	McConnell
Cotton	Hoeben	McCormick

Moody	Ricketts	Sheehy
Moran	Risch	Sullivan
Moreno	Rounds	Thune
Mullin	Schmitt	Tuberville
Murkowski	Scott (FL)	Wicker
Paul	Scott (SC)	Young

### NAYS—47

Alsobrooks	Hickenlooper	Rosen
Baldwin	Hirono	Sanders
Bennet	Kaine	Schatz
Blumenthal	Kelly	Schiff
Blunt Rochester	Kim	Schumer
Booker	King	Shaheen
Cantwell	Klobuchar	Slotkin
Coons	Lujan	Smith
Cortez Masto	Markley	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Fetterman	Murray	Warren
Gallego	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden
Heinrich	Reed	

### NOT VOTING—2

Cruz	Tillis
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The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE BUREAU OF LAND MANAGEMENT RELATING TO "NORTH DAKOTA FIELD OFFICE RECORD OF DECISION AND APPROVED RESOURCE MANAGEMENT PLAN"

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 105) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Land Management relating to "North Dakota Field Office Record of Decision and Approved Resource Management Plan".

The PRESIDING OFFICER. The Senator from Connecticut.

### UNANIMOUS CONSENT REQUESTS

Mr. BLUMENTHAL. Mr. President, I am here to talk about a bill that is a matter of fundamental fairness to our veterans and most especially to our combat-injured veterans—a group that should evoke the sympathies and support of our Nation as no other.

I am here to talk about the Major Richard Star Act. Many of my colleagues know about it because 76 Members of this body are cosponsors. That is a large number, but so far, it has not been sufficient to gain even a vote. So I am asking today that that support be turned into action.

This bipartisan legislation will correct one of the deepest injustices impacting disabled veterans. It is labeled by stakeholders as the "wounded veterans tax."

The wounded veterans tax, as it stands now, causes more than 50,000 combat-injured veterans who were forced to retire to be barred from a full military pension that they earned or were promised. Let me explain. They are getting a dollar-for-dollar reduction of their military retirement pay from their VA disability benefits. The reduction, dollar-for-dollar, in their re-

tirement pay is the result of their receiving those disability benefits for their combat injuries.

They are entitled to each of the separate and distinct and different forms of compensation. They have earned both. They are different, separate, and distinct. But right now, under current law, they are deprived of the full benefits of their pension because they were injured in combat. Just to describe this injustice should make our stomachs turn with outrage.

The Major Richard Star Act is really a commonsense bill. We use that word, "commonsense," all the time in this Chamber, but in this instance, it seems particularly appropriate. It would right this longstanding injustice and finally provide these military retirees their full VA disability and Defense Department retirement benefits.

This cause is not only common sense, it is rightfully bipartisan. It has received overwhelming support—those 76 cosponsors in this body but also 304 cosponsors in the House of Representatives—and it is the collectively top priority of the military and veterans services organization communities of the United States. Yet, year after year, this bill has stalled, and detractors have worked to deny a simple vote.

Now, in public—critics have avoided taking a public position on the bill, and they have given lipservice to veterans and advocates requesting their support. What their real reasons are, I can't say.

But the fact of the matter is that these veterans have been denied this simple justice.

And let me speak to those critics.

We can't balance the Federal budget on the backs of combat-injured retirees. Doing so reneges on our obligation. It is a sacred obligation to take care of veterans after their time in uniform.

The bill doesn't create some great, new, overly generous benefit, but it would be enormously impactful and beneficial for each of those retirees who would be affected. The average is about \$1,200 a month—some more, maybe some a little bit less. At \$1,200 a month—you can do the math—it is not a fortune, but it would make a difference in the lives of these combat-injured veterans.

It simply ensures that the benefits we have promised and the benefits they have earned are the benefits that are now delivered—it is that simple—not clawed back, as happens now, from the heroes who have sustained those combat-related injuries.

The veterans and heroes involved in these bills are similar to the namesake of the bill, MAJ Richard Star, a decorated war veteran and engineering officer in the Army. He suffered from lung cancer caused by burn pit exposure.

We all know about Iraq and Afghanistan burn pit exposure. We passed the PACT Act to provide care and benefits for victims of those burn pits and exposure to other toxic chemicals.

They led to his retirement and his death in 2021. He was 51 years old. Until