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. 473, Lindsey Ann Freeman, of North Carolina, to be United States District Judge for the Middle District of North Carolina.

John Thune, John Barrasso, Jon A. Husted, John R. Curtis, Tom Cotton, Bernie Moreno, John Boozman, Chuck Grassley, James Lankford, John Cornyn, Cindy Hyde-Smith, Markwayne Mullin, Kevin Cramer, Pete Ricketts, Katie Boyd Britt, Tim Sheehy, Jim Banks.

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 Lindsey Ann Freeman, of North Carolina, to be United States District Judge for the Middle District of North Carolina, 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. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH), the Senator from Pennsylvania (Mr. FETTERMAN), and the Senator from Arizona (Mr. GALLEGO) are necessarily absent.

The yeas and nays resulted—yeas 61, nays 36, as follows:

[Rollcall Vote No. 626 Ex.]

YEAS—61

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

NAYS—36

Alsobrooks	Hirono	Sanders
Baldwin	Kelly	Schatz
Bennet	Kim	Schiff
Blumenthal	Klobuchar	Schumer
Blunt Rochester	Luján	Slotkin
Booker	Markey	Smith
Cantwell	Merkley	Van Hollen
Coons	Murphy	Warner
Cortez Masto	Murray	Warnock
Gillibrand	Ossoff	Warren
Heinrich	Padilla	Welch
Hickenlooper	Reed	Wyden

NOT VOTING—3

Duckworth	Fetterman	Gallego

The PRESIDING OFFICER. The yeas are 61, the nays are 36. The motion is agreed to.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Lindsey Ann Freeman, of North Carolina, to be United States District Judge for the Middle District of North Carolina.

RECESS

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

Thereupon, the Senate, at 1:07 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. BRITT).

EXECUTIVE CALENDAR—Continued

VOTE ON FREEMAN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Freeman nomination?

Mr. SANDERS. 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 senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Further, if present and voting: the Senator from Texas (Mr. CRUZ) would have voted ''yea.''

The result was announced—yeas 60, nays 39, as follows:

[Rollcall Vote No. 627 Ex.]

YEAS—60

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

NAYS—39

Alsobrooks	Heinrich	Reed
Baldwin	Hickenlooper	Sanders
Bennet	Hirono	Schatz
Blumenthal	Kelly	Schiff
Blunt Rochester	Kim	Schumer
Booker	Klobuchar	Slotkin
Cantwell	Luján	Smith
Coons	Markey	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Fetterman	Murray	Warren
Gallego	Ossoff	Welch
Gillibrand	Padilla	Wyden

NOT VOTING—1

Cruz

The nomination was confirmed.

The PRESIDING OFFICER (Mr. BANKS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

Mr. THUNE. Mr. President, I move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I move to proceed to executive session to consider Executive Calendar No. 3, S. Res. 520.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the resolution.

The senior assistant legislative clerk read as follows:

An executive resolution (S. Res. 520) authorizing the en bloc consideration in Executive Session of certain nominations on the Executive Calendar.

CLOTURE MOTION

Mr. THUNE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Executive Calendar No. 3, S. Res. 520, an executive resolution authorizing the en bloc consideration in Executive Session of certain nominations on the Executive Calendar.

John Thune, John Barrasso, Tim Sheehy, Mike Rounds, Pete Ricketts, Roger F. Wicker, Steve Daines, Todd Young, Mike Crapo, Tim Scott of South Carolina, Bernie Moreno, Markwayne Mullin, John R. Curtis, Marsha Blackburn, Tom Cotton, David McCormick, Ted Budd.

LEGISLATIVE SESSION

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

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2026—Motion to Proceed

Mr. THUNE. Mr. President, I move to proceed to Calendar No. 136, H.R. 4016.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 136, H.R. 4016, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2026, and for other purposes.

The PRESIDING OFFICER. The Senator from Virginia.

TRUMP ADMINISTRATION

Mr. KAINE. Mr. President, Juan Orlando Hernandez is the former President of Honduras, a country I lived in when I worked with Jesuit missionaries in 1980 and 1981. In a landmark criminal prosecution, he was convicted by a jury in an American Federal court of a massive conspiracy to traffic more than 400 tons of cocaine into the United States while he was President of this very poor country.

Trial testimony included a witness who quoted Hernandez saying that he wanted to ''shove drugs right up the noses of the gringos and they're never even going to know it.''

The case against Hernandez began when Donald Trump's Department of Justice prosecuted his brother Tony in 2019. During that trial and the subsequent trial of the former Honduran President in 2024, evidence showed that President Hernandez led a conspiracy to distribute cocaine in the United States, engaged in serious firearms offenses, and collected millions of dollars in bribes from some of the most dangerous criminals in the world, including Joaquin ''El Chapo'' Guzman of the Sinaloa Cartel. These actions coincided with a spike in violent crime in Honduras, rendering it, for a time, the most dangerous nation on Earth, forcing many Hondurans to leave their country, some coming to the United States.

The jury that heard the 3-week-long case against the disgraced former President convicted him on multiple offenses. He was sentenced to 45 years in prison.

Last Friday, the day after Thanksgiving, President Trump announced that he would pardon this notorious narcotrafficking kingpin after just 1 year of serving his 45-year sentence in a Federal penitentiary in West Virginia. Hernandez was released from prison yesterday.

The unconscionable Hernandez pardon followed another Trump pardon of another notorious narcotrafficker. On January 21, 2025, the day after President Trump's inauguration, he pardoned Ross Ulbricht. Ulbricht was convicted in a Federal court after a 4-week jury trial in 2015 of seven serious charges stemming from his operation of a criminal enterprise known as Silk Road. Silk Road, for those not familiar, was an underground online marketplace where drug dealers and other criminals conducted more than $200 million in illegal drug trade and other unlawful activities. Ulbricht was sentenced to life in prison by an American jury.

President Trump is claiming to be taking action to stop the flow of narcotics into the United States. Yet these two outrageous pardons show that he is willing to excuse and free the worst narcotraffickers in the world. How does this protect Americans from the flow of narcotics entering our country?

As someone who knows this region very well because of my time spent living there and my subsequent work in this body as chairman and ranking member of the America subcommittee of Senate Foreign Relations, I can tell you that the decision with respect to ex-President Hernandez will severely tarnish our reputation with our regional friends and allies. Pardoning him sends a message of impunity to those involved in drug trafficking, violent crime, and corruption, which are often clear causes of irregular migration to the United States.

Why pardon a crook who successfully ''shoved'' 400 tons of cocaine right up the ''noses of the gringos''? Why pardon a criminal who established the largest underground illegal drug market in the world? How come President Trump is willing to ignore the American juries who looked at the overwhelming evidence against these narcotraffickers and convicted them?

It is hard to see any reason for these pardons except that Hernandez and Ulbricht are megarich. Their bank accounts are stuffed with millions from illegal activities, which gives them the means and the motive to pump large sums of money into downtown DC to get out of jail.

It is true that a President has expansive pardon authorities. But it is also true that American politicians have been successfully prosecuted for selling pardons. I can't say for sure what is going on here, but the pardon of Hernandez is so bizarre, so counter to the President's stated priorities, that it is difficult for me to fathom any reason why this would happen, other than that someone in the administration was benefiting from it. None of it makes any logical sense.

I hope that our justice system is up to the task of finding the real story behind these pardons, especially since President Trump has a track record of pardoning those who have contributed to him.

Drug kingpins who become rich by profiting off the addictions of everyday Americans shouldn't be allowed to get away scot-free, and Federal officials who facilitate the pardon of these individuals have to be held to account.

Now, the pardon of disgraced former President Hernandez and Russ Ulbricht also raises serious questions about the Trump administration's ongoing war against boats in the Caribbean and the Pacific and the threatened war against Venezuela. The President and his Secretary of Defense claim that these actions, taken without congressional authorization, are designed to stop narcotics flows into the United States.

Is that the real story?

Even before we get to the question of what is motivating the President to kill unknown civilians on boats and threaten to start a costly war of choice with Venezuela, the serious legal questions about these military actions continue to multiply. The U.S. military began to strike boats in the Caribbean and Pacific on September 2. So far, the United States has engaged in more than 20 known strikes, killing at least 83 people. The first strike happened on a boat in the Caribbean on September 2, based on public reporting.

We now know—we now know—that the initial strike killed most on board, but two survivors were left clinging to wreckage in the water. The U.S. Defense Department rules about war make plain that it is illegal to kill wounded survivors under these circumstances. International law commands the same. Those surviving cannot be wantonly slaughtered. Yet acting pursuant to an alleged order from the Secretary of Defense to ''kill everybody,'' U.S. Special Forces returned to kill the two survivors and hid the fact from Congress and the American public for more than 2 months until enterprising journalists broke the story last week.

On September 10, I led a letter with 25 Senate colleagues directly to the President asking basic questions about the military strikes. We saw no evidence that those on board the boats were combatants or narcotraffickers. We asked for the legal rationale justifying such military action without congressional approval. We inquired why the military was striking boats to kill all on board without interdicting the traffic and using the arrest of the civilians and the seizure of drugs to build criminal cases against drug kingpins. We have not yet received sufficient answers to these basic questions.

The Armed Services Committee held a single classified briefing with administration officials on October 1. As a member of the committee, I attended the briefing. I am not allowed to discuss the facts that I learned in that briefing, but I can say the following: The briefing did not provide us with the legal rationale justifying the strikes. The briefers did not provide us with concrete information about the identity of the individuals killed or the groups targeted with the strikes. The briefers would provide no information about the policy for determining when boats would be attacked rather than interdicted.

Eventually, after weeks and weeks of pressure, the administration finally allowed Senators to read in the SCIF a classified legal rationale it prepared to justify these military actions. By the time Senators—charged with overseeing military operations and providing the budget for national defense—were allowed to review the legal rationale, the strikes had been underway for nearly 2 months.

I reviewed the legal rationale, but because the administration continues to call it classified, I am not allowed to disclose its contents. But I can say the following: The legal rationale is weak. It misinterprets and misuses historical materials regarding the Constitution's allocation of war powers. Its analysis of the domestic law allowing Presidential action is flimsy and would essentially repeal the careful language used in the Constitution and further

clarified in the War Powers Act vesting Congress, the article I branch, with the power to initiate war. And its analysis of international law justifying these military strikes is, frankly, embarrassing.

I can also say this. Nothing in the rationale that Senators can read in a classified setting would allow any military action against the nation of Venezuela. The dangerous nature of the administration's legal rationale and strategy are magnified by a series of events that have happened in the last 3 months. Before the strikes even began, public reporting has it that the senior Judge Advocate General, the chief legal officer in SOUTHCOM, raised serious concerns about the legality of these strikes in August.

On October 1, when the Department of Defense briefed the Senate Armed Services Committee about these strikes, they neglected to bring any uniformed officers or personnel from SOUTHCOM to the briefing. This fact was an immediate red flag and tipoff that there was deep division within the ranks about the legality of this current military operation.

On October 16, the military struck a vessel and recovered two survivors. The survivors were then returned to their homes in Colombia and Ecuador and released.

Wait a minute. Wait a minute. If they were narcotraffickers, why weren't they arrested and prosecuted? If they weren't narcotraffickers, was a mistake made? Were mistakes made in the other strikes? Were they innocent of wrongdoing? Was the case against them so flimsy that it wouldn't stand up in a court and that is why they were not arrested but instead released in their home countries?

The administration's refusal to share any information about who has been killed, paired with the lack of prosecution of these two individuals, raises serious concerns over exactly who is being killed and why.

In mid-October, SOUTHCOM Commander, Admiral Holsey, announced his premature retirement from the military. A posting to be head of SOUTHCOM would normally go for 3 years. Admiral Holsey was confirmed less than a year ago, and he announced he was prematurely retiring at the peak of his career—a three-star admiral being given command of this important COCOM. Reporting suggests that the retirement followed tense argument between Admiral Holsey, Secretary Hegseth, and Chairman Dan Caine over the legality of these military strikes.

At around the same time, the Pentagon announced that the operational responsibility for the military strikes was being transferred from SOUTHCOM—where their chief legal officer and apparently their Commander had raised questions about the legality of killing civilians on open seas—the responsibility was being transferred from SOUTHCOM to the Special Operations Command. My read of this shift, together with the other evidence about the JAG opinion in SOUTHCOM and the premature retirement of the SOUTHCOM Commander, is that it signifies a deep concern within the Pentagon leadership over the legality of the ongoing military action.

On November 11, we learned that one of our closest allies, the United Kingdom, was restricting traditional information-sharing with the United States in the SOUTHCOM area due to its concerns about the legality of the U.S. military actions. The UK has fought alongside us in Iraq, Afghanistan, and all over the world, but they are not participating in intelligence-sharing on this particular American military mission.

Just last week, we learned that the first strike left survivors who were then killed on orders from Secretary Hegseth. The United States has, in the past, prosecuted such actions as war crimes, beginning with the Nuremberg trials and heading forward into the current era.

Over the weekend, President Trump announced that he was closing Venezuelan airspace. Where is his authority to close the airspace over a sovereign nation? Did the Pentagon even know that he would announce such a policy via his social media account? Do we even know whether the airspace has been closed or whether any flights are still occurring?

Most recently—most recently—our Secretary of Defense, who likes to cosplay by giving himself the fake title ''Secretary of War,'' posted an image on Twitter of Franklin the turtle firing missiles at narcoterrorists.

Pete Hegseth's social media account:

For your Christmas wish list. . . . Franklin Targets Narco Terrorists.

This is the Secretary of Defense, folks, of the greatest Nation on Earth, and to him, this thing is just a big joke.

Think about that. America's Secretary of Defense has enough time on his hands that he and his minions get to come up with cartoon memes to make light of the fact that the United States is killing people in international waters. He is spending his time and energy thinking about cartoons rather than keeping us safe.

I just have to ask this. I was intrigued at this particular detail. There is a great Biblical phrase that says, ''From the fullness of the heart the mouth speaks.'' So something that you are feeling inside tends to come outside of your mouth even if it is somewhat unintentional.

Why Franklin? I mean, if you are going to do a cartoon—like, Franklin is a Canadian cartoon. Why not Scooby-Doo or Peanuts or, you know, Snoopy? I mean, why Franklin? Of all the cartoon figures that Pete Hegseth could spend time imaging into an AI-generated cartoon making fun of killing narco—why Franklin?

Well, I don't know the answer to that. Secretary Hegseth does. But I have an intuition. Check and see the name of the Special Forces commander whom Secretary Hegseth is now trying to blame for the second strike killing struggling civilians in international waters.

This is no way to wage war. This is no way to wage war.

Orders of dubious legality offered by civilian leaders of questionable judgment are leading to dozens of anonymous deaths, division within the U.S. military, and tension with our allies. The administration's actions are risking the careers of officers and troops, many having served for decades with great distinction, who face the life-and-death question of whether to obey a superior or follow the law—follow the clear law.

All this is occurring with an administration hell-bent on hiding from Congress and the American public the actual facts, strategy, and legal justification for its actions. America is not supposed to be at war based on a Presidential say-so.

Abraham Lincoln said it well when he was a Member of Congress in 1848:

The reason why the Constitution has given the war-making power to Congress was because Kings had always been involving and impoverishing their people in wars. This our [constitutional] convention understood to be the most oppressive of all kingly oppressions and they resolved to so frame the Constitution that no one man should hold the power of bringing this oppression upon us.

No one man should hold the power of bringing this oppression upon us.

It is past time for Congress to reclaim its role in the decision on whether to initiate war. The Framers in 1787 wouldn't allow George Washington to make these decisions on his own. We shouldn't allow our current President—a man perfectly comfortable pardoning a convicted criminal who boasted about shoving drugs up the gringos' noses—to make such a decision on his own.

It is time for Congress to reassert the role that was handed to us in a sacred way in the Constitution in 1787 and exercise oversight over this mushrooming military operation in the Americas.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUESTS

Mr. LEE. Mr. President, it is a shame that we don't have more of an opportunity to pass more bills, particularly bills that are not controversial. This is an opportunity that we should take to pass noncontroversial bills every time we get the chance.

We have four bills coming out of the Energy and Natural Resources Committee that we can, and I believe we

should, pass today—bills with no substantive objections that I am aware of, bills that have been cleared by both parties in the Senate, bills that will have positive impact for Americans—Americans that the bills themselves were designed to serve.

And yet, sadly, I am anticipating an objection today when I offer those up for passage. So why am I anticipating an objection? Well, I am looking forward to hearing from my colleague—my friend and colleague from New Mexico—Senator HEINRICH, on what objections he might have to a bill from Senator HAWLEY that would designate America's National Churchill Museum in Missouri as a national historic landmark. I am looking forward to hearing from him what problems he might have with Senator PADILLA's uncontroversial bill to adjust the boundaries of the Golden Gate National Recreation Area. I am looking forward to hearing what changes he would propose to Senator HUSTED's bill, which simply adjusts the boundaries of the Dayton Aviation Heritage National Historical Park, or what he thinks would be harmed by passing a bill from Senator GILLIBRAND and Minority Leader SCHUMER, his own colleagues on the other side of the aisle, that would establish the Fort Ontario Holocaust Refugee Shelter National Historical Park.

All the bills that I am offering have passed out of this body and did, in fact, pass out of this body last year with unanimous support—not just bipartisan but unanimous support. All are locally supported. All should be passed today.

And I fear they might not be, and I am really looking forward to why—looking forward to hearing why my colleague might want to stop these—because if there are real substantive objections to these bills, to any of them, bring them forward. I will be the first to work with him or others who may have concerns on those. Perhaps, then, we can work to improve the bill and resolve what concerns might exist around it to get it to a place where everyone is happy with it and where we could get something done for the American people.

After all, this is the business of law making. But I don't think we are likely to hear substantive objections today, based on what I have heard. I don't anticipate that my friend and colleague Senator HEINRICH will offer substantive objections or changes that he wants made to these particular bills. I hope I am wrong.

But if he doesn't have any problems with the substance of the bills, then why not let them pass? Well, there is a tendency sometimes exhibited in the Senate, and I have seen it done by people of both political parties and by Members at different ends of the political continuum, from time to time. When Members want leverage, sometimes, they will reach for whatever is popular, in some cases even what is uncontroversial.

During the shutdown, we saw a parallel use of the technique with some using air traffic controllers, TSA officers, and Coast Guard families as pressure points because the public trusted those people and needs the services that they routinely and uniquely perform.

And, sometimes, Members—again, of both political parties and of every political persuasion—will sometimes use popular bills the same way. In other words, they will oppose popular, noncontroversial bills not because they are controversial or unpopular but because they are uncontroversial and popular. They are blocked because their broad support makes them useful cargo for a lands package or another aggregated legislative vehicle packed with measures that might not withstand scrutiny under the light of day if they were considered on their own or even when paired with a small handful of other bills.

Instead of moving bills off the floor one by one or two by two in a transparent, bipartisan process, some would prefer a really big omnibus package, often prepared by staff behind closed doors, where only a few Senators and no members of the public are participating or even allowed to participate. Then Members are told to take it or leave it in its entirety—up or down, binary choice, no other option, no amendments, no adequate time for debate. Simply, take it all or leave it all, even the uncontroversial and the popular.

Now, this puts many of us—particularly, those of us from public lands States, like Utah, where the Federal Government owns two-thirds of the land—in a difficult position. In States like mine, almost every action requires some sort of ''Mother, may I'' from the Federal Government.

This is not a process that can continue, at least not one that can continue without causing a lot of other problems. So as chairman of the Senate Committee on Energy and Natural Resources, I have set out to change that. I have set out to—at least with regard to noncontroversial bills that have passed the Senate in the last year, unanimously, it is a good place to start—where there is consensus, because there is consensus.

My aim is to build on the progress from last year, when this body passed out 41 bills, and to that end, I have suggested that we start by passing the bills, at least a few of them, paired Republican and Democrat bills at the same time—bills that passed the Senate unanimously last year, including bills that the ranking member himself agreed to less than a year ago.

And, again, if there is a policy objection, then let's hear it. I am more than willing to work with you to address whatever substantive objections there might be.

But these bills should pass in the light of day, where every Member—Republican or Democrat or Independent—could be part of the process.

This has been going on, back and forth, in one way or another for a few months. In May, I came to the floor and asked unanimous consent to pass two Republican bills alongside two Democrat bills, both of which, like the bills that are at issue today, passed the Senate unanimously last year. Now, this drew an objection from the other side of the aisle.

And in July I came to the floor again and offered to work with the ranking member on these bills. I offered two additional Republican and two Democrat bills that passed out of this body last year, also with unanimous support, and it drew the same objection.

Now, as always, I have offered to work with the ranking member and the minority if they have any substantive concerns on any of these bills, and I make that offer again now. But as you may see in just a moment—as I suspect we will see; I can't tell the future—I haven't heard any substantive policy concerns with them.

Now, a small minority of Members who want to block bills—including bills supported by, introduced by, sponsored by Members of their own caucus—just because they want them in a broader package isn't going to cut it.

Now, 2 weeks ago, you had the junior Senator from Alaska, Senator SULLIVAN, who came to the floor and asked consent to pass his bill to give Alaska Native Vietnam veterans the land they earned and have long been owed. At the request of Senator PADILLA and the ranking member, Senator SULLIVAN paired his bill with the bill from Senator GALLEGO, keeping it bipartisan.

However, to the surprise of Senator SULLIVAN and the Native Vietnam veterans who were relying on the legislation, this, too, drew the aforementioned objection, moving the goalpost again.

That process isn't defensible. It is not sustainable. It is not going to work. It is not going to work for a whole host of reasons, including the fact that I have heard from our counterparts in the House of Representatives—including in a conversation as recently as just a couple of hours ago with Chairman WESTERMAN, my committee chairman counterpart on the House of Representatives side—that this is problematic. They want them to come over not as a big, sewn-together package but as bills, even if passed while paired over here. They will also be paired over there.

Sometimes, the concern is raised: Well, then Democrat bills will suffer and atrophy over there, while Republican bills are prioritized and passed to the exclusion of the Democrat bills.

This is not true. In fact, because these bills are passed as a matter of course—routinely passed—under suspension of the rules on the House side—and I believe suspension of the rules requires a super majority, about 290 votes—these always end up getting paired together. You end up with Democrat-Republican balance as they submit them on the floor.

So, today, I will again ask the minority to work with me to pass both Republican and Democrat bills—bills that, yet again, are noncontroversial and have passed this body unanimously within the last year.

These four bills are just the start. I have a list of 19 bills that Republicans are prepared to pass today. My staff has shared the list with the ranking member's staff. In fact, we did so weeks ago. And yet we continue to hear talk of an objection today.

I am willing to commit to working with my colleagues on the lands bills they wish to pass, with the understanding that, as we bring them to the floor to try to pass them by unanimous consent, we will continue to pair them so that there is balance.

So, please, let's work together. We can do this. This isn't hard.

There is a lot in the legislative process that is difficult. The last thing we ought to be doing is making the areas where we do agree, where there is unanimity, to make that, too, part of the unresolvable conundrum of bills.

And another thing happens. If we do this, it tends to slow down the process. Last year, there was an effort to try to sew a bunch of these together for some sort of year-end lands package. One thing led to another, and we got to the end of the year, which was the end of the Congress, and as the list got bigger, it got more and more difficult to sustain it. Whereas, if we go a little bit at a time, pair a few Republican bills and Democrat bills, bring them forward, pass them by unanimous consent, little by little, throughout the 2-year Congress, we are much more likely to be able to achieve passage, not just in the House but also here. That is a recipe for success.

But when we box stuff that has been passed unanimously, where there is no substantive policy objection, it is not the best way to serve those who elected us.

Our country faces huge challenges. And in many of those challenges, public policy consensus can be difficult—not impossible—to achieve but much more difficult than it is with these bills, these unanimously passed bills from just last year.

We have health prices that are soaring. Our national debt is out of control. How can we come together as a legislative body to tackle these more vexing issues if we can't even agree to something as unanimously supported, as totally noncontroversial, as a proposal to adjust the boundaries of the Golden Gate National Recreation Area and the Dayton Aviation Heritage National and Historical Park?

The American people deserve a government that tells them what it is doing and why. The American people deserve bills that succeed or fail on their own merit in a digestible format. They do not deserve a process in which someone can slip a controversial idea past the public without debate by smuggling it into a much broader package, consisting mostly, but not entirely, of completely uncontroversial bills? This Chamber should reject that approach. If nothing else, then, because it has failed. It brought us to failure in the last Congress at the end of last year, just as it will end in failure if we try to do that again.

We have been told—we have been reminded by our counterparts in the House of Representatives as recently as a few hours ago—it will also contribute to failure over there. We can do better. This is a start. This won't solve all of our problems or resolve all of our disagreements, but it will bring this one to a close because there is no disagreement here.

At the end of the day—this should end today but only if we insist bills be able to stand on their own two feet and that we are willing to bring them forward one by one, two by two, with Democrat and Republican balance.

To that end, Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged and that the Senate proceed to the immediate consideration of the following bills en bloc; further, that the bills be considered read a third time and passed en bloc, and that the motions to reconsider these bills be considered made and laid upon the table, all en bloc: S. 650, America's National Churchill Museum National Historic Landmark Act from Senator HAWLEY; S. 432, Fort Ontario Holocaust Refugee Shelter National Historic Park Establishment Act from Senator GILLIBRAND; S. 2434, to amend the Dayton Aviation Preservation Act from Senator HUSTED; and S. 1142, Golden Gate National Recreation Area from Senator PADILLA.

The PRESIDING OFFICER (Mr. CURTIS). Is there objection?

The Senator from New Mexico.

Mr. HEINRICH. Reserving the right to object, what we have in front of us are four bills, two Democrat and two Republican.

My concern remains the same as it was, literally, 11 months ago; that passing bills one by one does not guarantee their final passage or being signed into law or that important local priorities from Democratic States will be honored along with those from Republican States.

As the chair said, I do not have substantive policy concerns with these particular bills, but we passed a set of bills as a test like this over the summer, and we have seen no action from the House. And continuing to pass individual bills in this manner, when we have so many stacked up in committee, will be unproductive until our House colleagues work with us on a path to get bills actually signed into law.

We need a way to ensure that Member priorities, transparently—regardless of size, political party, or State—have a way to be considered and actually become law. This current process is not working.

I remain committed to working with the chair to find a solution that ensures the priorities of both Chambers and both parties can be met.

In the meantime, I do have a proposal for the chair. I would like to take these four bills and pass them together under a single bill number. This is not a large, ominous package. These have all been vetted.

Each bill in this set has been supported by the Republican caucus and the chair, and it remains two Democratic priorities and two Republican priorities. But by combining these bills together under one bill number, it helps to ensure that none of the priorities are left behind on the cutting-room floor and all have an equal pathway to becoming law.

Therefore, I would ask that the Senator modify his request and, instead, the Senate proceed to the immediate consideration of my bill, which combines the text of the aforementioned four bills and is at the desk; that the bill be considered read three times and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection to the modification?

The Senator from Utah.

Mr. LEE. Reserving the right to object.

Look, the package just proposed by Senator HEINRICH harkens back to a time when a Senate sometimes did those things. Sometimes it worked; sometimes it didn't. More recently, it doesn't work. More recently—as recently as a year ago—it proved not to work right here in the Senate and has proven not to work over in the House.

My friend and colleague insists that this process isn't working. It is not working only because of this particular objection. It is not working here only because of these specific pairings—pairings suggested to us by the ranking members' own staff a matter of weeks ago.

It is not just that he has voted for these within the last year, 11 months ago; these specific pairings were suggested by his own team to mine. I don't understand why this means that we should put them all together.

Now, let's take it at face value. We received word that this was happening just a few hours ago. Just a few hours ago, we got the bill that, to my knowledge, hasn't been read yet. Let's assume for a second all that this does is to put the exact text in each of those four bills into one large bill introduced in Senator HEINRICH's name, then brought to the floor. I struggle to understand why that is acceptable, but passing them in one fell swoop, in one unanimous consent request on the floor of the Senate, is objectionable to him.

We heard a moment ago an argument that I foreshadowed a moment ago—the argument that somehow this would result in Democratic bills in the other Chamber being neglected while Republican bills were expedited. Were this a concern that were borne out, in fact, it would be a reasonable and legitimate

one. But we have been told by the House not only that they will pass these, if at all, on the suspension calendar, which requires a supermajority vote, about 290 votes, as I recall, but that because it has to be passed that way over there—they pair them just as we pair things here quite frequently with uncontroversial bills like this to make sure we have party balance between Republican bills and Democratic bills.

We have been told it will cause problems and likely signal doom. The two bills, when we sewed them all together in one package, that is not how they like to do it over there and, in many cases, not how our Members want to do it here—from our own colleagues today, some of whom are affected by these bills who are concerned about what this practice will do to them.

So, look, we tried to do this. We paired these according to suggestions made by the ranking member's own staff. We requested a meeting with him in September. We were rebuffed, declined. We remain ready to meet at any time to discuss how we can do them. I am simply trying to move bills that have been sponsored by both Republicans and Democrats in a fair and balanced fashion, in a way that everyone can understand in the Member-driven process for which this body was built and rather uniquely designed.

Yet my colleague, the ranking member, continues to object. It makes me wonder what the end is here. If the end is passing good legislation, legislation that we can all agree on, then why not pass these now? It isn't always possible to present bills like this. It is not on every issue, which is not lost on any of us, but on most issues we don't have unanimity. We pass a lot by unanimous consent, but not everything can pass that way.

These bills, individually, are uncontroversial here, and they are in the House. But they become controversial the minute someone insists that they be sewn together in one package where you have to vote for all of them or none of them in order to get them through. That kind of practice—used by Members of both parties at times in the past with varying degrees of success but less success more recently—is a type of extortion for bills imposed on the bills that have no opposition and that have no substantive objections. There is no legitimate reason to not pass these here today.

I can't, in good conscience, let that process continue. I will work with any Member, Republican or Democrat, including the ranking member, to move noncontroversial bills and get them across the finish line for our constituents. I will be happy to do it with packages like these that are fair and balanced between the two parties.

It is not an objection that is rooted in anything about these bills. It is just a vehicle by which they are presented. But if we have to sew them all together in one package, that is not going to work. It is not going to work here. It is not going to work on the other side of this building.

So I will continue to come to the floor and try to move these, particularly these noncontroversial bills that have passed unanimously within the last year. We will be back to do this.

On this basis for the reasons articulated, I object.

The PRESIDING OFFICER. The objection to the modification has been heard.

Is there objection to the original request?

The Senator from New Mexico.

Mr. HEINRICH. I object to the original request.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Utah.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. LEE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is still available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications that have been received. If the cover letter references a classified annex, then such an annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

Hon. MIKE JOHNSON,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 25–1D. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 18–07 of July 26, 2018.

Sincerely,

MARY BETH MORGAN,
(For Michael F. Miller, Director).

Enclosure.

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

Hon. JAMES E. RISCH,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 25–1D. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 18–07 of July 26, 2018.

Sincerely,

MARY BETH MORGAN,
(For Michael F. Miller, Director).

Enclosure.

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

Hon. BRIAN MAST,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 25–1D. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 18–07 of July 26, 2018.

Sincerely,

MARY BETH MORGAN,
(For Michael F. Miller, Director).

Enclosure.

TRANSMITTAL NO. 25–1D

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(C), AECA)

(i) Prospective Purchaser: Government of Bahrain.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 18–07; Date: July 26, 2018; Implementing Agency: Navy.

Funding Source: National Funds.

(iii) Description: On July 26, 2018, Congress was notified by congressional certification transmittal number 18–07 of the possible sale under Section 36(b)(1) of the Arms Export Control Act of items and services in support of Follow-On Technical Support (FOTS) for the Royal Bahrain Navy Ship SABHA (FFG–90), formerly USS *Jack Williams* (FFG–24), transferred as Excess Defense Articles on September 13, 1996. Also included were engineering, technical, and logistics services, documentation, and modification material for U.S. Navy supplied systems and equipment and other related elements of logistics and programs support. The estimated total cost was $70 million. There was no Major Defense Equipment (MDE) associated with this sale.

This transmittal notifies Congress of the inclusion of the following non-MDE: items and services in support of follow-on technical support (FOTS) for various vessels consisting of three classes of Royal Bahrain Navy ships and vessels transferred as excess defense articles from the U.S. Navy to the Bahrain Navy. The following are also included: engineering, technical, and logistics services; documentation; modification material for U.S. Navy supplied systems and equipment; and other related elements of logistics and programs support. The estimated total cost of the new items is $430 million. The estimated total case value will increase by $430 million to a revised $500 million. There is no MDE associated with this sale.

(iv) Significance: This notification is being provided as the additional non-MDE items were not enumerated in the original notification. The inclusion of these items represents an increase in capability over what