

The biggest thing standing between our troops and home is a Republican Party that is too afraid to cross the President.

Congress can break this vicious cycle of escalation Trump started in Iran, and this War Powers Resolution is how we do it.

I urge—I plead—with my Republican colleagues to listen to the American people. Vote to end this war. We are going to keep forcing Republicans to vote until you do.

I yield the floor.

VOTE ON MOTION TO DISCHARGE

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to discharge S.J. Res. 181.

The yeas and nays have been previously ordered.

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 Kentucky (Mr. McCONNELL).

The result was announced—yeas 49, nays 50, as follows:

[Rollcall Vote No. 216 Leg.]

YEAS—49

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

NAYS—50

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

NOT VOTING—1

McConnell

The motion was rejected.

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 50. The motion is not agreed to.

The motion was rejected.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

The Senator from Florida.

UNANIMOUS CONSENT REQUEST—S. 3101

Mr. SCOTT of Florida. Mr. President, I rise today to ask unanimous consent

to pass the SAFE KIDS Act. I want to thank my colleagues who have joined me in this effort as cosponsors: Senators LEE, BLACKBURN, BANKS, SULLIVAN, RICKETTS, LUMMIS, BUDD, ROUNDS, KENNEDY, MOODY, and SHEEHY.

This bill is real simple. It is about protecting the integrity of American citizenship. It is also about our protecting children from exploitation and trafficking, and it is about closing a dangerous loophole that our foreign adversaries are using to undermine our national security right now.

To be an American citizen is one of the greatest privileges in the world. It is a sacred covenant between an individual and our Nation. It comes with rights, privileges, and immunities that people around the world would do anything to have. It also comes with the responsibility to protect and defend those liberties for future generations.

Right now, our Nation is vulnerable because foreign adversaries have found a backdoor around our immigration laws. Right now, citizens of foreign adversarial nations can have children born on American soil and as citizens through surrogacy. They actually never have to come into our country. Think about how insane this is.

Under the current system, a foreign adversary could arrange a surrogacy contract to have a child born in America and be given all the privileges of being counted as one of us. Then they can take that child back to their home country and raise that child under the influence of a regime that hates America. It is getting all the perks of American citizenship without any responsibility. It is taking a future voter and raising them in a country that wants to destroy our way of life. We can't let that happen.

Think about the Ayatollah in Iran. He could arrange a contract with an American surrogate. The child could get American citizenship at birth, be taken back to Iran, and be raised by a regime that chants "Death to America." Then, years later, that child could come back to the United States as an American citizen.

That is not some farfetched, science fiction scenario; it is exactly the kind of vulnerability our foreign adversaries look for. The Chinese Communist Party has already demonstrated that it will exploit every weakness in our laws and institutions to advance its interest. Recent reporting has exposed disturbing examples of wealthy Chinese nationals exploiting American surrogacy arrangements to father more than 100 children born in the United States.

We should be asking: What happens to these children? Who raises them? What are they taught. What country are they taught to love? And what happens when they are old enough to return to the United States? Could they attend our universities? Could they serve in our military? Could they receive security clearances? Could they run for President? These are real ques-

tions and a real vulnerability we face if we don't act today.

We should not be creating a pipeline through which foreign adversaries can exploit American citizenship, raise American citizens under hostile, foreign influence, and potentially bring them back into our country as Americans.

But this is about more than national security; it is about children. We have already seen the heartbreaking consequences when an international surrogacy arrangement goes wrong. I have seen it right here in my own State.

A recent dispute in St. Augustine, FL—it is hard to believe—involving a surrogate mother fighting for paternal rights demonstrates the devastating legal and emotional consequences when kids are treated like this. Kyla Simpson had triplets almost 2 years ago. Now she is fighting her way through court for custody of them because the Chinese national on the surrogacy contract didn't show up.

Let me make sure I tell you how this bill works, what it does and doesn't do. It doesn't ban surrogacy. It doesn't ban IVF. It doesn't take away women's rights. It doesn't interfere with Americans who use surrogacy or IVF to build their families. These are all separate debates. This bill is very narrow. It is focused on commercial surrogacy arrangements involving our country's most dangerous foreign enemies. This is about preventing hostile foreign regimes from exploiting legal loopholes to obtain American-born children.

My SAFE KIDS Act would do two simple things: It would invalidate commercial surrogacy contracts involving designated foreign adversaries, including China, Iran, Russia, and North Korea. Second, it would create a misdemeanor penalty for any broker who knowingly facilitates one of these prohibited arrangements. The way surrogacy works, there are groups that organize surrogacy contracts.

I cannot imagine why any Senator would oppose closing this loophole. Every Senator in this Chamber should be alarmed that this is currently possible under our laws. We should not wait for communist China, Iran, Russia, or North Korea to further exploit the vulnerability before we close it.

American citizenship cannot be bought. American children are not commodities. You do not need to be born here to be an American, but you do have to love what we have built. And we should never allow our foreign adversaries to turn our laws into weapons against the American people.

I urge my colleagues to support the SAFE KIDS Act.

Mr. President, as if in legislative session and notwithstanding rule XXII, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 3101 and the Senate proceed to the immediate consideration. Further, I ask that the bill be read a third time and passed

and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, reserving the right to object, I have been in the House and the Senate for quite a while. I have written a lot of bills and amendments. I have read even more.

I am absolutely confounded by the language of this proposal, S. 3101, by my friend and colleague from Florida. There are so many issues bouncing around in this proposal of a serious nature that we would be foolish to do this by voice vote here immediately in the Senate. This deserves a real hearing, a real investigation, because it involves a lot of elements that affect many people personally, many families personally. We are talking about reproductive rights. We are talking about personal freedom.

I don't have a medical license. Some of my colleagues like to practice medicine on the floor of the Senate. I tend to listen to the experts on the subject. But I want to put this in perspective, if I can, for a moment.

At issue here is the issue of surrogacy. How do I explain that in a few words as a layman? It is basically a person who says: This may not be a fertilized fetus that I have been responsible for creating, but I am willing to allow my body to have this fetus during the gestational period until its birth.

That is the surrogacy involved in it.

Let's put this into perspective for a moment, if we can. How many live births are there in the United States each year? There are 3.6 million.

First, let's go in vitro fertilization because that is part of this conversation too. How many in vitro fertilization births are there out of the 3.6 million births in this country? There were 100,000—2.6 percent—in 2023 that were in vitro fertilization.

Surrogacy. How many gestational surrogacy births in the United States are there each year? I would ask the Senator from Florida. He may know, but I will tell him. It is somewhere between 5- and 6,000. It is a fraction of a percentage.

Now, involved in this debate is the belief by some that we should allow no surrogacy. I am not one of those people.

Let me tell you a story of a family I know. Husband—father and mother decided they wanted to have a family. They went to great lengths through IVF so that she could become pregnant. It was a tragedy to them personally when they lost the baby late in the pregnancy. She was crushed.

Her sister, who is a medical doctor, said: It appears you have some problems with delivering a child. Let me suggest to you that if you go through IVF, I will be the surrogate mother and carry the baby for you and your husband.

They agreed. She went forward with it. And wouldn't you know, shortly

afterward, the IVF worked for the original mother, and she became pregnant as well. So sisters were pregnant by the same father and mother in this situation. It was an act of kindness and courage on the part of her sister to help them out. If you saw them in the park today with their little boy and little girl, you wouldn't pick them out of a crowd, but through IVF and through surrogacy, they have a family that they dreamed of.

I think that is the right thing to do—legally and morally the right thing to do. Surrogacy has its place. It is an exceptional procedure. When there are 5- or 6,000 a year in America, it is certainly not one that really can be argued is part of any large conspiracy.

But there are actually—we have had hearings in the Judiciary Committee—there are actually Republicans who believe—listen to this; it sounds preposterous—they believe there is some kind of effort in a nation like China to have babies born in the United States and then bring them back to China and prepare them to come back to the United States someday to undermine our government or something. We have had hearings on that. When you ask them “How can you prove what you just said?” they have no evidence. But it is a conspiracy theory, and it is part of the calculation behind this amendment.

This bill is purportedly about protecting our national security from foreign adversaries and protecting children from exploitation and trafficking. If you want to introduce a bill to deal with trafficking or exploitation of children or others, count me in, but this bill goes so much further.

The Senator from Florida pointed out at one point a horrifying story of more than 20 children birthed by surrogate mothers. In one case, they were found abused and neglected in a home outside of Los Angeles.

I am not in favor of those abuses. I join him in stopping human trafficking. But this bill would not stop child abuse or trafficking. It would not prevent espionage by foreign adversaries. This bill will do nothing to prevent the situation that I just described in Los Angeles.

Instead of targeting bad actors, this bill would restrict who can access or enter into surrogacy contracts based solely on the nationality of the parties involved. This bill is not only grounded in an objection to birthright citizenship but in some sort of a weird, unusual, national security theory that goes behind this.

For the record, the Supreme Court has decided on birthright citizenship. And for the record, the 14th Amendment is as clear as can be: All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States. The Supreme Court did not take long to agree with that, and I think that is part of the objection that is behind this amendment—the objection to that Supreme Court decision.

Instead of targeting bad actors, this bill would restrict who can access or enter into surrogacy contracts based solely on the nationality of the parties involved.

This bill voids all surrogacy agreements between a surrogate parent who is inside the United States at the time of the birth or who is a U.S. citizen or lawful permanent resident and a prospective parent who is a national or resident of certain countries.

The bill criminalizes assisting with making or executing such a surrogacy agreement in any way.

The bill's plan would impact all surrogacy agreements with nationals from Russia, China, Iran, or North Korea. It does not allow for consideration of how long these parties have been in the United States or the nature of the surrogacy agreement. For example, it would prevent an Iranian asylum seeker and her spouse from starting a family.

After the U.S. Supreme Court decision holding birthright citizenship as the law of the land, this bill reads like the latest MAGA conspiracy attempt to achieve what they were unable to achieve in the Supreme Court—ending birthright citizenship.

State lawmakers from Florida and Texas are using similar legislation to chip away at access to reproductive rights. There was a controversy, and you may remember it, as to whether or not in vitro fertilization is consistent with MAGA principles. They ultimately announced that it was, that IVF was fine, but that just shows you that they have run into a number of cases already where the principles do not bear out the reality of life in America.

Some are pushing to ban surrogacy altogether. The case I gave you is a good illustration in my mind of why we shouldn't do that.

They argue that the surrogacy agreement amounts to slavery and violated the 13th Amendment, a preposterous argument. Voiding and criminalizing surrogacy agreements with nationals from certain countries looks like the first step in a broader troubling plan to restrict surrogacy.

Countless couples, families, and individuals facing fertility challenges rely on access to surrogacy and other reproductive services to have children.

Most people seeking surrogacy in the United States are Americans. Some are foreign nationals who reside in the United States; others are foreigners who are turning to surrogacy in the United States because of limited access in their home countries.

I support thoughtful efforts to ensure that access to surrogacy in the United States is not exploited by those seeking to abuse our laws. This bill has been referred to the Judiciary Committee on which I serve and am ranking member.

I would be happy to work with the Senator from Florida on the complex issues that he raises with the amendment. We won't agree on everything,

but we certainly would agree when we talk about exploitation and human trafficking.

This bill does nothing to address those two issues, which are a major concern for me as well as the sponsor.

I hope we can work together to come up with something meaningful in the weeks ahead, and for that reason, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, so first off, I appreciate the comments from my colleague from Illinois. I look forward to working with him to try to solve this.

Let's remember what this is about. This is not about IVF. IVF has been a very positive experience for my family. It doesn't impact a surrogacy for an American citizen.

Actually, surrogacy has impacted my family and friends, so those are important opportunities for Americans to have children.

What this bill says, though, is if you are a national from people that want to destroy our way of life, you could be Xi in China, you could be Putin in Russia, you could be Kim Jong Un in North Korea, you could be the Ayatollah, you will not have the right to have a child in this country by surrogacy. They don't even have to show up in this country, and they could have a child. Why would they do that when they could do it in their own country? It doesn't make any sense to me.

So this is a problem. We need to resolve it. It has been a problem in this country. It has been a problem in my home State, and I look forward to working with my colleague from Illinois to solve it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

COLORADO WILDFIRES

Mr. HICKENLOOPER. Mr. President, June 27 was one of the worst days in recent Colorado history. As the Knowles fire rolled along the Colorado-Utah border, the Rifle Helitack team put on their uniforms and rushed toward danger. While battling the blaze, one firefighter was badly injured and four others—Nick Hutcherson, Emily Barker, Sydney Watson, and Nathan Matthews—ultimately lost their lives.

There is bravery—and then there is wildland firefighting. The word “hero” gets used a lot. Nick, Emily, Sydney, and Nathan embodied that word.

They came from across the country to Colorado to form a unit united by one common mission: protecting lives, protecting property, and the landscapes we all cherish.

Their commitment to our public lands wasn't a hobby; it was their life's work. Together, they collectively spent decades fighting fires. And as dedicated as they were to their vocation, they were equally devoted to their friends and to their families, making this loss even more devastating.

Our hearts break for these firefighters and their families and all who loved them. These families deserve answers, and we need to understand what went wrong so we can prevent future tragedies.

That is why I am calling on the Department of the Interior to conduct a swift and thorough investigation into what happened, including whether the administration's recent shift to the Wildland Fire Service played any role in this event.

This isn't about playing politics or gotcha, trying to find blame. With wildfires still raging across Colorado, we can't afford to wait months and months to learn lessons that could save lives right now.

Colorado's firefighting community is close-knit. They are almost like an athletic team. The loss of one firefighter is felt by everyone. The loss of four is quite simply unimaginable. So we have to get to the bottom of what happened and do everything we can to make sure that we prevent a repeat tragedy.

As we do that, we are also mourning the loss of Nicholas Dale of British Columbia. Nicholas was a helicopter pilot who was tragically killed while battling a fire near Ouray in southwest Colorado. Our thoughts and prayers are with his family as well.

Last month, I traveled to the Snyder fire command post, and there I met with some of Nick, Emily, Sydney, and Nate's fellow firefighters and heard some of their stories. It brought me back to my time as Governor, standing with crews after a terrible tragedy. The heartbreak never gets easier; it only gets worse over time.

And Colorado's wildfires keep getting worse too. In the 1990s, Colorado averaged 13 wildfires a year. By the 2020s, that number has climbed from 13 to 70 a year. And that is why I am here today—because we have a responsibility, all of us, regardless of politics, to prevent wildfires, to protect our communities, and to help people recover from disasters.

We know we are not going to stop every wildfire, but we also know that many of the worst wildfires could have been less destructive if we had taken certain commonsense steps sooner, both from a shorter and a longer term perspective.

First, we need to treat climate change like the emergency it is, and that is a long-term horizon but an important one. On a visit outside of Leadville earlier this year, one individual told our office that the annual snowpack averaged 240 inches. That is 20 feet. The thinnest snowpack in that equal period, that last 100 years—and, again, these are data collected every March for 100 years—the smallest, thinnest snowpack was 182 inches—not 240, which was the average—but 182 inches, roughly 15 feet. Two-hundred forty inches is 20 feet.

This winter, it was about 60 inches. That is 5 feet. So the average was 20

feet, the alltime low in 100 years was 15 feet, and suddenly this year it is 5 feet.

And this isn't an isolated incident. Colorado is facing its worst drought in 1,200 years, according to sediments from the Grand Canyon. Let me say that again because it is hard to believe. Colorado is facing its worst drought in 1,200 years. That means you have to go back to the 9th century to find drought conditions this bad in Colorado.

Lake Mead and Lake Powell, two of our biggest reservoirs in the West, have now fallen to their lowest levels on record. If the water in Lake Powell falls just another 33 feet, we will hit what they call the power pool, meaning that point where there won't be enough water to generate hydroelectric power.

Not every wildfire is caused by climate change, but scientists widely agree that climate change is making the problem far worse. Heat, drought, a moisture-starved atmosphere all increase wildfire risk, and each of these factors can be connected back to climate change.

Since joining the Senate, tackling wildfires and drought has been among my top priorities. That is why we passed the Inflation Reduction Act, which included the largest climate investment in American history. We won \$4 billion for the Colorado River Basin and \$8 billion for western water infrastructure.

We have brought Senators from seven States together to form the Colorado River Caucus, a bipartisan caucus, to build consensus on how to use our shared resources, and we have introduced legislation that would help manage our forests better as well.

Overgrown woodlands are tinderboxes that let wildfires spread faster and farther, but too often government bureaucracy blocks the projects that we most need in order to reduce that risk before disaster strikes.

Together with Senators ALEX PADILLA, JOHN CURTIS, and TIM SHEEHY, we introduced the bipartisan Fix Our Forests Act. The idea is simple: streamline forest management and speed up new technologies for wildfire prevention, detection, and response.

Our bill has passed through committee, and it is waiting for a full vote on the Senate floor. It shouldn't take another tragedy for the Senate to act. We need to pass Fix Our Forests now.

Solving our drought and our wildfire challenges requires cooperation across every level of government, but recently, that cooperation has been strained. Last year, the Trump administration froze over \$150 million in already-obligated funding for 17 Colorado water and drought resiliency projects. At a time of unprecedented drought, that is quite simply unconscionable.

We refused to accept it, and we pushed the administration to release that money. So far, we have gotten roughly two-thirds of the funds released. We will not stop pushing until Colorado communities get every dollar they are entitled to.