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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable PETER WELCH, a Senator from the State of Vermont.

### PRAYER

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

Let us pray.

Eternal Father, You are our hope for the years to come. In this sacred moment, we turn our thoughts to You. We think of You because You have promised that no weapon formed against us will prosper. We think of You because You have given us mercy and grace to help us face life's difficulties. We think of You because You have guided this Nation through seasons more challenging than we face today. We love and depend on You, so continue to use our lawmakers as instruments of Your peace.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 10, 2024.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PETER WELCH, a Sen-

ator from the State of Vermont, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

Mr. WELCH thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. 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 legislative clerk read the nomination of Karoline Mehalchick, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### UKRAINE

Mr. MCCONNELL. Mr. President, here on the floor yesterday, I warned that the administration's efforts to deter Iranian-backed Houthi threats to international shipping and American credibility were grossly insufficient. Just hours later, the Houthis proved my point with a significant escalation in the Red Sea.

Tehran's proxies fired more than 18 suicide drones, along with anti-ship cruise missiles and ballistic missiles,

into one of the world's busiest shipping lanes. At great cost, American and British Navy vessels launched expensive interceptors to defend against these relatively inexpensive Houthi weapons.

On January 3, America and coalition partners warned that "the Houthis will bear responsibility for the consequences should they continue to threaten lives, the global economy, or the free flow of commerce in the region's critical waterways." Well, the Houthis crossed that redline. The question is now whether President Biden will finally impose sufficient consequences on the Houthis and their patrons in Tehran. The world is watching.

But American credibility and security isn't just on the line in the Red Sea; our Nation is facing the most serious array of national security challenges since the fall of the Soviet Union. The Senate's responsibility to address them remains unfilled.

Take the first major land war in Europe since 1945. On one side of the war in Ukraine is a free world that recognizes sovereignty; on the other is an autocrat with imperial ambitions that extend beyond Ukraine's sovereign borders.

With assistance from a nuclear-armed, rogue state—the most active state sponsor of terrorism—and a friendship without limits with America's top strategic adversary, Russia has spent a decade trying to subjugate Ukraine militarily.

Putin is waging a war of torture and brutality. In some cases, his forces' crimes—like those of the Hamas terrorists responsible for October 7—are documented proudly by the perpetrators themselves. And Moscow has mobilized a war economy, ramping up military production while also tapping into the industrial capacity of its axis partners in Beijing, Tehran, and Pyongyang.

The war has clearly jolted our European allies out of a holiday from history. Producers in Norway are racing a

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



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streamline production of critical air defense systems. Governments like Poland and Germany have announced major increases in defense spending. Denmark, for example, has resurrected an entire dormant industry to contribute ammunition. But even these historic, overdue investments have not yet turned the tide. This conflict has also exposed the glaring shortcomings of America's own arsenal and supply chains for critical capabilities.

As I have explained repeatedly and in great detail here on the floor, our supplemental appropriations to support Ukraine included heavy investments in expanding our defense industrial base and purchasing the cutting-edge weapons that our own forces need to deter our biggest adversaries.

The legislation we are considering this month would do even more to help meet urgent requirements of our own Armed Forces. It will increase procurement of critical munitions, long-range fires, and air defenses, and invest in our own defense industrial capacity.

This is essential for long-term competition with China and Russia. America and our allies still face serious shortcomings, and they extend well beyond the war in Ukraine. By one recent tally, Russia and China's arsenal of land-based air defense systems far exceeds the combined stockpile of the United States, Europe, and Japan combined. The West is outgunned in critical capabilities.

So let's not waste time indulging the misconception that standing by our European allies is an obstacle to competition with China. Let's give no credence to the idea that America should cut and run from our own allies and partners—precisely as our adversaries work closer and closer together.

With continued American leadership, European allies are shouldering more and more of the burden of collective security on the continent. There is just no question that our NATO allies are building military capacity and taking on more responsibility for restoring and maintaining the sovereignty of America's closest trading partners.

But America is a global superpower, and retreating from our leadership of NATO before seeing the job through won't make competition with China any easier. Handing Russia a victory in Ukraine on account of a waning attention span will only shred America's credibility, weaken critical alliances, and force us to contend even more directly with two major adversaries at once. I honestly can't think of a more shortsighted strategic gamble.

Only time will offer a full accounting of the missed opportunities of the past 3 years, but it is already clear that hesitation and self-deterrence on the part of our Commander in Chief cost Ukrainian lives and chances at swift victory over Russian aggression.

Of course, the brazen violence of Iran's terror network reminds us that this weakness and timidity is contagious. We cannot let them spread. We

cannot let shortsightedness govern our approach to the strategic competition that will define the next century of American history. We cannot give China any more reasons than this administration already has to doubt America's resolve to stand with sovereign democracies and to vigorously defend our interests.

In the very near future, it will be time for the Senate to demonstrate that we understand what time it is.

#### UNIVERSITY PRESIDENTS

Mr. President, on a different matter, this year, two of America's most elite universities are in the market for new chief executives.

What makes for good leadership in higher education might once have been common sense, but if the past 3 months have taught us anything, it is that the virtues of a college president might need to be spelled out in a bit more detail.

For starters, the prerequisite for campus leadership should be a personal scholarly record that models academic rigor—prolific writing, publication, and an excellence in one's field.

I am not an Ivy Leaguer, but it would seem to me that someone who had produced fewer than a dozen peer-reviewed articles might not usually meet this standard at a place like Harvard. It may once have gone without saying that university presidents should also model the codes of academic conduct and integrity to which they should hold their students.

An academic record riddled with plagiarism should disqualify any candidate. And perhaps, more importantly, a university president must be committed to ensuring that the culture of speech on their campus—however far it might diverge from the protections enshrined in our First Amendment—is administered fairly.

Suffice it to say that Harvard did not wind up dead-last in a watchdog ranking of free speech of American campuses for nothing, which made its former president's free-speech justifications for anti-Semitic hate laughable.

Over the past several decades, our country's most elite universities have let intolerant leftist dogmas, like DEI, replace the robust exchange of ideas as ordering principles on campus. One Harvard professor and former dean recently noted that the words "white supremacy" and "intersectionality" appear more frequently in the Harvard course catalog than the term "scientific revolution." These course offerings seem to indicate a drift from Harvard's stated motto "Veritas," Latin for "truth."

Of course, it doesn't have to be this way. Hundreds of American universities outside the dusty confines of the Ivy League aren't showing any signs of abandoning their rigorous pursuit of truth for woke madness.

Places like Harvard and Penn would be well-served by a leader who takes an approach like our former colleague Ben

Sasse has taken as president of the University of Florida. As he put it recently:

Universities must reject victimology, celebrate individual agency, and engage the truth with epistemological modesty. Institutions ought to embrace open inquiry . . . More curiosity, less orthodoxy . . . Engage the ideas. Pull apart the best arguments with the best questions.

By all accounts, the heads of the leading universities in my home State of Kentucky—President Kim Schatzel of the University of Louisville and President Eli Capilouto of the University of Kentucky—aren't finding it especially difficult to foster campus climates of integrity and academic rigor.

I don't envy those tasked with finding new leaders to right the ship of the Ivy League. Restoring the tarnished reputations of our Nation's most elite universities will be no small task. But maybe they will have some luck if they look beyond their northeastern bubble and trade in the meaningless jargon of postmodernism for the simple wisdom of their mottos.

The ACTING PRESIDENT pro tempore. The Democratic whip.

#### FOOD AND DRUG ADMINISTRATION

Mr. DURBIN. Mr. President, having experienced legislative efforts of both the House of Representatives and the Senate, it would be a surprise to many people to learn that many Members come to the floor to address issues of personal importance to them, something that happened in their lives that motivates them to take up an issue, introduce a bill, try to create a new law.

That happened to me in the House of Representatives many, many years ago when I first confronted the tobacco issue. I lost my father to lung cancer when I was 14 years old, and it was a profound experience, as you might guess, in my life.

And I remembered what he went through in the last 100 days of his life, fighting lung cancer and, eventually, succumbing to it.

And so I took on the tobacco issue in the House of Representatives on a personal basis as well as a public basis, trying to reduce the power which the Big Tobacco lobby had in the House of Representatives. And when I arrived there in 1982, they were the most powerful lobby in Washington.

We were warned as new Members of Congress on both sides—Democratic and Republican—don't touch the tobacco issue. It is an issue that is very important for us to maintain our majority, and you shouldn't bring it up.

Well, I ignored that advice and introduced several ideas on reducing the power of the tobacco lobby on Capitol Hill. The one issue that I pursued with success had a profound impact on this country—much more than I ever imagined. I introduced the first bill, successful bill, in the House of Representatives to ban smoking on airplanes.

It seems so obvious today that it would be a fiction to suggest that there is a smoking and nonsmoking section

on an airplane. We know that those people who were smoking were generating secondhand smoke, which was dangerous as well.

Well, with an amazing bipartisan majority, we passed my bill to ban smoking on airplanes. It was taken up by Senator Frank Lautenberg here in the U.S. Senate successfully, signed into law, and the rest is history, as they say.

What we did not anticipate was that this law, in and of itself, was going to be a tipping point. People thought and said: Wait a minute, if secondhand smoke is dangerous in an airplane, why wouldn't it be dangerous in a bus? on a train? in an office? in a hospital? in a place of work? in a restaurant? And the next thing you know, we saw a dramatic change over the years in the attitude towards smoking.

New Members of Congress historically, before that was passed, would head to the stationery shop as soon as they were elected to buy an ashtray to put on the coffee table in their office for those visitors who wanted to smoke while they were meeting with the Senators and Congressmen. That is unthinkable today. I am not even sure they sell the ashtrays anymore. They used to be embossed with a big Congressional seal.

Things started changing across America, and one of the things that led to that change was the discussion of the impact of tobacco on children.

We knew that tobacco, with its chemical nicotine, was addictive. And we knew that kids, naturally, being told not to touch a tobacco product, started using them as soon as they could; and many of them developed an addiction even before they graduated from high school. So we started requiring warning labels and restricting retail sales to try to protect kids from this addiction.

It was an ongoing battle because the tobacco companies were powerful and profitable and had many friends in high places, particularly here in Washington. I continued that battle over the years in the House and in the Senate with some success, dramatically reducing the percentage of children who were using tobacco.

The tobacco companies knew that they were in trouble. That was their source of addicted people who, when they became adults, bought their products for the rest of their lives until they died from that addiction.

And so these tobacco companies started a new campaign. It wasn't based on tobacco but on the chemical nicotine and the addictive nature of it. And they created something called vaping and e-cigarettes. And who did they go after? Kids, of course.

They had fruit-flavored vaping devices that looked like they belong in a computer or in a school bag going off to grade school and high school. And these kids started buying them and using them; and so I switched my campaign not exclusively from tobacco but

to vaping as their latest Big Tobacco product that was addicting children.

I have asked the Food and Drug Administration, through many administrations, to basically police this product as they would a tobacco product, and they have promised that they would. I come here today to make a report, one very good piece of news and one very bad piece of news about that effort.

First, I want to thank the Supreme Court which, on Monday, left in place a California law banning the sale of flavored cigarettes. That is great news for kids and communities of color who have been preyed upon by Big Tobacco's aggressive marketing with flavored products.

We know that flavors play a unique role in hooking new smokers because they mask the harsh taste of tobacco and turbocharge the addictiveness of nicotine.

In particular, we know that menthol cigarettes have been purposely targeted at Black communities for decades with heavy advertising, sponsorship of events, and free samples. It has contributed to the fact that Black adults in America are 30 percent more likely to die from heart disease and 50 percent more likely to die from a stroke compared to Whites.

There is a Federal proposal on the table now to prohibit the manufacturing and retail sale of menthol cigarettes. That rule would save an estimated 650,000 lives, including 255,000 Black Americans. It would eliminate the racial disparity in lung cancer deaths between Black and White Americans.

I know this President cares deeply about the toll of cancer. It has touched his family personally, as it has mine. If we want to make a difference in the health of Americans and set a legacy for future generations, then the administration must finalize this public health measure to end Big Tobacco's predatory promotion of menthol cigarettes. Lives hang in the balance. That is the good news out of California and the Supreme Court.

Here is the bad news. Robert Califf is the head of the Food and Drug Administration. Two years ago, he was approved by the Senate in a very close vote; it was 50 to 46. If two Senators had gone the other way, he would not be the Commissioner of the Food and Drug Administration.

He came to my office and made a plea that I vote for him. I was planning on voting against him. He ended up getting five Democrats voting against him and six Republicans who voted for him, and that made the difference in the final rollcall.

On the final rollcall, because he looked me in the eye in my office in this building and promised that he would take on the vaping interests, I voted for him. It has been a miserable disappointment to see what he has done with that office when it comes to this issue.

As the calendar turns to 2024 and the new year, I am afraid that it has not brought any change in the Food and Drug Administration's shameful, abysmal job of preventing tobacco companies from addicting our children.

On January 1, the Food and Drug Administration missed yet another court-imposed deadline to finish reviewing e-cigarette applications. Even after repeated delays, the FDA had told the U.S. district court for Maryland that it would finish reviewing e-cigarette applications by December 31, 2023. It failed. That deadline came and went.

The FDA is now 28 months past the original court-ordered deadline to complete this review. That is not only unacceptable, it is embarrassing.

Here is why that is a problem: The law is clear that no vaping or tobacco product can be put on the market without first proving—proving—to the FDA that it is—listen—“appropriate for the protection of public health.”

In other words, the industry, the vaping industry, has the legal burden of proof to prove that their product will protect the public health. Vaping companies cannot do that. We know they can't. Yet thousands of products continue to flood store shelves and addict America's children without having met that bar of proof.

The FDA has the power and the responsibility to protect public health by enforcing this premarket review requirement, but it appears to be giving Big Tobacco a free pass day after day, week after week, month after month, despite court orders to the contrary.

While the FDA has missed a court-ordered deadline, it also failed to meet a statutory deadline for the regulation of synthetic nicotine products, an authority that the FDA asked us in Congress to provide. You see, vaping companies thought they found a loophole in the law by using nicotine that was synthesized in a lab, rather than derived from a tobacco leaf. They thought they could skirt FDA regulation by exploiting this ambiguity in the law.

The same FDA Commissioner I referenced earlier, Dr. Robert Califf, testified to the Senate: We have to close this loophole. He pleaded with us to close it, and we did.

Senators COLLINS, MURKOWSKI, and several others joined me to lead a bipartisan effort to clarify FDA's jurisdiction over synthetic nicotine. The new law required the FDA to clear the market of all unauthorized synthetic nicotine products by July 13, 2022—18 months ago—and they have failed. After asking us for this authority, after our passing the law and having it signed by the President, they have ignored the law and the requirement to clear the shelves since 2022. Since then, FDA has failed to issue a single marketing denial for a synthetic nicotine vaping application.

Worse yet, e-cigarettes using synthetic nicotine are now the most popular tobacco products used by children. There are many examples of that.

Think about that for a moment. The FDA Commissioner comes here and says: My hands are tied. I cannot regulate e-vaping to protect kids because they are using synthetic nicotine and we are not sure the law covers it.

We change the law and tell them: Now you can proceed. Enforce this law that you have asked for, and do it 2 years ago to make sure these products are not on the shelves.

They ignore it. After calling for our passage of the bill, they ignore the reality, and the shelves are stocked with these e-cigarette synthetic nicotine products that kids are using across America.

The consequences for our children are devastating. According to the Surgeon General, e-cigarettes can damage lungs, heart, mental health, and parts of the brain that control attention and learning. Don't just take it from me. I recently received a letter from the Chicago Teachers Union. Here is what it said:

Teachers have noticed a growing frequency of disposable vapes in our schools. These products come in colorful packages and fruity, kid-friendly flavors that are pushed on social media. . . . Some even look like school supplies.

And it is not just the big cities like Chicago. Last month, I also received a letter from the regional superintendent of schools for five of the rural areas, southernmost parts of Illinois: Alexander, Jackson, Perry, Pulaski, and Union Counties. They said:

While most young people view smoking as no longer cool, they look at vaping differently . . . as being a "healthy" and cool alternative.

The FDA was given the tools to protect our kids and consistently failed to do it under Dr. Robert Califf, head of the FDA.

Here is what I want to make clear today: February 14 is the second anniversary of Robert Califf's approval by the U.S. Senate. By that date, by February 14, I expect his compliance and the compliance of the FDA with all of these court-ordered mandates which they have ignored for months and years. What is at stake? The health of our kids and their addiction. If Dr. Califf cannot exercise the authority of the FDA, it is time that we put somebody in who will.

I yield the floor.

#### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

#### GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, as Congress approaches the January 19 funding deadline—less than 10 days away—both parties in both Chambers must work together quickly to ensure we avoid a government shutdown.

Congressional leaders agree that a shutdown would be a terrible way to start the year. Speaker JOHNSON and I are on the same page on that. A shutdown will hurt the economy, halt a lot of work of Congress and government,

and endanger services that millions of Americans rely on.

If reasonable Members on both sides continue working together, we can ensure a shutdown is avoided. We took a big step last Sunday towards our goal when Speaker JOHNSON and I announced funding level top lines, and appropriators right now are hard at work drafting the 12 appropriations bills. It is good news that all four of the appropriators, the four corners, want to do this—Senator MURRAY, Senator COLLINS, and Congressmembers GRANGER and DELAURO. I am hopeful that if we stay the course, we can avoid a shutdown even with the tight deadline.

Now I want to return to a point I made yesterday about some of my colleagues in the House. As everyone knows, this is a period of divided government. Like it or not, it means that compromise is a necessity, and nobody is going to get everything they want in any negotiation. And, of course, the President is a Democrat, and the Senate has a Democratic majority. Anyone who wants to get anything done knows that there has to be a compromise between the Democratic President, the Democratic majority in the Senate, and the Republican majority in the House—of course taking into account our Republican colleagues in the Senate and Democratic colleagues in the House.

But right now, there are 30 or so hard-right Republicans in the House who labor under the illusion that they can bully everyone else into submission to get their narrow, hard-right agenda enacted into law. That is what they are trying to do in the appropriations process. There is only one word to describe the hard right's tactics: Bullying. Bullying. They want to bully their own conference, bully the Speaker, bully the Congress, and bully the country into accepting their extremist views.

It is easy to see why the hard right spends so much time trying to bully the rest of Congress: They have little leverage otherwise because their views are wildly out of the mainstream. These 30 or so Republican chaos agents do not represent the views of most Americans. They don't even represent the views of a great number of Republicans. They are MAGA radicals, extremists whose benchmark for success is paralysis, gridlock, chaos. They think a shutdown will help their party and help the country, but virtually no one else agrees. They are on an island.

But here is the thing: This kind of bullying almost never works. The hard right's bullying didn't work when we avoided default, it didn't work when we avoided shutdowns last year, and it is not going to work here.

Case in point: Where things stand right now in the appropriations process is little different than where we were after we passed the FRA last summer. The hard right wasted almost a year in the House by trying to bully their colleagues through the appropriations

process. They wanted the Speaker to renege on the agreement codified in the FRA. Time and time again, they thwarted the House GOP's ability to even pass their own spending bills. They just wasted precious time. But for all their bluster, the hard right has nothing—nothing—to show for their bullying. The agreement we reached Sunday is practically the same number leadership shook hands on back in June.

In a body comprised of 435 voting Members, it is lunacy for the MAGA hard right to think they can puff their chest and bully the majority of their colleagues into submission. Won't happen.

This year, the American people are going to pay close attention to which party is capable of addressing their everyday needs and which is not. They will pay close attention to who is willing to reach across the aisle to get things done and who is openly calling for—almost excited about—a shutdown, which will hurt so many people. And the American people will note which is the party of chaos and which is the party of getting things done.

Make no mistake, the American people will not stand for radical MAGA Republicans whose only strategy for governing is to bully the rest of the country into submission. It will not work.

#### UKRAINE

Mr. President, now on the supplemental and Ukraine, Senate negotiators continue. They met several times yesterday. So Senate negotiators continue their work on finalizing an agreement for a national security supplemental.

At a time of growing crisis around the world, our supplemental package is America's answer to this decisive moment in world history. The world stands at a crossroads. The war happening in Ukraine is not just between one nation defending itself against another but between tyranny and democracy itself.

The Ukraine war is a conflict of history-altering importance. It could reset the balance of power for Western democracies that has endured since the end of the Cold War.

The Ukraine war has not been much in the news lately with so much going on in Gaza and at the border and so many other things, but that does not mean nothing is happening in Ukraine. Right now, Ukrainian soldiers remain determined, but Russian soldiers are beginning to have an advantage as ammunition is starting to run out for Ukraine.

So passing the supplemental will be America's signal to the world that we will hold the line not just to defend democracy in Europe but to defend our friends in Israel, to deliver critical aid for innocent civilians in Gaza and humanitarian aid across the world, and to outcompete the Chinese Communist Party in the Indo-Pacific.

We must keep moving quickly here in the Senate because Ukraine stands

at a dangerous moment in its war against Putin. Ukrainian fighters remain determined and have not lost their resolve to defend their homeland, but what they are losing are ammunition and armaments, which America has played a leading role in providing. That aid is running out, much to Putin's delight.

Every Senator needs to understand the stakes. If the Senate does not approve more aid to Ukraine, the war, which is already trending in Russia's direction, could, a month from now, dramatically shift in Russia's favor. It is only trending in Russia's direction now because of the lack of armaments. As I quoted yesterday, a Ukrainian officer said that for every five salvos the Russians fire at his troops, he can only fire one salvo back.

A Russian victory in Ukraine would commence an ominous domino effect across the Europe continent of expanded Russian influence. That is not a world any of us want to return to.

In generations past, Democrats and Republicans would have bent heaven and Earth to stand up to Russian dictators, we would have balked at showing weakness to autocratic thugs who invade their neighbors and hope for America's demise.

We find ourselves in a new moment in history where democracy is under siege yet again. We heard directly from President Zelenskyy a few weeks ago about what is at stake if we fail. So fail we must not. It is, therefore, essential that we finish the work of passing the supplemental. It is one of the hardest things the Senate has done in a very long time; but for the sake of our national security, of our friends abroad, of our fundamental values, we must stay the course.

Of course, there are many difficulties with the supplemental, but we must keep our eye on the ball. We must get this done. Ukraine hangs in the balance.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### BORDER SECURITY

Mr. THUNE. Mr. President, negotiations continue on border security reforms to be included in the national security supplemental, and I am thankful that after 3 years of chaos at our southern border, Democrats have, at least, finally come to the table, because it is long past time to get the situation under control.

As I said, for 3 years—almost since the day President Biden took office—we have confronted chaos at our southern border. Rather than improving, this crisis has just grown worse and

worse with time. Fiscal year 2021 saw a recordbreaking 1,734,686 migrant encounters at our southern border. Then fiscal year 2022 broke that record, and then fiscal year 2023 broke that record.

And if fiscal year 2024 continues on its current trajectory, we will, yet again, end up breaking another record. December reportedly saw a staggering 302,000 migrant encounters at our southern border—not only the highest December number ever recorded, but the highest number ever recorded for any month, period.

My colleague from Pennsylvania recently compared September's nearly 270,000 border encounters to having the entire population of Pittsburgh crossing our southern border in one month—in one month. The comparison is even more apt with December's numbers. We can't afford to have a major city's worth of illegal immigrants crossing our southern border every single month.

As border cities have long known and as major Democratic cities are now finding to their cost, this simply isn't sustainable. New York City, which has seen 150,000-plus migrants enter the city since last spring, is facing cuts to city services as a result of the influx. In fact, just yesterday, it was reported that Mayor Adams is actually temporarily removing students from their classrooms to house migrants.

It is not just New York that is overwhelmed; so are cities like Denver and Chicago. The mayor of Chicago recently noted that the situation his city and others are facing is "unsustainable." So there are massive practical problems associated with having a city's worth of people coming across our southern border each and every single month.

But that isn't the worst of it. The even bigger concern is the national security crisis that this represents. Our Nation cannot be secure while we have hundreds of thousands of migrants flooding across our southern border each month, frequently to end up released into the United States with court dates that are, literally, years into the future. The sheer volume smooths the way for criminals, terrorists, and other dangerous individuals to make their way into our country.

And there are dangerous individuals trying to make their way into our country. Make no mistake about that. During the first 2 months of fiscal year 2024 alone, 30 individuals on the Terrorist Watchlist were apprehended on our southern border. That is, literally, one every other day. Fiscal year 2023 saw 169 individuals on the Terrorist Watchlist apprehended at our southern border, which was more than the previous six fiscal years combined. If we continue on our current trajectory, we will break the 2023 record this year. And that is deeply concerning.

Those are just the individuals the Border Patrol is actually apprehending. We have no way of knowing how many dangerous individuals have

entered our country over the past years without—without being apprehended. Since the beginning of fiscal year 2021, there have been more than 1.7 million known "got-aways," and those are individuals the Border Patrol saw but was unable to apprehend. Since October 1 alone, there have been more than 83,000 known "got-aways." That is 83,000 individuals entering our country without our knowing who they are, why they are here, or where in the United States they are going. And there is no way—no way—of telling how many unknown "got-aways" there have been.

With the current chaos at our southern border, there is no question that some individuals are managing to make it into the United States completely undetected.

With so many illegal immigrants arriving at our border these days, planning to get caught so they can take advantage of the Biden administration's lax asylum and parole policies, it is especially concerning to see these "got-aways" who are working to evade Border Patrol. Some of them may, indeed, be entering the United States simply hoping for a better life, but it is highly likely that a number of them have more malign intentions.

I mean, think about it. You look at the number of people just in the month of October: 1,569 convicted criminals got in the country, 50 gang members, 93 people who have had warrants for their arrest, and 12 terrorists. That was one month—just one month. And those are the people that were apprehended. Think about those "got-aways," which I mentioned—83,000 known "got-aways" since October 1—and then the unknown "got-aways" who you assume are people who know how to evade law enforcement and figured out how to get into the country illegally. The point simply is this: Our southern border has become a portal for people with all kinds of malign interests to get into this country.

Now, arguably, there was a time when people came here from places like Central and South America in pursuit of a better life; and, obviously, you can't blame them for leaving the places where they lived and wanting to live in the United States. They come here legally. We have ways of people getting into this country legally; laws that should be followed. We are a nation of laws. But the fact that people like terrorists, like criminals, like cartels who are trafficking in who knows what—weapons, drugs, humans—we know how many people are dying every year from fentanyl in this country—our southern border is out of control. It is a danger to our national security, and it is a threat to the safety and security of every community in this country, whether you are on the border or not.

Now, people used to think of this issue as something that just affects people along the southern border. It is not. I just mentioned New York, Chicago, Denver, facing very, very hard

decisions because they don't know how to manage this huge influx of migrants coming into their communities. And, again, many of them are coming here for reasons that are, perhaps, understandable; nevertheless, still in violation of our laws. But now what is most concerning is the very fact that so many of these people being apprehended have criminal records, are members of gangs, or, worse yet, are on the Terrorist Watchlist.

What do you think they are doing trying to get into this country? Seems pretty obvious to me. And some day, we are going to face something in this country, they are going to trace back some incident harmful to America that they are going to trace back to somebody who came across the southern border. And this administration and these lax policies and their unwillingness to enforce the law are going to be responsible for it.

Mr. President, we are a nation of immigrants. I have said that many times. My own grandfather was an immigrant. Immigrants have helped build this country into what it is today. I am a strong supporter of legal immigration. As I said, we have ways for people to come here; but we are, first and foremost and fundamentally and foundationally, a nation of laws. We will only be able to remain a nation of laws as long as the law is respected and enforced, meaning this: Immigration needs to be legal. We need to know who is coming into our country and why.

So I am very much hoping that in the very near future, the ongoing border negotiations will produce real reforms that will help us finally regain operational control of our southern border; because 3 years of chaos is 3 years too many. It is time to get this done.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER OF BUSINESS

Mr. BENNET. Mr. President, for the information of the Senate, on behalf of the leader, I ask that yesterday's order with respect to the Crews nomination be executed at 11:30 a.m. today.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

#### NOMINATION OF S. KATO CREWS

Mr. BENNET. Mr. President, I am delighted the Presiding Officer is in the Chair for this conversation about Judge Kato Crews.

Today, I rise in strong support of President Biden's nominee for the U.S. District Court for the District of Colorado, Judge Kato Crews.

Judge Crews is a true son of Colorado. He was born in Pueblo, in the

high desert, in the southern part of our State. His family didn't have a lot while he was growing up, but his parents worked hard and always put their kids first.

Since he was in middle school, Judge Crews knew he wanted to become a lawyer. His dad was a solo practitioner in Pueblo, and although Judge Crews didn't really know what his father did for work, he knew that he was helping people and that he had the respect of the community.

Judge Crews attended public high school in Rye, CO, which is a small town in the San Isabel foothills, where he was the only African-American male in his entire school. He earned a B.A. from the University of Northern Colorado and then a J.D. from the University of Arizona, where he served on the law review, where he made the dean's list, and offered pro bono services to survivors of domestic violence.

After law school, Judge Crews returned to Colorado to serve as an attorney for the National Labor Relations Board, where he investigated and prosecuted charges of unfair labor practices.

He spent the next 17 years after that in private practice—first at a large firm in Denver, where he made partner, and later at a smaller firm that he founded with colleagues. In private practice, Judge Crews focused on civil litigation and employment law, representing both workers and employers. He tried approximately 18 cases before Federal courts, State courts, and administrative agencies, serving as chief or sole counsel in jury trials, bench trials, and administrative proceedings.

For the last 5 years, he has served as a magistrate judge for the Federal District of Colorado. In this role, he has performed most tasks expected of a district court judge on the Federal bench, from handling evidentiary proceedings to all matters before, during, and after trial.

During his time on the bench, Judge Crews saw how pro se litigants often struggled to advocate for themselves. He also saw younger lawyers who were eager for courtroom experience. So he founded a program to connect the two, giving young lawyers in Colorado, for the first time, valuable time in court and pro se litigants free help to navigate certain proceedings that these young lawyers were capable of handling.

That is just one example of Judge Crews going the extra mile and of his commitment to making the legal system more accessible—a lifelong commitment to making the legal system more accessible to litigants, to future lawyers, and to the community it serves, most importantly.

As Colorado's first African-American magistrate, Judge Crews spends as much time as he can in the community by serving on nonprofit boards, mentoring students, and using the power of his example to help young Coloradans imagine a career in law for themselves.

Former mentors and colleagues all describe Judge Crews as a true public servant who works hard, who never loses his poise, and who never forgets where he came from. He is one of the most accessible judges on the bench in our State, and he knows the law as well as anyone.

Judge Crews knows what it means to try a case as a litigator and to preside over one as a judge. He has practiced law for the government and for firms both large and small. He has tried cases from the perspectives of employees and employers, for clients with a lot of money and resources and for clients with none at all.

If confirmed, Judge Crews will follow in the footsteps of Judge Moore, who has taken senior status, to become the only African-American judge on the district court. Judge Crews will become the only district court judge born and raised in Pueblo, CO, and that means something to me and to the Presiding Officer, bringing a really important perspective to the bench from a critical but sometimes overlooked part of our State.

With his experience, with his intellect, and with his character, Judge Crews will make a remarkable addition to Colorado's district court, and I urge my colleagues to confirm, this morning, Judge Crews with a strong bipartisan vote.

I would say, before I surrender the floor to my colleague from Colorado, what an extraordinary job he has done in providing leadership to the selection of these judges and to the nominations of these judges for President Biden to consider. It is extraordinary. We have had a number of vacancies on the district court, and we have worked very hard together to make sure those vacancies are filled in as expeditious a way as possible—in fact, I would argue, probably more expeditiously than any other Federal district court in the country. That would not have happened without the leadership of Senator HICKENLOOPER, who, with his team when he came into office, observed that the process that I had in place was a little bit creakier than maybe it should have been. Together, we have been able to improve it.

I want to say thank you also to the tireless advisory committee members of the bar in Colorado, who have given us their best recommendations all along the way, including the recommendation that has now led to the nomination of Judge Kato Crews and, hopefully, to his confirmation today.

With that, I yield the floor, and I look forward to the next speaker.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

Mr. HICKENLOOPER. Mr. President, today, the Senate will consider President Biden's nominee, Judge Kato Crews, for the U.S. District Court for the District of Colorado, as our senior Senator so ably represented.

I am not a lawyer, so I bring a slightly different perspective, but I do recognize the experience and sensibilities that Senator BENNET brings to this. I would argue that there is no one else in the Senate who has spent as much time really looking at our legal system and examining it from a variety of different perspectives and who really understands what it means to serve on our Federal courts.

Judge Crews came before us and comes before this body with broad and well-earned bipartisan support thanks to a career dedicated to the people of Colorado. His experience, his intellect, and his integrity set him apart. They make him an ideal candidate for the Federal judiciary and will make him a judge for all of Colorado.

As Senator BENNET mentioned, he comes from a part of Colorado, Pueblo, in the south-central part of the State, which sometimes has been neglected in these types of appointments. Judge Crews will bring that valuable experience from southern Colorado, but he also understands the whole State.

In addition to the more than 20 years of legal experience that he brings to the bench, Judge Crews has also served as a magistrate judge for the U.S. District Court for the District of Colorado since 2018—the same court to which he has been nominated.

As Senator BENNET mentioned, he also has a tremendous commitment to pro bono work. He founded the Federal Limited Appearance Program, which is a volunteer program that provides people with free representation when they first engage with our legal system. For many people, this can be an unknown and scary time for them—really, for any citizen. This program lends a helping hand and helps people deal with that anxiety.

Judge Crews's experience in community service has earned him enthusiastic support from members of the Colorado legal community up and down the list—former colleagues, labor leaders, elected officials. In supporting his nomination, a group of attorneys who has appeared as opposing counsel in Judge Crews's courtroom wrote:

Not one of us questions Magistrate Judge Crews's intellect, integrity, respect for the law, and the profession we share.

They then added:

He has embodied what all hope to see in a judicial officer—fairness and impartiality.

I could not agree more.

Kato has my full and wholehearted support. He is exactly the type of person who needs to be on the bench, who needs to join the court.

In May, the Senate Judiciary Committee favorably reported Judge Crews's nomination to the floor, and now I want to wholeheartedly encourage all of my colleagues in the Senate to support his confirmation.

This is a proud day for Colorado. Colorado should be and is proud that we can put forward someone like Judge Crews. I know it is also a proud day for Judge Crews and his family, of course. We want to make sure it is a really good day, so I hope everyone will support him.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SECRETARY OF DEFENSE LLOYD J. AUSTIN

Mr. TILLIS. Mr. President, I am going to be brief.

I decided this morning that I wanted to come and talk about the events involving Secretary Austin and what we now know are his challenges with prostate cancer. I want to look at it from two different perspectives.

One, I want to be very brief. I think that Secretary Austin made a mistake by not notifying Members of Congress and by not notifying the administration—in other words, moving through the transition. I think that was a mistake, and I hope Secretary Austin has learned from that. But I am not here to talk about that. That was just a mistake. It shouldn't have been made, particularly in the circumstances we are in now with conflicts in Israel, conflicts in Ukraine, threats across the world, and threats to this country.

I am here to talk about this because it was 2 years ago this month that I was diagnosed with prostate cancer. I made a decision very quickly after I learned about it. It took me about a month. I had gone to my doctor for my annual checkup. You always check your PSA. I found out in probably the September-October timeframe that my PSA was up. I went back for a followup exam through the Christmas holiday. Then, in the first or second week of January 2021, my doctor said: You have prostate cancer, and you need to take some course of action. And there are several different courses of action, but I made the immediate decision to be public with the fact that I was going through prostate cancer.

Secretary Austin chose not to. For any individual person, that is your right. I hope you are not embarrassed by the fact that you have cancer any more than a woman would be embarrassed for having breast cancer, because back in the day, when breast cancer was stigmatized, a lot of women died because they were ashamed of something they had no control over.

So my point is that Secretary Austin is a global figure. Secretary Austin is somebody whom people around the world know. Secretary Austin, as personal as it is to have to deal with a cancer diagnosis, needs to know, as a public figure—I, as a U.S. Senator; he,

as the Secretary of Defense—has an obligation to save lives. And one of the ways you save lives, when you get prostate cancer as a male, is to not be ashamed of it and to tell other males. Any male who has a history of prostate cancer—and their family—needs to tell those young men, you don't get to wait until you are 40 to get a PSA test; you should start getting it when you are 30. And every man over 40 should be getting a PSA test every year. And then do your homework. Study the courses of therapy, whether it was, in my case, a procedure similar to what Secretary Austin got—removal of the prostate; it could be hormone therapy; it could be radiation therapy.

Cancer—and prostate cancer in particular—is one of the most treatable cancers there is. It is highly likely I still have cancer. The goal with prostate cancer is to die with it, not from it, right? Die with it, not from it. You can manage this cancer, but you can only manage it if public officials like Secretary Austin and U.S. Senators step up and are not ashamed of it but try to make sure everybody else understands it is something that is out of your control. You confront it, and you beat it.

So the reason for my comments today was to use this opportunity to remind men across this country and across this world: Don't be ashamed of prostate cancer. Don't be ashamed of some of the side effects that may or may not occur. Have the courage to tell everybody that you are going to take it on and you are going to win. By mentioning it and sharing this conversation, like I am today, hopefully you are going to save a few more lives.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent that the scheduled vote proceed immediately.

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

#### 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 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. 174, S. Kato Crews, of Colorado, to be United States District Judge for the District of Colorado.

Charles E. Schumer, Raphael G. Warnock, Mazie Hirono, Jeanne Shaheen, Elizabeth Warren, Catherine Cortez Masto, Margaret Wood Hassan, Jack Reed, Mark Kelly, Tammy Duckworth, Chris Van Hollen, Amy Klobuchar, Jeff Merkley, Richard J. Durbin, Alex Padilla, John Fetterman, Robert P. Casey, Jr., Sherrod Brown.

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 S. Kato Crews, of Colorado, to be United States District Judge for the District of Colorado, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Idaho (Mr. RISCH).

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 3 Ex.]

YEAS—51

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Butler	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Fetterman	Murray	Welch
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

NAYS—47

Barrasso	Graham	Ricketts
Blackburn	Grassley	Romney
Boozman	Hagerty	Rounds
Braun	Hawley	Rubio
Britt	Hoeben	Schmitt
Budd	Hyde-Smith	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Sinema
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Tuberville
Cruz	McConnell	Vance
Daines	Moran	Wicker
Ernst	Mullin	Young
Fischer	Paul	

NOT VOTING—2

Cantwell Risch

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of S. Kato Crews, of Colorado, to be United States District Judge for the District of Colorado.

The PRESIDING OFFICER. The Senator from Rhode Island.

ORDER OF PROCEDURE

Mr. REED. Mr. President, I ask unanimous consent that all postcloture time on the Crews nomination be considered expired at 2:30 p.m. today and that, following disposition of the Crews nomination, the Senate proceed to legislative session to execute the order from December 19, 2023, with respect to the veto message on S.J. Res. 32; further, that all time on the veto message be considered expired and the Senate

vote on passage of the joint resolution, the objections of the President to the contrary notwithstanding; and finally, that upon disposition of the veto message, the Senate resume executive session to resume consideration of the McEntarfer nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REED. For the information of the Senate, there will be two rollcall votes at 2:30 p.m. today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

BORDER SECURITY

Mr. CORNYN. Mr. President, it is common knowledge that America's southern border has been in crisis since President Biden took office 3 years ago. Since then, 6.7 million—6.7 million—migrants have shown up at the border, only to be released by the Biden administration into the interior of the United States.

That 6.7 million people is higher than the Obama and the Trump administration combined, and that was over a period of 12 years. In just 3 years, we have experienced more illegal immigration than we did in the preceding 12 years.

Well, despite the eye-popping statistics, leaders in the Biden administration have repeatedly tried to mislead the American people into believing everything at the border is just hunky-dory. In other words, they are saying: Don't believe your lying eyes.

President Biden has consistently attempted to downplay concerns about the border crisis. Of course, my State, the State of Texas, which has 1,200 miles of common border with Mexico, we are a ground-zero. But the President has even refused to visit the border until last January, nearly 2 years into his presidency, and then he did sort of a drive-by in El Paso after much of the evidence related to the crisis had been cleaned up.

At one point, the President defended his decision not to go to the border by saying: Well, there are more important things to do. What an abdication of responsibility.

Other leaders in the administration have offered weak and unconvincing claims that there is no reason to be concerned. Some have just lied. That sounds harsh, but there is simply no other reasonable conclusion.

In the fall of 2022, Vice President KAMALA HARRIS, the appointed border czar by President Biden, said: We have a secure border.

I don't know how she reached that conclusion, other than maybe being just wishful thinking. She certainly has traveled to the border. She certainly hasn't studied the phenomenon associated with this mass migration of humanity across our border into the United States.

And then the Biden official principally responsible for border security, Alejandro Mayorkas, made a nearly identical proclamation, saying—this is

under oath, penalties of perjury—he said: The border is secure.

Well, it is easy to see that these statements are demonstrably false. After all, the American people can turn their TV set on and watch news footage of migrants streaming across the border, caravans making their way to the border mostly to just turn themselves in because they know the Biden administration will release them into the countryside. We see photos of migrants lining the streets and sidewalks of our major cities like New York and Chicago, which are more than 1,000 miles away from the United States-Mexico border.

We watch as people in communities die from fentanyl poisoning and know that the vast majority of that fentanyl comes across the border from Mexico.

Evidence of the humanitarian and security crisis at the border is all around us, but the administration refuses to be honest, refuses to be honest with the American people about the scope of this crisis as well as their response.

Here is just one of many shocking examples. Last May, the chief spokesman for President Biden, the White House Press Secretary, tried to address the concerns over the administration's catch-and-release policies. She said:

The claims that [Customs and Border Protection] is allowing or encouraging mass release of migrants . . . is just categorically false.

That was in May of 2023. What was false was her statement. Migrants were being released in the United States with no immigration court date and no way of keeping tabs on their whereabouts. When one of the catch-and-release policies was vacated by a Federal court, the court's final order likened the administration's actions to posting a flashing sign on the border. That sign says "Come in. We are open." That is what one court likened the Biden administration's border policies to—a welcome sign.

In the months since the White House Press Secretary made these obviously false comments, the Biden administration is taking catch-and-release to a new level. They have made that "Come in. We are open" sign even brighter and even bigger, and they have laid out a welcome mat in addition.

Well, surprisingly, after falsely stating that the border is secure time and time again, Secretary Mayorkas, who traveled to Eagle Pass this last week, met with frontline law enforcement officials. He told the Border Patrol agents that the current release rate of migrants caught crossing the border illegally was 85 percent—85 percent. There is no way to reconcile these two statements.

You know, some people say: Well, we need to build a wall.

Well, border infrastructure is important, but people can turn themselves in and be released, and the wall doesn't make much difference.

Yes, we need technology. Yes, we need more Border Patrol. But unfortunately the Border Patrol are being

overwhelmed now, and the Biden administration has made it their policy simply just to release people coming to the border. This, of course, is a huge magnet or what the Border Patrol calls a pull factor encouraging more and more people to come. That is why you are seeing unprecedented levels of illegal immigration during the Biden administration, because people realize: Here is my opportunity, and no one is going to stop me.

Well, the main people benefiting from this, of course, are the transnational criminal organizations and the drug cartels who get paid by the head or by the pound. It is part of a really ingenious business model by the cartels because they know that if you flood the zone with people and you make \$5,000, \$10,000 a head for each person you smuggle into the United States, then you can overwhelm the Border Patrol so that they get offline in order to process the migrants, and then here come the drugs—the drugs that took the lives of 108,000 Americans last year alone.

The statement of Secretary Mayorkas in January 2024 that over 85 percent of illegal border crossers are released—this was not made in a press release or made in a speech; this was overheard as part of a private conversation and only after these Border Patrol agents, who are putting their lives on the line to enforce the laws that Congress has written—when they pressed him on the comments he made earlier last week.

In that interview, interestingly, the Secretary was asked about reports that as many as 70 percent were released into the United States, and he said, “[That] would not surprise me at all.” He said, “I know the data.”

“I know the data.”

Well, this is the guy who said the border is secure time and time again under oath—lying to Members of Congress in official proceedings before congressional committees.

He didn’t say: Well, the rate is actually higher than 70 percent. Instead, he said: I know. He said: I know what the numbers are, and it is not 70 percent; it is 85 percent.

Well, Secretary Mayorkas may be able to dissemble and prevaricate here in Washington, but our frontline personnel—our Border Patrol, our Department of Public Safety personnel who are working at the order of Governor Abbott, as well as the National Guard, who are trying to do the job that the Federal Government and the Biden administration have refused to do—they know the truth.

The fact is, the American people know the truth. They know that President Biden and Secretary Mayorkas, the White House Press Secretary, the Vice President—all of them have tried to mislead the American people about the truth.

No area along Texas’s southern border has been spared by the chaos of the Biden border crisis, but Eagle Pass—

Eagle Pass, TX—has been dealt an especially tough hand. Over the past few months, migrants have flooded this section of the border, and it is not uncommon for agents to see thousands of migrants in a single day.

This is not a major city with a lot of resources. Eagle Pass is a small border town with a population of roughly 28,000 people. It simply doesn’t have the capacity to house, feed, or transport this many individuals.

At various points, migration levels have been so high that Customs and Border Protection did not have the resources to manage both lawful crossings and unlawful migrations. As a result, the administration shut down vehicle and rail processing so officers could help process migrants.

Well, it is not surprising to say that frontline officers and agents in Eagle Pass know the impact of the crisis better than just about anyone. According to reports, they pushed Secretary Mayorkas on his comments, and the Secretary finally acknowledged the truth. It was a remarkable event of candor amidst a fog of lies, prevarication, dissembling, and misleading.

This is just the latest example of the Biden administration misleading, downplaying, and outright lying about the border crisis. They don’t want the American people to see the widespread catch-and-release policies in action because they know the backlash would be severe.

Here we are, about 11 months from the next election, and President Biden has finally realized this is a huge liability for him politically. Our Democratic colleagues are recognizing that this could be the difference between winning and losing the Senate.

When 85 percent of illegal border crossers are released, it serves as a magnet for even more migration. This is another thing that is lost on the Biden administration. When you lay out the welcome mat, when you say “If you come to the border, we will just release you into the interior,” it is just an incentive for more people to come.

There is no grand mystery on how to stop this trend. While the immigration policy can be complicated, the solution is not. We need consequences—consequences. We need to make clear that anyone who illegally crosses the border will be detained and removed. That is the key to establishing deterrence, and we have seen it used successfully in the past.

Let me just interject here that legal immigration has been one of the biggest blessings this country has ever experienced. We among all the nations in the world are the most open to people who want to come here for a better life, but we ask them to do it through legal, humane, and orderly channels. And we naturalize about 1 million people a year. But President Biden has outsourced our immigration policy to the drug cartels and criminal organizations, and it is a disaster.

Well, we know how to address this problem. In 2005, then-Secretary of

Homeland Security Michael Chertoff testified before the Senate Judiciary Committee and spoke about the Department’s response to a surge of migrants from Brazil in that case. The Department launched what they called Operation Texas Hold ‘Em, which involved detaining and then removing the illegal Brazilians they apprehended. As Secretary Chertoff noted, word spread fast. Word spread fast. After 30 days, the number of Brazilians dropped by 50 percent, and in 60 days, it dropped by more than 90 percent.

This is evidence—clear and convincing evidence—that consequences work, and the only way to address this crisis is through deterrence that comes with imposing consequences for people coming illegally rather than legally to the United States. We need to make it absolutely crystal clear that anyone who does not have a legal basis to remain in the United States will be detained and removed.

The Biden administration is ultimately responsible for enforcing our laws and delivering consequences, so without their buy-in, it will be nearly impossible to address this crisis in a significant way. But that does not mean we shouldn’t try. I have very little confidence that the Biden administration will experience an epiphany and all of a sudden decide to enforce the law when they have refused to do so over the last 3 years, but we have to do the best we can.

Frontline border communities and law enforcement are buckling under the weight of this crisis. Fentanyl, which took the lives of 71,000 Americans last year alone, and other deadly drugs are pouring across the border and killing American citizens. Migrant children are being exploited and abused. All the while, the cartels and criminal organizations that get rich based on these policies are leaving a trail of death and destruction that the Biden administration has enabled.

The U.S. Senate has a responsibility to address this crisis head-on as part of the security supplemental that President Biden has requested, and I hope and pray we can make some progress.

I want to express my gratitude to the Senator from Oklahoma, Senator LANKFORD, for leading the effort on the part of the Republican conference. I know others, like Senator SINEMA, Senator MURPHY, and others, are working in good faith to try to reach a reasonable conclusion. But I know all of us want to see an end to this current crisis, and any even incremental progress we might make as a result of our debate and vote on the national security supplemental will represent progress.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Kansas.

Mr. MORAN. Mr. President, I rise today to continue the conversation that I have just appreciated hearing from my colleague from Texas, Senator CORNYN.

I am once again on the floor to call attention to and express my great concern for the continuing humanitarian and national security crisis on our southern border.

Since President Biden took office, we have seen the largest year-to-year increase in migrants crossing our southwest border. Congress has provided resources for physical security, for walls and fencing and personnel; however, to keep our Nation safe and secure, we need to change the administration's policies.

While money and programs are important, the green light that this administration's policies provide to encourage people to come here has to come to an end. These are policies that encourage more migrants to attempt to enter our country illegally, and then, once they enter, there is no consequence.

I am increasingly concerned about this administration's carefree attitude toward those seeking to abuse our asylum system and increase the use of administrative parole. These policies bog down the asylum system, making it harder for those it was designed to protect and help to utilize it while also stretching thin our border personnel.

In fiscal year 2023 alone, the overworked men and women of U.S. Customs and Border Protection had approximately 2.5 million encounters along the southern border. The number of encounters in 2020—only 3 years earlier—was only 458,000. At the time, we thought that was a terrible number to deal with, but it has gone from 458,000 to 2.5 million in 3 years.

The vast majority of those encounters are with people who claim to be seeking asylum in our country. When someone arrives at the southern border, whether they present at a designated point of entry or not, that person only needs to say they are seeking asylum to be able to take advantage of the policies instituted by President Biden and by Secretary Mayorkas. Without being detained, these individuals are provided an asylum hearing date at some time several years into the future. Unsurprisingly—no surprise here at all—the majority of those released under this process then fail to report as they were directed.

In December of 2023, border authorities were forced to deal with more than 10,000 migrants crossing daily. In response to this, President Biden and Secretary Mayorkas suspended rail service and closed the international crossings at Eagle Pass and El Paso. This greatly harmed our carriers' ability to move goods across the North American rail network and to the North American consumers who rely

upon them. Closing the crossings limited grain exports from Kansas and elsewhere by nearly a million bushels a day, and it had negative impacts on many other agriculture commodities as well.

I raise that point because it is an example of where we are trying to take something from here to fix the problem there. That is not a plan or a policy, and it will not have a successful outcome because it is so damaging when we remove Border Patrol from a railroad crossing to try to impact the consequences of people crossing elsewhere along the border. I join my colleague Senator RICKETTS in calling for Secretary Mayorkas to immediately reverse that harmful decision.

The magnitude of this crisis is felt all across the country, and it is impacting every facet of our daily lives. A high school in New York was recently forced to turn to remote learning for students because their classrooms are being used to house nearly 2,000 migrants. Every State is a border State now, and rather than providing tangible help to legitimate asylum seekers, we are robbing our students of their educations to make certain that migrants don't have to spend a night in a tent.

A historic level of crossings at the southern border has not only created a humanitarian crisis and put an incredible strain on our immigration system, but it has seriously compromised our national security. That is a topic of conversation here, as it should be, and I believe that our country is facing one of the most dangerous times in its history, with the forces that are allied around the globe to our detriment.

The border, our southern border, is a significant component of protecting our national security. The cartels that operate in Central America are sophisticated, adaptable, and ruthless. Not only do they take advantage of individuals who are attempting to trek to our southern border by forcing them to pay thousands of dollars to fund their operations and subject them to abuse and murder, but they use these individuals to their strategic advantage. They will send thousands of individuals across the border at the same time and attempt to overwhelm and distract law enforcement while cartels bring guns and deadly drugs like fentanyl undetected across those borders.

In addition to cartels, our national security is threatened by potential espionage and terrorists. The last time I was at the border, which was several months ago, I witnessed the apprehensions of two Chinese nationals. What are Chinese nationals doing crossing our border illegally?

As a member of the Appropriations Committee and as the top Republican on the Subcommittee on Commerce, Justice, and Science, it is a priority of mine to ensure our Federal law enforcement has the resources necessary to keep Americans safe.

Yesterday was National Law Enforcement Appreciation Day, and I use this

opportunity to thank the committed men and women who leave their families every day to go out and protect and serve our communities and our country. In the face of risk and challenge, these officers continue to exemplify strength and courage and resiliency.

I can tell you, when I speak to law enforcement at home in Kansas, almost without exception, the conversation turns to the circumstances at the border and the consequences of the illegal activity that is occurring there and then in Kansas as a result of those border crossings.

Securing our southern border can't just be left to our frontline law enforcement to handle alone. It is also law enforcement across the country that is now struggling to make certain that the citizens across the country are safe from what happens at our border.

We must prioritize additional border security measures that include a physical barrier and investments in new technology. We must enforce our immigration laws and work to reform our immigration so that we reward those who follow the law, and we must disincentivize the illegal crossings.

President Biden's and Secretary Mayorkas's years of inaction in addressing this crisis have allowed a horrible—a horrible—situation to get worse.

I take this moment to thank my colleague from Oklahoma, Senator LANKFORD.

We are, hopefully in the near future, addressing the issue of the world, its condition, and what it means to the safety and security of Americans.

As I said a moment ago, I think we are in a very dangerous time for Americans. The future of our country, as always, is at stake, but with the actions of Russia in Ukraine; with what is taking place with Hamas in Israel; with China's desire to expand and spread its influence around the globe, to the detriment of the United States; and with Iran and its terrorist activities, national security should be a top priority. It is something that the Constitution of the United States vests in us as being our primary responsibility—to protect and defend the United States.

So we are in the process of figuring out our response to the circumstances the United States faces around the globe, with an effort to be supportive of our allies and to create challenges and difficulties to win over our adversaries.

I applaud Senator LANKFORD's efforts, who is negotiating a border policy to be included in our national security appropriations process. It belongs there. It is important there. It is a national security issue, and it is necessary to be included for us to be able to take care of the issues we face around the globe.

I stand ready, as Senator LANKFORD knows, to work with him and to work with my colleagues. We want to hold this administration accountable. We

want to promote a sound border security policy, and we want to put an end to this crisis. We want to put an end to this crisis for the well-being of the people of the United States of America and my constituents at home in Kansas.

I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from New York.

Mrs. GILLIBRAND. Madam President, I ask unanimous consent to display photos of Gad Haggai and Judih Weinstein.

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

#### ISRAEL

Mrs. GILLIBRAND. Madam President, as people around the world gathered last week to ring in the new year, it was a heartbreaking moment for families of the remaining Israeli hostages, whose loved ones have been forced to begin a new year in Hamas captivity.

Over the past month, I was devastated to learn that two of the hostages whom I have spoken about have since died. Israeli-American Judih Weinstein and Gad, her husband, both died from injuries they sustained on October 7. Their bodies are still being held in Gaza.

Gad was a retired chef, a jazz musician, and a gifted flautist. A father of four and a grandfather of seven, he was a man full of humor who knew how to make other people laugh.

Gad's wife Judih was a person of peace. A New York native, she loved making puppets and teaching English to children with special needs. She was a wellness expert who used meditation and mindfulness techniques to help those traumatized by years of rocket fire. She was also a pacifist who advocated for Palestinian rights. In one of the poems she wrote and shared on social media, Judih described herself as a "lone pilgrim, enveloped by ancestors"—listening to a "flute's homage beckoning [her] on."

The deaths of Judih and Gad are a sad conclusion to a long and horrifying saga. It is also a disturbing reminder of the perils faced by other hostages.

I recently returned from a congressional delegation trip to Israel, Saudi Arabia, and Jordan, and I can tell you that the suffering and the grief the Jewish people and innocent Palestinian people have faced daily are truly devastating. The collective anguish, fear, and horror is palpable.

The path to peace—with all hostages being returned, the rebuilding of a Palestinian state without Hamas, and with the support and investment of the Arab and Muslim world—is now more urgent than ever.

When meeting the families of the hostages, the urgency and anguish in their eyes was devastating. To know that your loved one could be suffering unspeakable horrors and that they may be on the edge of death and feel powerless to stop it is a pain that no family member should ever be forced to bear.

They have spent every living day and moment since October 7 fighting to get their loved ones home. This nightmare must end now.

One of the families I met with told me about their loved one, Doron. A 30-year-old veterinary nurse, she hid under the bed in her apartment as Hamas terrorists rampaged her kibbutz. The last her family heard from her was from a voice message in which she said:

They've arrived, they have me.

Doron has a stomach condition, and her family worries her health will deteriorate without her daily medication. They worry about rape and sexual violence and sexual torture. They worry she will not survive the horrors of her captivity.

I also met again with the families of Itay Chen and Omer Neutra—two New Yorkers who are being held hostage by Hamas.

Itay is a 19-year-old boy who was born in New York City and is now serving with the IDF. He was supposed to return home to his family shortly after October 7 to celebrate his brother's bar mitzvah.

Omer Neutra is also a New Yorker, the grandson of Holocaust survivors, and an avid athlete. He loves the New York Knicks. He deferred his acceptance to Binghamton University to spend a gap year in Israel before he joined the IDF. On the day of the attack, he was working as a tank commander while defending the Gaza border. He was last seen on a video as being forcibly removed at the hands of Hamas terrorists.

In addition to these two New Yorkers, I also met with the family of another American hostage, Hersh Goldberg-Polin. He had his lower arm blown off by a hand grenade. His mother says his injuries could easily have resulted in his bleeding to death and wonders: Is he alive? Is he suffering? Does he ever have a chance of coming home?

These are just a few of the roughly 130 people still being held hostage by Hamas, including 8 Americans. With every day that goes by, the danger to them only grows. I hope that in this new year we can secure their safe return, their release, and their coming home to their families before it is too late.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. CAPITO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### BORDER SECURITY

Mrs. CAPITO. Madam President, as we begin our new year, I rise to continue our discussion on one of the most pressing matters that has been so hard on our country. That is our open southern border and the responsibility for this Senate to take meaningful action.

Since this Chamber last was in session, each of us has traveled back to our respective States and has had the opportunity to talk with our constituents about what they are thinking and what they are seeing. Hands down, I can tell you that the crisis on our southern border is on the tip of everybody's tongue in terms of asking questions. It is the No. 1 issue for my State of West Virginia. Time and time again, across a multitude of conversations, West Virginians have asked me pretty logical questions: When will enough be enough? When will President Biden finally wake up and realize that this is a crisis? What can Congress do to stop this? What are you—meaning me as a Member of the Senate—going to do about it?

They see the numbers in the news—we saw them all through December, the mass humanitarian costs broadcasted on our TV sets daily—and the destruction that the flow of illicit drugs is doing and causing in our communities. So I share their frustration, and I have voiced it many times here on the floor. The crisis of our southern border is a topic that I have addressed repeatedly.

The chronic failure of this President to act has led to the point where even my colleagues across the aisle—everyone—have begun to raise alarm as the consequences of the administration's bad border policy have become undeniable.

One of my colleagues referred to the border as "porous." That is kind of a nice way of saying it is open and very, very easy to get through. I am not sure what finally led to this universal recognition, but I do have some ideas. It could have been the 2.4 million migrant encounters this past fiscal year—2.4 million. I live in a State of a little less than 1.8 million. My entire State came through that border, and more. Or the month after month of record illegal crossings with the largest month being just this past December of 302,000 encounters. That is this past December. Or the over 10,000 illegal encounters that we are experiencing daily, which is the size of many of the small towns in my State, with the record being 12,600, again, in December—12,600 crossings in December. Or the record 169 encounters with individuals on our Terror Watchlist just this past fiscal year, with an additional 30 encounters the first 2 months of fiscal year 2024. These are people whom we know have terrorist ties; whom we know could be a danger to us. Yet we are catching them as they are joining this brigade of millions coming across our southern border.

This is just an untenable national security crisis, one where we have no way of knowing how many terrorists have evaded apprehension and are now in the heartland of our country. This is a risk that we cannot take—not now, not ever. Yet very little, if any—and I would say none—has been taken by this administration to really remedy the situation.

There has been a lapse in this border security under the President, and a subsequent mass flow of immigration is creating a real-life humanitarian crisis of drug smuggling and human trafficking.

In fact, there is somebody who is thriving during this. The cartels are thriving with this billion dollars of business with our wide-open southern border.

It is important to remember that, really, I believe, this catastrophe is entirely the making of our President. And while congressional Republicans did not cause this, we are now taking the responsibility, along with our colleagues on the other side of the aisle, of trying to address it and make meaningful progression.

This is why we need substantive policy changes to address our broken border. It has become increasingly obvious that now is the time to act.

Doing nothing will result in what? A continuation of 10,000 people a day, encounters per day, on our southern border and cover for the cartels to smuggle drugs and traffic people.

Doing nothing will result in the news, like we got just, I think, yesterday or maybe earlier today. A New York City high school is being overtaken and housing migrants for shelter, and the students are being told that they should engage in remote learning. In other words, don't come to school; we are using the school to house illegal migrants, and you do remote learning in school.

Well, what did we learn during COVID about remote learning? It is not good for our students. With a consistent remote learning program that we tried during COVID, you could see our falling test scores and a lot of mental health issues at the same time. So doing nothing will only increase the national security threats that our country is facing; therefore, doing nothing is unacceptable.

In a moment as critical as this, we cannot let the perfect be the enemy of the good. We are currently in a historically narrowly divided Congress, making bipartisanship an essential component in getting legislation across the finish line. That is what our Senate negotiators are engaged in.

We all talk about how bad the situation is at the southern border, but it is irresponsible to talk about the problem while refusing to solve it unless you get 100 percent of what you want. I have been here several years. I can honestly say there are very few times I get 100 percent of everything I want in a bill.

If we do not take this opportunity to make serious reforms, then the current crisis will continue with no end in sight. We cannot do that. As negotiations continue, we await the text of a final agreement.

The question that will soon be before us will not be whether this is a bill that each of us would have personally written—because it won't be—but,

rather, if we will take this opportunity and make serious reforms—the most serious reforms in decades—to help stop the overwhelming number of encounters that our Border Patrol agents see every day and take back control of our southern border. We must bring order and process back to our immigration policies.

I admire the steadfast and particular dedication of my colleague from Oklahoma, Senator LANKFORD, who has personally called many of us. He called me three times over Christmas. I know he didn't get much of a break with his family. He has displayed incredible strength throughout this process.

I encourage my colleagues on both sides of the aisle to recognize the importance of this moment and the urgent need to respond to the challenges that we have in front of us.

As always, I maintain my optimism—I am hoping next week we will get the text, and we can work that bill through this body—and remain confident in this Chamber's ability to deliver. We must take advantage of this opportunity.

I have never been at the cusp of an opportunity like this in the last 20 years on immigration that we have right now—something that will make a difference. So we have to take advantage of this, and we have to make sure that we are making meaningful changes as we are moving through this process.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LANKFORD. Madam President, there has been a big conversation in this body that actually matches the conversation that is happening around the country right now. If you ask any random person on the street what are the key issues that they are thinking about right now, almost every poll that I have seen for the past several months has said people are concerned about the economy and they are concerned about border security. Just about every poll you have seen everywhere, that has been the one and two. Sometimes border security has been the top issue, sometimes it has been the second issue, but it has been in those top two over and over and over again. It is not just border States, and it is not just Republicans; it is Republicans, Democrats, and Independents alike.

They see what is happening on the border, and they just want to know: What is the plan? Because the news came out that last September was the highest number of border crossings ever in the history of the country for any September. Then October was the highest number of illegal crossings of any October. Then November was the

highest number of crossings of any November in our Nation's history. Then December came, and it was not only the highest number of illegal crossings of any December in our history; it was the highest single month ever, for any month in our history. Typically, December is a lower month, but instead, it was the highest month in our history, with the highest single day in our history and an average of 10,000 people a day who illegally crossed the border—right at 300,000 people in a single month.

Just to put that in perspective, if I go—during the Obama administration, what we had in December and November exceeded any single year in the Obama administration—just those 2 months. During the early days of the Obama administration, we had 21,000 people a year who requested asylum—21,000 people a year who requested asylum on our southern border. We had that in 2 days in December. That is how things have shifted.

That is why this is not a partisan issue; this is a national issue. People understand the national security implications of this, that we literally have thousands of people crossing the border every day, and we have no idea where they are. They cross the border, and I can tell you quickly how. They cross somewhere in the desert in Arizona, either through a gap that has been cut in the fence or in areas where there is a gap in the fence and they just go around it.

They are given a couple different options. One is a parole authority. It is called 236 parole. You are just released in the country—take off. There is another one called a notice to appear. You will hear the common term “NTA.” There are just so many people crossing right now, we don't have time to be able to go through all the paperwork, so we are going to give you a piece of paper that says show up at an ICE office—and you can literally go anywhere you want to go in the country to do this—go anywhere you want to be able to go in the country, hand them this piece of paper and turn yourself in, and then get a hearing date set after that.

It may be shocking to everyone: Not many people are actually showing up at ICE offices and turning themselves in. They are just disappearing into the country by the hundreds of thousands, month after month.

In addition to that, if you come to our ports of entry and you are going to do an orderly entry, well, that has shifted, actually. Since earlier this year, this administration has started using a parole authority that is termed “humanitarian parole,” but they are using it in a way that no administration has ever used humanitarian parole in the history of the country. You see, earlier this year—actually, I should say “last year” now that it is January. Earlier last year, this administration announced to the world that if you will tell us ahead of time that you are coming, when you come to a port of entry,

we will give you a work permit when you arrive—that day. So 1,500 people a day come to their appointment at the port of entry, from all over the world. They show up. They are given a parole document called 212(d), and they are given a work permit that day and released into the country.

We just ask the question: How does that slow down immigration across the country? Because parole is actually not a status. Parole is actually listed in our law as a nonstatus. It is that you are actually here, but humanitarian parole was designed for a situation like what we had in Ukraine or it was designed for a situation where an individual has a funeral that they have to get to, but in their country, it takes too long to get a visa, and they couldn't get to the funeral, so they get humanitarian parole to be able to come in and get to that funeral. It is not designed to say "You all come." It is not designed to be "Anyone from anywhere in the world just show up, and I am going to hand you a work permit when you get here and release you into the country at 1,500 people a day."

Americans see this. This doesn't make sense to people. They just want to know what we are going to do to get order where there is chaos. They are not asking for a political solution; they are just asking for a solution.

This shouldn't be something that we don't address here. For 2½ months now, my colleague Senator MURPHY, my colleague Senator SINEMA, and a whole bunch of folks around the three of us—our other colleagues in this body and their staff—have worked together to try to get to a solution on how we can address this in a bipartisan way. This body requires bipartisan solutions. We have to have 60. So we have to work on hard issues.

I would tell you, the House of Representatives did a very good bill called H.R. 2 that addressed a lot of issues dealing with immigration, but unfortunately the House didn't have any Democrats on board. In fact, they didn't even have all the Republicans on board that particular bill.

They passed a very comprehensive set of solutions to be able to deal with border security. That is what they passed. This body has not passed anything to be able to respond. The House noticed a long time ago that this is something that needs to be addressed. This body has been allergic to working on how to be able to solve the border crisis.

So for the last 2½ months, we have met in a bipartisan way to hammer out how do we solve this because it can't be ignored. The worst-case scenario is for Americans to say, "Who is going to do something?" and for this body to say, "Not it." We have to come to some solutions.

Some of the issues are obvious. The vast majority of people coming in across the border will say, "I have fear in my country" because the cartels have told them, "If you say the magic

words, you will be released into the country because that puts you on a track for asylum," when actually what it does is it puts you into a 10-year backlog of claims that are out there. And people know, if I cross the border and just make a statement, I can be in the United States for the next 10 years.

It is the greatest country in the world. There are billions of people who would like to be able to be here. That is a pretty easy entry—to be able to just come across, say the secret word, and you are in. We have to be able to resolve that.

We as a nation should be able to filter through the people who are coming and to identify who actually qualifies for asylum and who is just wanting to come to be a part of the greatest Nation in the world. If you want to just come for economic reasons, there is a way to be able to do that, to go through the legal process.

We allow about a million people a year to legally naturalize into our country. We are one of the most generous countries in the world in our legal naturalization process. We should continue to be able to do that, as we have for decades and decades.

But for people who want to game the system, we are lawmakers. Why would we ignore people who are abusing the law? If we ignore the abuse of the law, what are we doing making law if it is not going to actually be enforced?

So let's get back to identifying those who actually qualify for asylum. And those who are just gaming the system—turn them back around and say: Go through the legal processes. Don't run through the desert. Don't swim across the river. Don't come to a border agent and lie to them.

Let's figure out a legal way to be able to address legal immigration and turn around illegal migration. We should be able to solve this issue. It is obvious to everybody. We should be able to bring immediate consequences when someone has actually violated our law.

Currently, if someone crosses the border, it may be 10 years before it is addressed. If we can't deal with immediate consequences—as I have heard over and over again from parents and from every individual, a delayed consequence is a nonconsequence. So if the consequence is delayed 10 years, that is not really a consequence, and everyone knows it. So we have to be able to have immediate consequences, and we have to have solutions to this issue about just paroling 1,500 random people from anywhere in the world.

If the standard to get into America is literally just fill out a form and tell them that you are coming first, and you are released into the country with a work permit in a nonstatus of parole, literally, that is an executive authority that could be taken away at any moment—literally. The next President comes in, they can waive every single parolee on the first day, and it would be entirely legal because parole is not

a status; it is just a release into the country.

If we can't figure out how to be able to solve that when the mayors of Chicago and of New York and of Denver are saying: Why is this administration releasing people into the country between ports of entry and this other parole process or an NTA with no work permit and just releasing them by the hundreds of thousands, why is this happening—if we can't answer that question, then we need to be able to sit down at the table until we do.

The Senate is where hard things get worked out. This is a hard thing. This is something that has not been resolved in more than 30 years. I understand we have differences of opinion. So does America—except in this one issue. They want this solved. America wants a resolution on this. So I encourage us, as a body, to keep negotiating, keep working at it. We are not going to solve everything; we never do. But we need to solve as much as we can because this is one of the biggest issues in the country. And I will tell you, this is one of our greatest threats.

In the past year in the flood of people crossing our border, tens of thousands of people who came across our border, this administration declared as a national security risk. The term they use is "special interest alien." Tens of thousands of people who crossed were given that designation, "special interest alien," and then released into the country.

We have no idea where they are. These were identified at the border as a national security risk. But because we are not managing our border and we are overrun with capacity, the option they have is releasing them.

For the sake of our Nation's national security and our future, let's actually go back to following the law. Let's actually create a process where when we pass law, we expect it to actually be enforced and to be done. We can do a hard thing. That is our job.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Madam President, before the Senator from Oklahoma leaves, I was wondering if he would yield for a question.

Mr. LANKFORD. Yes, I would.

Mr. TILLIS. Senator LANKFORD, you have done an extraordinary job of negotiating what I think is going to be a successful compromise that is going to get support from Republicans and Democrats. But as you were going through this work, in the years that you spent studying this issue as a ranking member and chair in a committee of jurisdiction, I have got to believe you have looked at, let's say, Canada, for example. There are a lot of people who think that Senator LANKFORD and those of us who are trying to support Senator LANKFORD are being draconian and being out of step with the Western World.

But, Senator LANKFORD, could you just briefly describe how what we are

trying do compares to, say, our partner to the north, Canada, their laws?

Mr. LANKFORD. I don't run into many people who call the Canadians extreme. Not a derogatory statement towards the Canadians, but they have a pretty consistent system on it. If you crossed from the United States into Canada and ask for asylum, they would first ask you: Did you cross through the United States of America before you came into Canada? And if your answer was yes, they would turn you around and immediately return you back to the United States and say you can't request asylum here in Canada if you haven't requested asylum in the places you have already traveled through. That is the law in Canada.

Mr. TILLIS. Madam President, may I ask one followup?

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Senator LANKFORD, isn't it true that tens of thousands of people who cross our borders today—and who may, ultimately, request asylum—have looked past an opportunity to safely relocate in the country they are seeking asylum from, likely transited to another country where they could have declared asylum, and, in some cases, passed through four or five or six different safe jurisdictions before they made the dangerous trip through Mexico, across the Rio Grande border, and present themselves at the border? Is that an accurate assessment of what hundreds of thousands of people have done during the Trump administration?

Mr. LANKFORD. Senator TILLIS, that is correct that during the past several administrations, we had millions of people who have actually crossed our border, have either never requested asylum—at the border, they declared they were going to ask for asylum but, literally, never did, never filled out the paperwork, never even tried because they knew they weren't eligible—or they travelled through multiple countries on the way, never requested asylum because they wanted to come to America, which I don't blame them. It is the greatest country in the world. But that is not what asylum is. "Asylum" means I have fear in my entire country. There is no safe place in my country, so I fled to the next safe place. That is what the international definition of "asylum" is.

Mr. TILLIS. I thank Senator LANKFORD through the Chair.

Madam President, I want to spend a few minutes on this subject as well.

We are reaching a milestone that I think is critically important. Since President Biden has entered office, the number of encounters at the border, 8 million—8 million—since President Biden entered office—that population exceeds the population of 30 U.S. States—the population of 30 individual U.S. States. That is the number we are talking about here.

And, ladies and gentlemen, a lot of them are the people who we just de-

scribed. Of course, the United States wants to be a haven for people who are fearing for their lives, suffering from oppression. But the goal of asylum is to get them immediately out of that dangerous situation—not to suddenly decide that I want to go through two or three or four other jurisdictions because what, ultimately, I want to do is get to the United States.

They are demeaning and devaluing the concept of asylum. And the problem is, they are getting those who want to come here—and we should take it as a compliment that they want to come to the United States—but they are elbowing out and sapping the capacity for the United States to make absolutely certain that people who have a legitimate case for asylum are even being heard. I wonder about how many thousands of people who desperately need to get to the United States—it is their only option—are not getting there because we are focused on this population.

Ladies and gentlemen, we have to do something. This is dangerous. You know, for a time, conservatives were really in the wilderness, being viewed as inhumane, insensitive, saying we have to have an orderly border process. I have been saying that. I am also somebody who thinks we should probably legally immigrate another 250,000 to a half million more than we do already. We immigrate about a million.

Let me tell you the other problem we have here that is inherently unfair. I already talked about people who legitimately should be given asylum—probably not, because we don't know who they are. We are dealing with a flood of 300,000 in the month of December alone. Of course, they are going to be collateral damage in the form of people who want asylum.

But now the American people are waking up to it. There was a time when it was purely a shirts and skins—blue jersey Democrat, red jersey Republican—argument. It is not the case anymore. The American people expect this administration to do something. And I am glad.

I am also glad we have JAMES LANKFORD at the tip of the spear negotiating on behalf of Republicans. He has negotiated—I am part of the working group; I have seen progress. He has negotiated something that I think is important.

We cannot miss this opportunity. The stakes are too high, and the American people agree. Nearly half of those who responded to this poll—which was an even distribution, ideologically speaking—nearly half of them think we have an emergency at the border. They are right. I have been there several times. They are right. People are dying.

Cartels are making nearly \$1 billion a year charging tolls to come across the border. If you try to cross the border without an armband or recognition you paid a cartel, you are likely going to die or you are going to get one more

chance before you get beaten up. That happens every day at the border, ladies and gentlemen. I am not exaggerating. I have been there. I have seen it. I have heard the stories.

Fortunately, now we have a majority of Americans that expect this administration to come to the table and negotiate in good faith with conservatives and people like me who have negotiated several bipartisan deals to solve this problem. If any Democrats are concerned with how far the negotiations are going, I don't think that they need to. This is not a political loser for people who are concerned with voting on a bipartisan compromise. In fact, it is politically smart.

At the end of the day, I hope political advisers and everybody that is up for election next year know: You know what, you don't even need political courage to do the right thing here, because the good policy of border security is also good politics for the overwhelming majority of people that need a vote for this bill.

We are going to have 30 or 40 people on this side—not 30 or 40—I think we will probably have 25 or 30 Members in this body that won't vote for it. Some will be because it didn't go too far; the others will be, it didn't go far enough; some of them are closer in cycle. It is very difficult to explain; I get that. But we need about 70 votes coming out of this Chamber to create a momentum to get it done in the House. I am going to be one of those 70 votes.

I also want the American people to not only wake up to the reality that people are abusing our system—they are taking our attention away from people we should desperately find a path to getting to the United States—and they are also jumping line. That is what I will leave with you. How angry do you all get—I love going to a good sporting event or a good comedy show. You get there early sometimes because you want to get a good seat if there is general admission. How angry do you get if you are standing in line for hours and, all of a sudden, somebody jumps in front of you? Well, imagine if you have been waiting years—more than a decade—to legally follow the process to be one of those million people a year that gets citizenship, when you see millions of them coming across the border every year breaking line. These people that are working hard, obeying our laws, respecting it, doing it by the book—they are breaking line, and it is actually elongating the time for them to get into this country. It is unfair at every level, and it is unsafe.

The only people who are loving the stalemate that we have in this Nation today are the cartels who are charging from \$5,000 to \$50,000 a person to get you across the border. Not everybody has \$5,000, though. So you know what they do? They say, well, you don't have to pay. But once you get across the border, you are going to participate in criminal enterprises until we think

your debt is done. That is not an exaggeration either. Talk to law enforcement. Talk to people in these communities. These cartels are like a cancer metastasizing through illegally present communities, exploiting them, and causing some people who may not have had a criminal record in the country of their origin to become criminals here.

There are a million different reasons why we need to get this border compromise done. I hope this Congress is the Congress where people set aside politics, do the right thing, make this country safer, and show respect for people trying to come to this country legally by making sure that their place in line is reserved.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Louisiana.

S.J. RES. 32

Mr. KENNEDY. Two minutes, two points, Madam President.

No. 1, imagine if you are a typical Louisiana middle-class family. Mom is making, let's say, \$40,000 a year; Dad is making \$40,000 a year. They have two children. You have a house note. You have a car note—probably two car notes because both Mom and Dad have to get to work. You have to pay for health insurance. You have to eat. You try to save a little bit for retirement, and you try to save for your children's college education. But, basically, you are living on \$80,000 a year for a family of four.

All of a sudden, prices start rising, as they have. Since President Biden has been President, we have experienced 17-percent inflation. That is how much prices have gone up on average. What does that mean? We cite that number a lot. By the way, I know inflation is coming down and that is a very good thing and I am glad. I hope it stays down. But all that means is that prices are rising less quickly. It doesn't mean prices are dropping.

These high prices caused by the President's inflation are going to be permanent. They are. I wish I didn't have to report that. And as a result of Bidenomics and inflation, in my State, the average family making \$80,000 a year is going to have to pay an extra \$800 a month because of inflation. That is an extra \$10,000 a year. You are on a fixed income of \$80,000 and you have to find an extra \$10,000.

That is happening right now to millions of Louisianians and millions of Americans. What are you going to do? Well, the first thing you are going to do is ask for a pay raise from your employer. And some of our employers have granted pay raises; and I thank them for that. But it is not how much of a pay raise you have been given that is relevant. What is relevant is how much of a pay raise you have been given vis-a-vis the inflation rate. That is why, when we look at wages, we talk about real wages. That is the amount that wages have gone up after accounting for inflation.

Well, here is what they look like. Since President Biden has been Presi-

dent, this chart represents wages after inflation. We started up here. We are down here. They have been a little bit better lately. So most Americans who have gotten a pay raise after inflation, it doesn't count. It doesn't count. Pay raise doesn't work. It is great to have, but inflation eats it up and then some.

Well, OK. That family still has to find \$10,000. What do you do? You are going to borrow the money. And that is what is happening. Credit card debt—buy now, pay later—and other types of loans. Don't just take my word for it. On the last numbers we have in the third quarter of this year, credit card spending was up 9 percent at Chase Bank. It was up 15 percent at Wells Fargo. It is not just putting more money on the card that is relevant; it is also paying down the amount on the card.

People are not only borrowing more on this credit card, but they are not able to pay the amount on their credit card off as quickly as they were. Unpaid loan balances have gone through the roof—16 percent at Chase Bank, up 14 percent at Wells Fargo, up 11 percent at Citigroup. People are using credit cards. They are charging more and more, and they are paying less and less on those credit cards. And they are getting deeper and deeper into the hole.

What else are people doing in my State and every other State? They are raiding their savings. If you look at the numbers, personal deposits are down 3 percent year over year at Chase Bank. What does that mean? That means people are raiding their savings accounts to deal with this inflation. Personal deposits are down 5 percent at Citigroup. Personal deposits are down 10 percent at Wells Fargo and 31 percent—31 percent—in the wealth management division of Wells Fargo.

My point, Madam President, is that these actions that are taken in Washington, DC, have real-life consequences for average, everyday American families on fixed incomes.

As a result of this inflation, which is coming down—but the high prices are permanent—people are having to borrow and people are having to raid their savings. And it is clearly a cancer on the American journey.

Point 2, Madam President. A month or so ago, the Congress passed a resolution. It passed here in the Senate—for us, overwhelmingly—53 to 43. We passed that resolution on the Congressional Review Act. What did we do? Well, the Consumer Financial Protection Bureau—we call it the CFPB—it is where common sense is illegal. Common sense, I think—I know—is illegal at the CFPB. CFPB comes up with these nuggets every week.

If you ever want to understand why the American people hate the Federal Government, just look at the output of the CFPB. I mean it. Common sense is illegal there. One of their last nuggets, they put out a resolution. The title of it was called "Small Business Lending Under the Equal Credit Opportunity

Act, Resolution B." And the Senate said no to this resolution. We said, no, can't do it, 53 to 43. And the House followed it by saying no to the CFPB, 221 to 202.

I am very proud of the Senate. Thank you, colleagues. I am very proud of the House. Unfortunately, President Biden has vetoed it. If I didn't know better, I would think that the President is auditioning to become the President of an Ivy League university, because let me tell you what this resolution will do unless we override the President's veto. Once again, you are a small business woman or small business man. You need a loan. Maybe you need a loan to grow your business; maybe you need a loan to sustain your business.

You go to your community bank. You say, I need to borrow some money. You submit your financials. The bank does its job. It does accurate underwriting, but before the bank can make a decision under this new CFPB rule, where common sense is illegal, the small banker has got to turn to that applicant and say: Look, I have to ask you a bunch of questions. I don't want to, but CFPB says I have to before I can grant your loan, so please bear with me.

Now, the small business woman or small business man is sitting there, things have been going pretty well. That small business person is feeling warm and toasty, thinking, I am going to get my loan, and I am going to be able to keep my business going and keep my people employed. But all it sounds like to me, there is a hitch here because my banker is being very apologetic, and I can tell he is upset about this, but I am going to try to help him and comply.

So the small banker says: OK. Let's get going. I have got to ask you 81 questions.

And the banker from the small bank starts with this small business person. First question: Are you female? Next: Are you male? Are you Black? Are you White? Are you mixed race? Are you another race? Are you Hispanic? Are you a homosexual? Are you a lesbian? Are you gay?

Now, remember, this is probably a small town in a community bank with a small business woman and a small business man applying for a loan. And the CFPB, our Federal Government, is telling the small banker, You have got to ask these questions.

The questions continue. The small banker looks the small business woman in the eye and says: Are you bisexual? Are you transgender? Are you queer? Are you intersex? And on and on and on.

Now, that small business woman—it could be a small business man—is going to have a couple of reactions. First, she is going to be thinking, What in God's name has happened to my country? What in God's name has happened to the Federal Government?

And the second emotion she is probably going to feel is anger. What business is it of the CFPB—what business

does the CFPB have in knowing what I do in my bedroom? It is none of its business. But the other notion that small business woman is probably going to have is fear because she needs this loan and, if she looks that small banker in the eye and says, It is none of your business whether I am gay or straight. It is none of your business what I do in the privacy of my bedroom with a consenting adult. It is none of the government's business, that small business woman is going to be thinking, Man, if I do that, he could deny my loan.

It is not the fault of the small banker; it is the fault of us in Washington, DC. It is the fault of Joe Biden because he has vetoed this resolution. He is saying to the world: It is OK for small banks in America to be required—be required—to turn to a small business woman applying for a loan and say: Are you a lesbian? Are you gay? Are you bisexual? Are you transgender?

And after they answer or don't answer, all of that information is sent to a Federal Agency, the CFPB, which has a data breach about every other Thursday. This is insanity.

And today, in about 10 minutes, I am going to ask this body to override President Biden's veto. If you believe in fairness, if you believe in privacy, if you believe in the freedom of the American people, if you have taken your meds today, if you have any semblance of common sense left, you will see that this proposal by President Biden is like a rock, only dumber.

I can't think of a better example why the American people have come to hate the Federal Government, and I can't think of a better example to explain to people why President Biden's poll numbers are on a journey to the center of the earth. It is stuff like this.

NOMINATION OF S. KATO CREWS

Mr. DURBIN. Madam President, today, the Senate will vote to confirm Kato Crews to the U.S. District Court for the District of Colorado.

Born in Pueblo, CO, Judge Crews received his B.A. from the University of Northern Colorado and his J.D. from the University of Arizona James E. Rogers College of Law. After working for the National Labor Relations Board in Denver, Judge Crews entered private practice in Colorado. During his career as a civil litigator, he tried 18 cases to verdict, including 6 jury trials.

In 2018, the district judges of the District of Colorado unanimously voted to appoint Judge Crews as a magistrate judge. In his 5 years on the Federal bench, he has handled a wide variety of both civil and criminal matters. He has presided over six trials and issued more than 1,700 recommendations and orders. Judge Crews has also been deeply involved in his community, serving as a mentor to young lawyers and helping establish a program to assist pro se litigants in the District of Colorado.

The American Bar Association unanimously rated Judge Crews as "well qualified" to serve on the District of

Colorado. He enjoys the support of the Colorado legal community and both of his home State Senators, Mr. BENNET and Mr. HICKENLOOPER.

Judge Crews' deep ties to the Centennial State, his significant litigation background, and his courtroom experience as both an advocate and magistrate judge ensure that he will continue to be an asset to the district court.

I strongly support his nomination, and I urge my colleagues to join me.

Mr. KENNEDY. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I would ask consent that the rollcall vote that is scheduled to start at 2:30 start immediately.

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

VOTE ON CREWS NOMINATION

The question is, Will the Senate advise and consent to the Crews nomination?

Mr. CARDIN. 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. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL) is necessarily absent.

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 4 Ex.]

YEAS—51

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Butler	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Fetterman	Murray	Welch
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

NAYS—48

Barrasso	Graham	Ricketts
Blackburn	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rounds
Britt	Hoeben	Rubio
Budd	Hyde-Smith	Schmitt
Capito	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Cornyn	Lankford	Sinema
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Paul	Young

NOT VOTING—1

Cantwell

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE BUREAU OF CONSUMER FINANCIAL PROTECTION RELATING TO "SMALL BUSINESS LENDING UNDER THE EQUAL CREDIT OPPORTUNITY ACT (REGULATION B)"—VETO

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and proceed to the consideration of the veto message with respect to S.J. Res. 32, which the clerk will report.

The senior assistant legislative clerk read as follows:

Veto message, a joint resolution (S.J. Res. 32) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to "Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)".

VOTE ON VETO MESSAGE

The PRESIDING OFFICER. Under the previous order, the question is, Shall the joint resolution (S.J. Res. 32) pass, the objections of the President of the United States to the contrary notwithstanding?

The yeas and nays are required under the Constitution.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL) is necessarily absent.

The yeas and nays resulted—yeas 54, nays 45, as follows:

[Rollcall Vote No. 5 Leg.]

YEAS—54

Barrasso	Grassley	Paul
Blackburn	Hagerty	Ricketts
Boozman	Hawley	Risch
Braun	Hickenlooper	Romney
Britt	Hoeben	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	King	Scott (SC)
Cornyn	Lankford	Sinema
Cotton	Lee	Sullivan
Cramer	Lummis	Tester
Crapo	Manchin	Thune
Cruz	Marshall	Tillis
Daines	McConnell	Tuberville
Ernst	Moran	Vance
Fischer	Mullin	Wicker
Graham	Murkowski	Young

NAYS—45

Baldwin	Butler	Cortez Masto
Bennet	Cardin	Duckworth
Blumenthal	Carper	Durbin
Booker	Casey	Fetterman
Brown	Coons	Gillibrand

Hassan	Murphy	Shaheen
Heinrich	Murray	Smith
Hirono	Ossoff	Stabenow
Kaine	Padilla	Van Hollen
Kelly	Peters	Warner
Klobuchar	Reed	Warnock
Luján	Rosen	Warren
Markey	Sanders	Welch
Menendez	Schatz	Whitehouse
Merkley	Schumer	Wyden

NOT VOTING—1  
Cantwell

The PRESIDING OFFICER (Ms. BUTLER). On this vote, the yeas are 54, the nays are 45.

Two-thirds of the Senators being duly chosen and sworn, a quorum being present, not having voted in the affirmative, the joint resolution on reconsideration fails to pass over the veto of the President of the United States.

EXECUTIVE CALENDAR

EXECUTIVE SESSION

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

The senior assistant legislative clerk read the nomination of Erika L. McEntarfer, of the District of Columbia, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years.

The PRESIDING OFFICER. The Senator from Vermont.

ISRAEL

Mr. SANDERS. Madam President, I would like to say a few words on the resolution I have introduced under section 502B of the Foreign Assistance Act, which I intend to bring to the floor next week. This resolution is privileged. We will have a floor debate on it, and there will be a vote.

There is some confusion, I think, regarding what this resolution does, and I want to say a few words about that.

Very sensibly, the Foreign Assistance Act requires that when the United States provides security assistance or arms to any country in the world, that assistance must be used in line with internationally recognized human rights. The act prohibits assistance to any government that engages in a consistent pattern of violation of human rights.

That is the law of the United States of America.

This act also provides Congress with several oversight tools to make sure that this law is, in fact, followed, and one of these tools is section 502B(c), which allows Congress to direct the State Department to provide a report on any country receiving U.S. security assistance and that government's observance or lack of observance of international human rights. That is what the law is about; and that is, in fact, exactly what this resolution does.

In line with existing law, it directs the State Department to provide any credible information it may have on

potential violations of internationally recognized human rights by Israel in its military campaign in Gaza.

It focuses in particular on the denial of the right to life, a human right enshrined in U.S. and international law caused by indiscriminate or disproportionate military operations, as well as by the denial of basic humanitarian needs and access.

It also asks for additional information on steps the United States has taken to limit civilian risk in this war; a certification that the Leahy laws are being fully applied; and a summary of the arms and munitions provided to Israel since October 7, when the war began. In essence, we will be voting on a very simple question. This is not a complicated question.

The question is: Do you support, as a Member of the Senate, asking the State Department whether human rights violations may have occurred using U.S. equipment or assistance in this war? That is what the resolution does—nothing more, nothing less.

This resolution is not prescriptive. It does not alter aid to Israel in any way. It does not cut one penny of aid. It simply requests that the State Department report on how U.S. aid is being used. The State Department then has 30 days to provide a report responding to the request.

To my mind, this is not a controversial resolution. Every one of us should want to know whether our U.S. military aid is being used in violation of international law or not. No matter what your view on the war may be, it is a simple question. And I hope that we can get widespread support for the resolution.

Now, let me say a word about why, in my view, this resolution is, in fact, necessary. It is no great secret that the United States has long been very supportive of Israel, providing billions of dollars a year in military aid, year after year after year. We have also provided a massive influx of arms and munitions since October 7, the day of Hamas's disgusting terrorist attack against Israel.

The Israeli military has made extensive use of these U.S. weapons in its campaign, including the widespread use of 2,000-pound bombs, 1,000-pound bombs, and 155-mm artillery.

On December 1, the Wall Street Journal reported that the U.S. has provided at least 15,000 bombs and 57,000 artillery shells to Israel since October 7, including more than 5,400 huge 2,000-pound bombs that can flatten entire neighborhoods. The Washington Post reported that in just 6 weeks after October 7, Israel dropped more than 22,000 American-supplied bombs on Gaza. CNN reported that 40 to 45 percent of the bombs used in Gaza have been unguided or what is called dumb bombs.

Let me be very clear. This aggressive military campaign has led to massive destruction and widespread civilian harm. There is extensive evidence

showing that this military campaign since October 7 in Gaza has been, far and away, the most intensive bombing campaign of the 21st century.

Independent human rights monitors and the press have extensively documented the use of U.S. arms in strikes leading to large numbers of civilian deaths and injuries.

The Israeli military campaign is not just something that concerns me or millions of Americans. It is also something that has been troubling to the entire international community. The U.N. General Assembly and U.N. Security Council have voted repeatedly and overwhelmingly to try to secure humanitarian access to stop the bombardments and to enact the humanitarian cease-fire. Unfortunately, our government has voted against or vetoed most of those efforts.

We all know that Hamas started this war with its brutal terrorist attack on October 7, an attack which resulted in the deaths of 1,200 innocent people, injuries of more, and the taking of over 200 hostages.

In my view, there is absolutely no question that Israel has the right to defend itself and respond against the perpetrators of that horrific attack; but while it is clear that Israel has the right to go to war against Hamas, in my view, it does not have the right to go to war against the entire Palestinian people, including many hundreds of thousands of innocent men, women, and children in Gaza.

Israel has relied on widespread bombardment, including with massive explosive ordinance in densely populated urban areas. This bombardment and the severe humanitarian restrictions have led to a catastrophe that veteran aid workers say goes beyond anything they have ever seen before.

And let me say a word. Let me be very clear about what the devastating humanitarian crisis in Gaza looks like right now, today. Up to now, some 23,000 Palestinians have been killed—70 percent of whom are women and children.

Let me repeat: Some 23,000 Palestinians—remember, we are talking about a population of a little over 2 million people. Some 23,000 Palestinians have been killed, 70 percent of whom are women and children.

More than 58,000 people have been wounded; 146 United Nations workers have been killed—more U.N. workers killed than in any previous war ever.

In Gaza—and this, again, is just unspeakable. In Gaza, 1.9 million people have been displaced by the bombing. They have been thrown out of their homes. And that is more than 85 percent of the population.

Can you imagine a population of some 2.2 million people and 85 percent of those people have been forced out of their homes? And many of those people today are homeless. And some 1.4 million of them are crowded into U.N. facilities which were never, ever, ever intended to be housing the kinds of populations that they are forced to house

today. And, today, tens of thousands of Palestinians are sleeping out in the cold as winter sets in.

What is also quite unbelievable is that over 70 percent of the housing units in Gaza have now been damaged or destroyed.

Let me repeat that. It is really quite unbelievable. It is a war that has gone on for 3 months—only 3 months—and 70 percent of the housing units in Gaza have been damaged or destroyed.

Unbelievably, according to a study by Professor Robert Pape of the University of Chicago, what that statistic of 70 percent destruction in housing means is that what is going on in Gaza after 3 months of war has surpassed the destruction that took place in Dresden during World War II.

I think when any person in America who knows anything about history or anybody around the world thinks about the city of Dresden, what comes to mind is the horrific bombardments that took place by U.S. and British Air Force and the destruction in the city. Those attacks during World War II took place over 2 years. The destruction in Gaza after 3 months, in terms of housing, is worse than what took place in Dresden over 2 years.

Now let me say a word about another horrific reality that is taking place in Gaza. So, above and beyond the death and destruction caused by bombs and the Israeli military campaign, what we are now looking at is the reality that Israel has made it extremely difficult from the very start of this war for food, water, medical supplies, and fuel to get into Gaza. This is no great secret. I think everybody knows it. The result of it is that, right now as we speak, starvation and hunger are a reality for the women, the children, and the men in Gaza—starvation.

The United Nations reports that more than 90 percent of the population there faces “acute food insecurity” and that virtually every household is skipping meals many days. Gaza is at risk of widespread famine in the coming weeks and months. Hundreds of thousands of children go to sleep hungry every night, and desperate Gazans—I think we have pictures of this—are mobbing the few U.N. relief trucks that can reach beyond the border crossing. These are hungry people who see a truck full of food, and they are attacking that truck and eating the food as quickly as they can.

Gaza’s healthcare system has collapsed, with little electricity, water, medicine, or fuel. Only 11 of Gaza’s 36 hospitals are able to function at all, and those that remain open can barely care for the patients who go to them.

The lack of sanitation and the destruction of the infrastructure there is leading to disease. In overcrowded U.N. facilities, thousands of people must share a single shower, and more than 220 people have to share a toilet. That is just a small piece of the horrible reality that is taking place in Gaza right now.

Now, some people may say: Well, you know, war is terrible, and this is war, and there is always collateral damage in war. But this is not just another war; this is wholesale destruction in an almost unprecedented manner. It is clear to me that the Netanyahu right-wing, extremist government in Israel is now waging this war in a deeply reckless and immoral way.

In other words, we all know that war is horrible and that we have to do a lot better than we are doing right now in trying to eliminate war on this planet. In war, there is always collateral damage, but something more is going on here right now.

I would mention to the Presiding Officer that many senior figures in the Netanyahu government have said things that only deepen the profound concern we should all feel about what is going on in Gaza today.

Several of these government officials have talked openly about reestablishing Israeli settlements in Gaza.

The current Intelligence Minister, among other senior officials, openly talks of permanently displacing Palestinians from Gaza.

The Defense Minister declared a “total siege” at the start of the war.

The Heritage Minister posted a picture of the devastation, saying Gaza was “more beautiful than ever, bombing and flattening everything.” All that destruction makes Gaza more beautiful than ever.

Another Israeli lawmaker said:

The Gaza Strip should be flattened, and there should be one sentence for everyone there—death. We have to wipe the Gaza Strip off the map. There are no innocents there.

I could go on and on with other terrible quotes from leading officials in the rightwing government of Netanyahu.

Given all of this—given the scale of the destruction, the unprecedented level of destruction, and the extent of use of U.S. arms in this campaign, including thousands of massive, 2,000-pound bombs—Congress must act to conduct real oversight. That is what the law is about, and that is why I hope we are going to have widespread support for the 502B resolution I will be offering next week.

The United States, whether we like it or not, is deeply complicit in what is going on in Gaza right now. Those are our weapons that are killing women and children in huge numbers, that are destroying homes in huge numbers, that are causing massive levels of injury, that are resulting in the hunger and the lack of medical care the people of Gaza are now experiencing.

I have supported Israel for many years, and many of my colleagues have as well. I don’t think there is any debate in Congress that Israel has a right to live in peace and security—something that has not always been the case. They have been subjected time and again to horrific terrorist attacks. They have the right to live in peace and security, but I do not believe we

are doing Israel any favors by ignoring what their policies are doing right now. Friends have to be prepared to tell friends the truth, and if Israel is a friend of ours, as it is, we have to tell them the truth. The truth is that, all over the world, people are outraged by Netanyahu’s campaigns and destruction against the Palestinian people in Gaza.

The Biden administration has urged Israel to change its tactics and to be more targeted in its military operations and to protect civilians. We have heard the President say this over and over again. We have heard Secretary Blinken say this over and over again. But the Netanyahu government clearly has not listened, and they have continued their very destructive war in violation of international law. Their war is in violation of international law. In my view, that approach is simply unacceptable and is not something we should be supportive of. In my view, the United States must end our complicity in what is going on in Gaza right now.

What this resolution is about, again, is not cutting one nickel of aid to Israel. That is not what this resolution does. And you don’t have to agree with me in terms of what I perceive is going on in Israel today. You can disagree with me completely. All this resolution does is ask for more information from the State Department, which allows us to determine whether or not Israel is violating international law. This is information Congress should have. Whatever your views on the war may be, this resolution should be something you can support. We are asking the State Department for information. That is what we are doing. That is all this resolution does.

If you believe that the military campaign in Gaza by Israel has been indiscriminate, as I do, then we have the responsibility to ask that question. If you believe that Israel has done nothing wrong, that what they are doing is consistent with international law, which is what the Israeli Government says, then the information coming from the State Department should buttress your belief.

So let me conclude by saying that we are not all likely to agree on the Israeli-Palestinian situation anytime soon, and we will have more chances to debate these issues if and when we consider a foreign aid supplemental bill, but asking for more information as to how American arms and security assistance are being used, particularly amid the level of death and destruction we are seeing in Gaza right now, should not be controversial. In fact, it is exactly what our job is.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The majority leader.

CLOTURE MOTION WITHDRAWN

Mr. SCHUMER. Madam President, I ask unanimous consent that the cloture motion with respect to the Mehalchick nomination be withdrawn.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session and 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.

VOTE EXPLANATION

Mr. WARNER. Madam President, I was unavoidably absent on Tuesday, January 9, 2024, for rollcall vote No. 2. Had I been present, I would have voted yea on confirmation for John A. Kazen, of Texas, to be U.S. District Judge for the Southern District of Texas, rollcall vote No. 2; PN1020.

ARMS SALES NOTIFICATION

Mr. CARDIN. Madam 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 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. BENJAMIN L. CARDIN,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23-91, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense services estimated to cost \$250 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

MIKE MILLER,  
James A. Hursch, (for Director).

Enclosures.

TRANSMITTAL NO. 23-91

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

- (ii) Total Estimated Value:  
Major Defense Equipment A\* \$0  
Other \$250 million.  
Total \$250 million.
- (iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The Government of Australia has requested to buy services to support the Tomahawk Weapon System, including the below non-Major Defense Equipment (MDE):  
Major Defense Equipment: None.  
Non-MDE: General Tomahawk Weapons System support services; logistics support management; material support; engineering technical support; management of technical data; and other related elements of logistics and program support.
- (iv) Military Department: Navy (AT-PFBK).
- (v) Prior Related Cases, if any: (AT-P-LGJ).
- (vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known.
- (vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.
- (viii) Date Report Delivered to Congress: January 10, 2024.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia—General Tomahawk Weapons System Support Services Uplift

The Government of Australia has requested to buy services to support the Tomahawk Weapon System, including general weapons support services; logistics support management; material support; engineering technical support; management of technical data; and other related elements of logistics and program support. The estimated total cost is \$250 million.

This proposed sale will support the foreign policy and national security objectives of the United States. Australia is one of our most important allies. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the Western Pacific. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

The proposed sale will allow Australia to better utilize the Tomahawk Weapon System it is procuring and ensure appropriate weapon pairing is evaluated to identify defined targets more precisely. It will also assist and contribute to Australia's joint maritime weapon technology development, analysis, and implementation; support multiple lines of effort to enhance interoperability and interchangeability with the United States; and uplift joint warfighting operational effects.

The proposed sale of this support will not alter the basic military balance in the region.

The principal contractor(s) will be determined as the Government of Australia identifies its specific annual and quarterly requirements for weapons uplift support. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

ARMS SALES NOTIFICATION

Mr. CARDIN. Madam 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 available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such 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. BENJAMIN L. CARDIN,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 22-54, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Egypt for defense articles and services estimated to cost \$200 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCH,  
Director.

Enclosures.

TRANSMITTAL NO. 22-54

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Egypt.

- (ii) Total Estimated Value:  
Major Defense Equipment\* \$0 million.  
Other \$200 million.  
Total \$200 million.

Funding Source: Foreign Military Financing (FMF).

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: Foreign Military Sales case EG-B-VIT was below congressional notification threshold at \$41.9 million for non-Major Defense Equipment (MDE) light tactical vehicle chassis and fleet build. The Government of Egypt requested that the case be amended to include additional chassis and non-MDE items and services. This case amendment will increase the total case value above the non-MDE notification threshold, and thus notification of the entire case is required.

Major Defense Equipment: None.

Non-MDE: Included are 4-Man REV1-B Rolling Chassis with 190 horsepower (HP) diesel engines upgraded to 205HP Turbo-charged engines; training for chassis assembly process, operations, and maintenance; spare and repair parts; testing equipment; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support.

(iv) Military Department: Army (EG-B-VIT).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: January 10, 2024.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Egypt—Light Tactical Vehicle Chassis and Fleet Build

The Government of Egypt has requested to buy additional light tactical vehicle chassis and fleet build that will be added to a previously implemented case. The original Foreign Military Sales case, valued at \$41.9 million, included 4-Man REV1-B Rolling Chassis with 190 horsepower (HP) diesel engines upgraded to 205HP turbo-charged engines; training for chassis assembly process, operations, and maintenance; spare and repair parts; testing equipment; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistical and program support. The estimated total cost is \$200 million.

This proposed sale will support U.S. foreign policy and national security objectives by helping to improve the security of a Major Non-NATO Ally that continues to be an important force for political stability and economic growth in the Middle East.

The proposed sale will contribute to the modernization of Egypt's Light Tactical Vehicle fleet, enhancing its ability to meet current and future threats. These chassis will contribute to Egypt's goal of updating its military capability while further enhancing interoperability with the United States and other allies. Egypt will have no difficulty absorbing this equipment and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be AM General, LLC, of Mishawaka, IN. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of up to five (5) additional U.S. Government and three (3) contractor representatives to Egypt for a duration of five (5) years to support fielding and training for the program.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 22-54

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The High Mobility Multipurpose Wheeled Vehicle 13-Series 4-Man REV1-B Rolling Chassis will support the assembly production of the Egyptian vehicle (TEMSAH 3) to increase the capabilities of the Light Tactical Vehicle fleet.

2. The highest level of classification of defense articles, components, and services included in this potential sale is UNCLASSIFIED.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Government of Egypt can provide substantially the same degree of protection for the

sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Egypt.

ARMS SALES NOTIFICATION

Mr. CARDIN. Madam 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 available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such 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. BENJAMIN L. CARDIN,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 22-58, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Egypt for defense articles and services estimated to cost \$129 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCHE,  
Director.

Enclosures.

TRANSMITTAL NO. 22-58

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Egypt.

(ii) Total Estimated Value:

Major Defense Equipment \* \$0 million.

Other \$129 million.

Total \$129 million.

Funding Source: Foreign Military Financing (FMF).

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: Foreign Military Sales case EG-P-LFY was below congressional notification threshold at \$49 million for non-Major Defense Equipment (MDE) 28-meter patrol craft production kits. The Government of Egypt requested that the case be amended to include additional 28-meter patrol craft production kits. This case amendment will increase the total case value above the non-MDE notification threshold, and thus notification of the entire case is required.

Major Defense Equipment: None.

Non-MDE: Included are 28-meter patrol craft production kits consisting of Rigid Hull Inflatable Boats, forward-looking infrared systems, and computer packages; technical and logistics support services; transportation; spare parts, materials, equipment, and components; and other related elements of logistical and program support.

(iv) Military Department: Navy (EG-P-LFY).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: January 10, 2024.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Egypt—28-Meter Patrol Craft Kits

The Government of Egypt has requested to buy additional non-Major Defense Equipment (MDE) 28-meter patrol craft production kits and technical support. The kits consist of Rigid Hull Inflatable Boats, forward-looking infrared systems, and computer packages; technical and logistics support services; transportation; spare parts, materials, equipment, and components; and other related elements of logistical and program support. The estimated total cost is \$129 million.

This proposed sale will support U.S. foreign policy and national security objectives by helping to improve the security of a Major Non-NATO Ally that continues to be an important force for political stability and economic growth in the Middle East.

The proposed sale will improve Egypt's capacity to sustain security operations and strengthen its internal and external defense capabilities. The proposed sale will assist the Government of Egypt's maritime patrol and interdiction efforts to contribute to regional maritime security efforts in the Mediterranean and Red Sea. Egypt will have no difficulty absorbing this equipment and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Swiftships, of Morgan City, LA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require multiple trips to Egypt involving one (1) U.S. Government representative and three (3) contractor representatives for approximately three (3) years for program management, program and technical reviews, training, maintenance support, and site surveys.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 22-58

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The 28-meter patrol craft production kits consist of Rigid Inflatable Boats, materials, equipment, and components for 28-meter patrol craft. Technical support is also included.

2. The highest level of classification of defense articles, components, and services included in this potential sale is UNCLASSIFIED.

3. If a technologically advanced adversary were to obtain knowledge of the hardware

and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Government of Egypt can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Egypt.

#### REMEMBERING HERB KOHL

Mr. REED. Madam President, I rise today to pay tribute to an outstanding public servant, my former colleague and friend Senator Herb Kohl who passed away on December 27, 2023. Over his 88 years, Herb rightfully earned a reputation as a civic-minded champion, whether it was in his many business ventures, his ownership of the Milwaukee Bucks, or his four terms representing his home State of Wisconsin.

Herb was the son of immigrants who came to America from Poland and Russia and joined in our Nation's entrepreneurial tradition by opening their own business: a small grocery store. Along with his parents and siblings, he helped grow this one store into a successful regional chain. Even with the enormous success of the business, Herb never forgot where he came from. Reflecting on his parents later in his life, he said that "[t]hey came with zero . . . None of us [children] ever thought we could get by on anything less than a full effort in life."

Herb remained deeply and personally involved in the business. He would visit dozens of Kohl's stores each week and would personally interview every full-time employee from the top on down. Herb knew that by focusing on his workers, by making sure they were secure in their jobs and able to thrive, that his business would flourish. One of Herb's closest friends once said of him, as noted by the University of Wisconsin's alumni magazine, "With any store we walked into, he knew every employee by their first name, and he knew all their families . . . You could tell his whole heart and soul was into it."

In 1985, when the Milwaukee Bucks were on the verge of being sold off and moved to another city, Herb stepped forward and bought the team with the promise to Bucks fans that the team would never leave. He stayed true to his word, even when it came time to sell the franchise three decades later, putting up \$100 million of his own money to help build a new arena to serve as the team's home.

That kind of generosity and commitment to the community made Herb a truly beloved figure in Wisconsin. Four times, voters there turned out to send him to the U.S. Senate, each time by wider margins. Just as with his busi-

ness, Herb put his whole heart and soul into serving the people of the State. He championed gun safety legislation and nutrition programs for children. He worked to support the State's agriculture industry, and his office became known as the gold standard for constituent service which, given his history, was no surprise. He was the embodiment of his campaign slogan, "Nobody's Senator but Yours."

I would like to extend my heartfelt condolences to Herb's family and to all those who loved him in Wisconsin. Through his work, we know that his impact will continue to be felt, and his humility and dedication will serve as an inspiration to public servants for years to come.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING THE 2023 ARKANSAS LAW ENFORCEMENT OFFICERS OF THE YEAR

• Mr. BOOZMAN. Madam President, I rise today to pay tribute to Arkansas State Police troopers Special Agent Matt Foster and Senior Corporal David Smothers, the 2023 State Law Enforcement Officers of the Year.

The Arkansas Officer of the Year Award honors members of law enforcement who exemplify bravery, service, and commitment. The recognition is bestowed upon officers who go above and beyond the call of duty. Special Agent Foster and Senior Corporal Smothers earned this distinction by saving a victim of human trafficking and apprehending the trafficker. Smothers was conducting a traffic stop on I-40 when, after recognizing the smell of marijuana, he initiated a search of the vehicle and found illegal drugs and weapons. Additional items discovered during the search led him to believe a woman in the car was the victim of human trafficking.

He contacted Special Agent Matt Foster, who is trained in recognizing and identifying victims of human trafficking. In an interview with the passenger, she confirmed to him how she had been trafficked for several months. Thankfully, Foster facilitated her rescue from this dangerous situation and helped place her in a recovery program specializing in assisting victims of human trafficking and drug use.

On behalf of all Arkansans, I thank Senior Corporal David Smothers and Special Agent Matt Foster for making sacrifices to keep us safe, saving the life of an innocent victim, and bringing offenders to justice. I applaud their courageous actions, compassion, and the use of their skills to enforce the law and protect the vulnerable.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Kelly, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 1:45 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has agreed to H. Res. 949, resolving that the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3179. A communication from the Chair, National Endowment for the Humanities, transmitting, pursuant to law, the Endowment's Performance and Accountability Report for fiscal year 2023 received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC-3180. A communication from the Inspector General of the Intelligence Community, transmitting, pursuant to law, a report entitled "Joint Report on the Implementation of the Cybersecurity Sharing Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3181. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3182. A communication from the Treasurer of the National Gallery of Art, transmitting, pursuant to law, the Gallery's Inspector General Report for fiscal year 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3183. A communication from the Chair of the U.S. Nuclear Waste Technical Review Board, transmitting, pursuant to law, the Board's Agency Financial Report for fiscal year 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3184. A communication from the Acting Secretary of Labor, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2023 through September 30, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3185. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education's Semiannual Report of the Inspector General for the period from April 1, 2023 through September 30, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3186. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, the Semiannual Reports from the Treasury Inspector General and the

Treasury Inspector General for Tax Administration for the period from April 1, 2023, through September 30, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3187. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and a Management Report for the period from April 1, 2023 through September 30, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3188. A communication from the General Counsel, Office of Special Counsel, transmitting, pursuant to law, a report relative to the vacancy in the position of Special Counsel, received during adjournment of the Senate in the Office of the President of the Senate on December 8, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3189. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25-322, "Grounds for Divorce, Legal Separation, and Annulment Amendment Act of 2023"; to the Committee on Homeland Security and Governmental Affairs.

EC-3190. A communication from the Director, Office of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, a report relative to notifying Congress that the Commission did not complete or initiate competitive sourcing for conversion in fiscal year 2023, nor do they plan to do so in fiscal year 2024; to the Committee on Rules and Administration.

EC-3191. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Candidate Salaries" (Notice 2023-19); to the Committee on Rules and Administration.

EC-3192. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Technological Modernization" (Notice 2023-20); to the Committee on Rules and Administration.

EC-3193. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "The Attorney General's Fourth Quarterly Report of Fiscal Year 2023 on the Uniformed Services Employment and Reemployment Rights Act of 1994"; to the Committee on Veterans' Affairs.

EC-3194. A communication from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Payments Under State Home Care Agreements for Nursing Home Care" (RIN2900-AR62) received in the Office of the President of the Senate on November 30, 2023; to the Committee on Veterans' Affairs.

EC-3195. A communication from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Reevaluation of Claims for Dependency and Indemnity Compensation" (RIN2900-AR76) received in the Office of the President of the Senate on November 30, 2023; to the Committee on Veterans' Affairs.

EC-3196. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Jacksonville, Oregon" (MB Docket No. 23-285) received in the Office of the President of the Senate on December 13, 2023; to the Committee on Commerce, Science, and Transportation.

EC-3197. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Low Power Protection Act" ((FCC-23-112) (MB Docket No. 23-126)) received during adjournment of the Senate in the Office of the President of the Senate on December 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-3198. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Wireless Emergency Alerts, Amendments to Part 11 of the Commission's Rules Regarding the Emergency Alert System" ((FCC23-88) (PS Docket Nos. 15-91 and 15-94)) received in the Office of the President of the Senate on December 20, 2023; to the Committee on Commerce, Science, and Transportation.

EC-3199. A communication from the Program Analyst, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Expediting Initial Processing of Satellite and Earth Station Applications" (FCC 23-73) (IB Docket Nos. 22-411 and 22-271)) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2023; to the Committee on Commerce, Science, and Transportation.

EC-3200. A communication from the Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Promoting Telehealth in Rural America" ((FCC 23-110) (WC Docket No. 17-310)) received during adjournment of the Senate in the Office of the President of the Senate on December 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-3201. A communication from the Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Supporting Survivors of Domestic and Sexual Violence; Lifeline and Link Up Reform Modernization; Affordable Connectivity Program" ((RIN3060-AL48) (WC Docket Nos. 22-238, 11-42, and 21-450)) received in the Office of the President of the Senate on December 20, 2023; to the Committee on Commerce, Science, and Transportation.

EC-3202. A communication from the Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementing the Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination" ((RIN3060-AL56) (GN Docket No. 22-69)) received in the Office of the President of the Senate on December 20, 2023; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-92. A joint resolution adopted by the Legislature of the State of California applying to the United States Congress to call a constitutional convention under Article V of the Constitution of the United States for the purpose of proposing a constitutional amendment relating to firearms; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION NO. 7

Whereas, Approximately 49,000 Americans died in 2021 as a result of gun violence, and firearms are the leading cause of death for children under 18 years of age in the United

States and the most common method of both homicide and suicide, and

Whereas, it is estimated that there are approximately 393,000,000 firearms in civilian hands in the United States as of 2023, meaning that firearms now outnumber people in our country; and

Whereas, Gun safety laws are proven to lessen the scourge of gun violence, as evidenced by the fact that since some of California's most significant gun safety laws took effect in the early 1990s, California has cut its rate of gun death in half, and the state's gun death rate is 39 percent lower than the national average as of 2023; and

Whereas, Precedents of the Supreme Court of the United States, including its decision in *New York State Rifle & Pistol Association, Inc. v. Bruen* (2022) 142 S.Ct. 2111, have limited the ability of the states to enact and enforce reasonable restrictions on the public carry of firearms, and prompted challenges to many other common sense regulations, such as those allowing law enforcement officials to assess the potential dangerousness of individuals seeking to obtain firearms and prohibit possession of firearms by those deemed dangerous, and those restricting possession of certain particularly dangerous weapons, including weapons of war; and

Whereas, Modern technology and capabilities, including semiautomatic firing mechanisms, capacity, range, accuracy, and use of specialized ammunition, of the firearms commercially available today make them far more lethal than anything the founders could have imagined in the 18th century, when most weapons needed to be reloaded after every shot; and

Whereas, Common sense public safety regulations limiting aspects of firearms acquisition, possession, public carry, and use by individuals, including, but not limited to, the types of firearms and ammunition that private individuals may possess, categories of private individuals who may not acquire or possess firearms, and locations where private individuals may carry firearms, as well as procedures to ensure that individuals possessing or seeking to acquire or publicly carry firearms will not pose a threat to the safety of themselves or others or use a firearm in furtherance of otherwise unlawful conduct, are proven to save lives; and

Whereas, Since state leaders first announced their intention to introduce this joint resolution in June 2023, the Supreme Court of the United States has granted review in *United States v. Rahimi*, yet another case in which a court struck down a commonsense gun safety regulation, and the scourge of gun violence has continued unabated, with recent mass shootings bringing tragedy to communities across the country, further underscoring the need for urgent action; and

Whereas, Amending the United States Constitution as described herein will ensure that federal, state, and local government can effectively pursue common sense solutions to this deadly nationwide problem, consistent with the understanding that throughout American history private, individuals have possessed firearms for home defense, hunting, and recreational purposes; and

Whereas, Article V of the Constitution of the United States requires the United States Congress to call a constitutional convention upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution; now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly*, That the Legislature of the State of California, speaking on behalf of the people of the State of California, hereby applies to the United States Congress to call a constitutional convention

under Article V of the Constitution of the United States for the purpose of proposing a constitutional amendment that would do either, or both, of the following:

(a) Affirm that federal, state, and local governments may adopt public safety regulations limiting aspects of firearms acquisition, possession, public carry, and use by individuals, and that such regulations are consistent with the Second Amendment to the United States Constitution and the understanding that throughout American history private individuals have possessed firearms for home defense, hunting, and recreational purposes;

(b) Impose, as a matter of national policy, the following firearms regulations and prohibitions: (1) universal background checks as a prerequisite to purchase or acquisition of a firearm, (2) a prohibition on sales, loans, or other transfers of firearms to those under 21 years of age, subject to limited exceptions, (3) a minimum waiting period after the purchase or acquisition of a firearm before that firearm may be delivered to the buyer or acquirer, and (4) a prohibition on the sale, loan, or transfer of assault weapons and other weapons of war to private civilians; and be it further

*Resolved*, That this application is for a limited constitutional convention and does not grant Congress the authority to call a constitutional convention for any purpose other than those set forth herein and that this application shall be void if ever used at any stage to consider any constitutional amendments on subjects other than those specified herein; and be it further

*Resolved*, That this application shall be considered as covering the same subject matter as applications from other states to the United States Congress to call a convention to propose a constitutional amendment for each respective purpose set forth herein and that this application—shall be aggregated with such applications for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on each respective subject, but shall not be aggregated with any other applications on any other subject; and be it further

*Resolved*, That the State of California intends that this application shall constitute a continuing application, considered together with any applications on the respective subject that other states have adopted or may in the future adopt, until such time as two-thirds of the several states have applied for a convention and said convention is convened by Congress; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.

POM-93. A concurrent resolution adopted by the Legislature of the State of Michigan urging the United States Congress, Department of Defense, and Department of Veterans Affairs to prioritize research and investment in non-technology treatment options for servicemembers and veterans who have psychological trauma as a result of military service; to the Committee on Veterans' Affairs.

#### HOUSE CONCURRENT RESOLUTION NO. 5

Whereas, The men and women who voluntarily sign-up to serve our nation in the United States Armed Forces, and the additional uniformed services, generally do so

with an understanding that such service may ultimately impact their physical and mental well-being. Even with this knowledge, they still answer the call to serve; and

Whereas Members of the active-duty Air Force, Coast Guard, Marine Corps, Navy, and Space Force, and their reserve components the Army and Air National Guard, may have experiences that increase the risk for developing behavioral health problems, including traumatic brain injury, post-traumatic stress disorder, and depression. Effective treatment options for these conditions vary from servicemember to servicemember, and

Whereas, Upon return from a deployment, members of the reserve components and the National Guard are demobilized and must reintegrate back into civilian life, while simultaneously losing access to the full range of services offered by the military health system and having to emotionally deal with the same experiences as their active-duty counterparts; and

Whereas, Non-technology treatment options, such as buddy-to-buddy programs, controlled use of psychedelics in clinical settings, outdoor therapy, and easier access to service animals, among others, have shown promise to help veterans improve their mental health and find a new normal while dealing with the invisible wounds of war and service; and

Whereas, The families of servicemembers must also not be forgotten, and resources should be made available to help them understand and assist their loved ones who may be suffering from psychological trauma. Family members of servicemembers or veterans with behavioral health problems may experience family violence and aggression, lower parenting satisfaction, and child behavior problems. Resources should include services that will help family members deal with the impacts of their family members' service; and

Whereas, The need to address veteran mental health is of key importance in Michigan. In 2021, it was reported that there were 554,281 veterans living in Michigan, making Michigan rank eleventh out of fifty-three states and territories in veteran population. However, between 2016 and 2020, it was reported that there were 882 Michigan veterans who died by suicide; now, therefore, be it

*Resolved by the House of Representatives (The Senate Concurring)*. That we urge the United States Congress Department of Defense, and Department of Veterans Affairs to prioritize research and investment in non-technology treatment options for servicemembers and veterans who have psychological trauma as a result of military service; and be it further

*Resolved*, That copies of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, the Chair and Ranking Members of the Committees on Veterans Affairs and Armed Services, and the members of the Michigan congressional delegation.

POM-94. A petition from citizens of the State of Massachusetts relative to urging the United States Congress to act expeditiously to enact legislation relative to comprehensive immigration reform and, in doing so, help resolve the dual crises of a dysfunctional immigration system and a rapidly-developing domestic workforce shortage; to the Committee on the Judiciary.

POM-95. A resolution adopted by the City Council of the City of Elizabeth, New Jersey, opposing the use of public and private property in the City of Elizabeth for the purposes of the federal government detaining detaining immigrants awaiting due process; to the Committee on the Judiciary.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WELCH (for himself, Mr. VANCE, Mr. CRAMER, and Ms. ROSEN): S. 3565. A bill to appropriate funds for the Affordable Connectivity Program of the Federal Communications Commission; to the Committee on Appropriations.

By Mr. PAUL (for himself, Mr. BARRASSO, Mrs. BLACKBURN, Mr. BRAUN, Mr. CRUZ, Mr. GRASSLEY, Mr. LEE, Mr. MARSHALL, Mr. RISCH, and Mr. YOUNG):

S. 3566. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself and Mr. VANCE):

S. 3567. A bill to establish within the Department of Veterans Affairs a Veterans Affairs History Office, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KAINÉ (for himself, Mrs. HYDE-SMITH, Mr. WARNER, Mr. CARDIN, Mr. CORNYN, Mr. VAN HOLLEN, Mr. WICKER, and Mr. TILLIS):

S. 3568. A bill to amend chapter 3081 of title 54, United States Code, to enhance the protection and preservation of America's battlefields; to the Committee on Energy and Natural Resources.

By Mr. TILLIS:

S. 3569. A bill to require the Comptroller General of the United States to submit a report on the disclosure process for intellectual property created under a Federal grant, and for other purposes; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself and Mr. MANCHIN):

S. 3570. A bill to designate the United States courthouse located at 500 West Pike Street in Clarksburg, West Virginia, as the "Irene M. Keeley United States Courthouse", and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCOTT of South Carolina (for himself, Mr. LANKFORD, Mr. CRAMER, Mr. BARRASSO, Mr. RICKETTS, Mr. KENNEDY, and Mr. RUBIO):

S. 3571. A bill to protect the right of parents to direct the upbringing of their children as a fundamental right; to the Committee on the Judiciary.

By Mr. LUJÁN (for himself and Mr. PADILLA):

S. 3572. A bill to direct the Secretary of Labor, in consultation with the Chairperson of the National Endowment for the Arts, to award grants for arts and creative workforce programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself and Mrs. BLACKBURN):

S. 3573. A bill to amend title XVIII of the Social Security Act to increase data transparency for supplemental benefits under Medicare Advantage; to the Committee on Finance.

By Mr. BRAUN (for himself and Mr. PETERS):

S. 3574. A bill to amend chapter 3 of title 36, United States Code, to designate the mastodon as the national fossil of the United States; to the Committee on the Judiciary.

By Mr. BRAUN (for himself and Mr. PETERS):

S. 3575. A bill to amend the Public Health Service Act to give a preference, with respect to project grants for preventive health

services, for States that allow all trained individuals to carry and administer epinephrine, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BLACKBURN (for herself, Mr. CORNYN, Mr. CRUZ, Mr. BRAUN, Mr. BUDD, Mr. CASSIDY, Mr. CRAMER, Mrs. HYDE-SMITH, Mr. RICKETTS, Mr. SCOTT of South Carolina, and Mr. VANCE):

S. 3576. A bill to authorize certain States to take certain actions on certain Federal land to secure an international border of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself, Mr. DURBIN, Mr. KAINE, Mr. MERKLEY, Ms. BUTLER, and Mr. WELCH):

S. Res. 518. A resolution expressing solidarity with the people of Guatemala and urging the Government of Guatemala to permit a peaceful transfer of power to President-elect Bernardo Arevalo; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 96

At the request of Mr. BOOKER, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 96, a bill to address the history of discrimination against Black farmers and ranchers, to require reforms within the Department of Agriculture to prevent future discrimination, and for other purposes.

S. 344

At the request of Mr. TESTER, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

S. 373

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 373, a bill to modify the disposition of certain outer Continental Shelf revenues and to open Federal financial sharing to heighten opportunities for renewable energy, and for other purposes.

S. 431

At the request of Mr. RISCH, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 431, a bill to withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and for other purposes.

S. 815

At the request of Mr. TESTER, the name of the Senator from New Jersey

(Mr. BOOKER) was added as a cosponsor of S. 815, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 1271

At the request of Mr. SCOTT of South Carolina, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1271, a bill to impose sanctions with respect to trafficking of illicit fentanyl and its precursors by transnational criminal organizations, including cartels, and for other purposes.

S. 1529

At the request of Mr. BOOKER, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 1529, a bill to amend the Animal Welfare Act to provide for greater protection of roosters, and for other purposes.

S. 1631

At the request of Mr. PETERS, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1631, a bill to enhance the authority granted to the Department of Homeland Security and Department of Justice with respect to unmanned aircraft systems and unmanned aircraft, and for other purposes.

S. 1906

At the request of Mr. BRAUN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1906, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish a time-limited provisional approval pathway, subject to specific obligations, for certain drugs and biological products, and for other purposes.

S. 2003

At the request of Mr. RISCH, the names of the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Florida (Mr. SCOTT), the Senator from Indiana (Mr. YOUNG) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 2003, a bill to authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation, and for other purposes.

S. 2085

At the request of Mr. CRAPO, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2372

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2372, a bill to amend title XIX of the Social Security Act to streamline enrollment under the Medicaid program of certain providers across State lines, and for other purposes.

S. 2465

At the request of Mr. BOOKER, the name of the Senator from Nevada (Ms.

CORTEZ MASTO) was added as a cosponsor of S. 2465, a bill to require the Secretary of Veterans Affairs to establish a pilot program to furnish doula services to veterans.

S. 2496

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2496, a bill to amend the National Housing Act to include information regarding VA home loans in the Informed Consumer Choice Disclosure required to be provided to prospective FHA borrowers.

S. 2839

At the request of Mr. BRAUN, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 2839, a bill to clarify the maximum hiring target for new air traffic controllers, and for other purposes.

S. 2861

At the request of Mrs. GILLIBRAND, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2861, a bill to award a Congressional Gold Medal to Billie Jean King, an American icon, in recognition of a remarkable life devoted to championing equal rights for all, in sports and in society.

S. 2862

At the request of Mr. BRAUN, the name of the Senator from Missouri (Mr. SCHMITT) was added as a cosponsor of S. 2862, a bill to amend the Food for Peace Act to restore the original intent of commodity transfers, and for other purposes.

S. 3192

At the request of Mr. DAINES, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 3192, a bill to designate Ansarallah as a foreign terrorist organization and impose certain sanctions on Ansarallah, and for other purposes.

S. 3258

At the request of Mr. COONS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3258, a bill to amend title XVIII of the Social Security Act to provide coverage of ALS-related services under the Medicare program for individuals diagnosed with amyotrophic lateral sclerosis, and for other purposes.

S. 3488

At the request of Mr. BROWN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 3488, a bill to amend title 51, United States Code, to provide for a NASA public-private talent program, and for other purposes.

S. 3490

At the request of Mr. TUBERVILLE, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 3490, a bill to prohibit the Secretary of Veterans Affairs from providing health care to, or engaging in claims processing for health care for, any individual unlawfully present in

the United States who is not eligible for health care under the laws administered by the Secretary.

S. J. RES. 45

At the request of Mrs. SHAHEEN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. J. Res. 45, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. J. RES. 49

At the request of Mr. CASSIDY, the names of the Senator from South Dakota (Mr. ROUNDS), the Senator from Missouri (Mr. SCHMITT), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. J. Res. 49, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to a "Standard for Determining Joint Employer Status".

S. RES. 333

At the request of Mr. DURBIN, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. Res. 333, a resolution designating 2024 as the Year of Democracy as a time to reflect on the contributions of the system of Government of the United States to a more free and stable world.

S. RES. 515

At the request of Mr. COONS, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. Res. 515, a resolution condemning attacks by Iranian military proxies on the armed forces of the United States in Iraq and Syria and emphasizing the urgency of responding to and deterring such attacks.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself, Mrs. HYDE-SMITH, Mr. WARNER, Mr. CARDIN, Mr. CORNYN, Mr. VAN HOLLEN, Mr. WICKER, and Mr. TILLIS):

S. 3568. A bill to amend chapter 3081 of title 54, United States Code, to enhance the protection and preservation of America's battlefields; to the Committee on Energy and Natural Resources.

Mr. KAINE. Madam President, today I am introducing bipartisan legislation to protect America's historic battlefields. Specifically, the bill would make updates to strengthen the American Battlefield Protection Program, ABPP, a program within the National Park Service, NPS, which promotes the preservation of significant historic battlefields and sites of armed conflict across the United States. The program has preserved more than 35,000 acres of historic land in 20 States.

I am pleased that Senator HYDE-SMITH of Mississippi is coleading this effort with me, along with Senators

WARNER, CORNYN, CARDIN, WICKER, VAN HOLLEN, and TILLIS.

Protection of America's battlefields is the preservation of our Nation's history. Once these grounds are lost, we will have forever lost the opportunity to tell their unique stories. When preserved and interpreted, these lands serve as outdoor classrooms to educate both current and future generation of Americans about some of the most pivotal moments in our Nation's history.

Key to the success of ABPP has been its one-to-one matching grants formula, which encourages State, local, and nonprofit investment in the preservation of Revolutionary War, War of 1812, and Civil War battlefields. Preserved battlefields are economic drivers for communities, bringing in tourism dollars that are extremely important to the economies of these communities. Over the past two decades, the sense of urgency to preserve these sites has only grown as some of the most historically significant battlefields in the Nation remain unprotected.

Recognizing the success of the ABPP and the continued need for preserved battlefields to serve as places where visitors can better understand the battles and their consequences, this legislation proposes to make necessary updates that will strengthen the program for years to come. These modifications will help to ensure that these hallowed grounds are preserved forever.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 518—EXPRESSING SOLIDARITY WITH THE PEOPLE OF GUATEMALA AND URGING THE GOVERNMENT OF GUATEMALA TO PERMIT A PEACEFUL TRANSFER OF POWER TO PRESIDENT-ELECT BERNARDO AREVALO

Mr. CARDIN (for himself, Mr. DURBIN, Mr. KAINE, Mr. MERKLEY, Ms. BUTLER, and Mr. WELCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 518

Whereas the United States and Guatemala have shared strong bilateral relations on issues of mutual interest for decades, including—

(1) addressing the root causes of irregular migration;

(2) a shared commitment to addressing key development challenges, such as poverty, child hunger and illiteracy, citizen security, and more transparent and accountable governance; and

(3) supporting Taiwan and Ukraine's independence from Russia;

Whereas general elections were held in Guatemala on June 25, 2023, resulting in a runoff election between the 2 presidential candidates receiving the most votes, Congressman Bernardo Arévalo of the Movimiento Semilla party and Sandra Torres, a former first lady representing the Unidad Nacional de la Esperanza (UNE) party;

Whereas the runoff election, held on August 20, 2023, resulted in the people of Guate-

mala electing Congressman Arévalo as President with more than 60 percent of the popular vote;

Whereas the election observation teams from the European Union and the Organization of American States, which were present at the invitation of the Government of Guatemala, reported that both rounds of the election were run professionally and efficiently and concluded that there was no basis for claims of fraud;

Whereas Guatemala's Supreme Electoral Tribunal (TSE) certified that the presidential elections upheld national, regional and international standards for a democratic election;

Whereas immediately following the election of President-elect Arévalo on August 20, 2023, Guatemala's Public Ministry, led by Attorney General María Consuelo Porras Argueta, who has been designated for visa restrictions by the United States Government for significant corrupt and undemocratic activities, initiated a series of efforts to undermine President-elect Arévalo's inauguration, which is scheduled to take place on January 14, 2024, including—

(1) a raid on the facilities of the TSE Citizen Registry and the Operations Center of the Electoral Process (COPE) on September 12, 2023, during which Public Ministry officials opened ballot boxes in violation of Guatemala's Electoral and Political Party Law;

(2) a formal request on September 27, 2023, by the Public Ministry to the Supreme Court (CSJ) to remove the immunity of the 5 magistrates of the TSE;

(3) an order from the Public Ministry on November 15, 2023, which instructs the TSE to surrender registration documents for the Movimiento Semilla party and President-elect Arévalo, immediately followed by a press conference on November 16, 2023, at which the Public Ministry announced that it intended to seek the removal of immunity against President-elect Arévalo, Vice President-elect Herrera, and Congressman Samuel Perez, who is also a member of the Movimiento Semilla party; and

(4) a decision by the Public Ministry on December 8, 2023 to issue arrest warrants against two members of the TSE and a simultaneous announcement that the 2023 presidential elections should be annulled;

Whereas the November 30 vote of Guatemala's current governing coalition in Congress to remove the immunity of four TSE magistrates demonstrates that the Public Ministry has largely been supported by the political establishment in Guatemala;

Whereas the actions of the Public Ministry follow a trend in which the Public Ministry has intimidated, threatened, forced into exile, and in some cases imprisoned dozens of judges, prosecutors, civil society actors, and independent journalists who have worked to root out corruption in Guatemala, including anti-corruption prosecutor Virginia Laparra and journalist José Rubén Zamora, who were sentenced, respectively, to four and six years;

Whereas, since October 1, 2023, Indigenous Peoples in Guatemala, who comprise nearly 42 percent of the population of Guatemala, have led protests against the Public Ministry's actions, which demonstrates citizen organizing in support of a peaceful transfer of power;

Whereas the Organization of American States, the European Union, the United Nations, the Department of State, and the governments of many European and Latin American countries have released public statements condemning the Public Ministry's efforts to annul the 2023 presidential elections and prevent President-elect Arévalo from assuming office on January 14, 2024; and

Whereas the Constitutional Court of Guatemala ruled, on December 14, 2023, that Guatemala's Congress must take steps to ensure that every elected official in the 2023 electoral process, including President-elect Bernardo Arévalo, must be allowed to take office on January 14, 2024: Now, therefore, be it

*Resolved*, That the Senate—

(1) applauds the will of the Guatemalan people to participate in a free and fair presidential election on August 20, 2023, as certified by the European Union and Organization of American States electoral observation missions;

(2) reaffirms the interest of the United States to maintain mutually beneficial relations with the people of Guatemala and their national government, based on shared interests of security, prosperity, and democratic values;

(3) reaffirms that the bilateral relationship between the United States and Guatemala is strengthened through shared policies, such as—

(A) efforts to prevent irregular migration;

(B) good governance, improved citizen security, and poverty reduction; and

(C) support for Taiwan, and for Ukraine's independence from Russia;

(4) looks forward to working with the incoming Arévalo government to build a safer, democratic, and more prosperous region;

(5) expresses deep concerns for the undemocratic actions of Guatemala's Attorney General and Public Ministry, in coordination with the current governing coalition, to maintain power by undermining free, fair, and democratic elections, the rule of law, and basic democratic principles;

(6) urges the Government of Guatemala—

(A) to immediately repudiate the attacks of the Attorney General and the Public Ministry on President-elect Arévalo and members of his political coalition;

(B) to commute the sentences of José Rubén Zamora and Virginia Laparra and end intimidation and threats against all other actors working to reduce corruption in Guatemala; and

(C) to prioritize and work actively to ensure for a peaceful transfer of power and inauguration of President-elect Arévalo on January 14, 2024; and

(7) calls on the Department of State, the Department of the Treasury, and the United States Agency for International Development to prepare for the possibility that a peaceful transition of power does not occur on January 14, 2023, including by—

(A) preparing to reassess all elements of United States foreign assistance and bilateral cooperation with the Government of Guatemala;

(B) conducting an evaluation of all diplomatic and economic tools, including sanctions, that can be used to hold accountable Guatemalan public officials, private sector actors, and others who have planned, supported, or undertaken efforts to prevent the peaceful transition of power in Guatemala; and

(C) working with the Organization of American States, the European Union, and the United Nations to reevaluate Guatemala's standing in institutions that require their members to adhere to basic democratic principles.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have three requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, January 10, 2024, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, January 10, 2024, at 2 p.m., to conduct a hearing.

#### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, January 10, 2024, at 2:30 p.m., to conduct a closed briefing.

#### ORDERS FOR THURSDAY, JANUARY 11, 2024

Mr. SCHUMER. Madam President, finally, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Thursday, January 11; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the McEntarfer nomination; further, that the cloture motion with respect to the nomination ripen at 11:45 a.m. and that, if cloture is invoked, all time be considered expired at 1:45 p.m.; and finally, that if any nominations are confirmed during Thursday's session, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:21 p.m., adjourned until Thursday, January 11, 2024, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

#### THE JUDICIARY

ANN MARIE MCLIFF ALLEN, OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH, VICE DAVID NUFFER, RETIRED.  
SUSAN M. BAZIS, OF NEBRASKA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEBRASKA, VICE JOHN M. GERRARD, RETIRED.  
ERNEST GONZALEZ, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS, VICE FRANK MONTALVO, RETIRED.

ROBIN MICHELLE MERIWEATHER, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE PATRICIA E. CAMPBELL-SMITH, RETIRED.

KELLY HARRISON RANKIN, OF WYOMING, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF WYOMING, VICE NANCY D. FREUDENHALT, RETIRED.

LEON SCHYDLLOWER, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS, VICE PHILIP R. MARTINEZ, DECEASED.

#### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. THOMAS M. CARDEN, JR.

#### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major general

BRIG. GEN. MELVIN G. CARTER  
BRIG. GEN. PHILLIP N. FRIETZE  
BRIG. GEN. ROBERT C. FULFORD  
BRIG. GEN. PETER D. HUNTLEY  
BRIG. GEN. JASON L. MORRIS  
BRIG. GEN. JULIE L. NETHERCOT  
BRIG. GEN. RYAN S. RIDEOUT  
BRIG. GEN. GEORGE B. ROWELL IV  
BRIG. GEN. DANIEL L. SHIPLEY  
BRIG. GEN. JAMES B. WELLONS

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. KEVIN J. BROWN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. TIMOTHY A. BROWN  
CAPT. MICHAEL YORK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. JORGE R. CUADROS

#### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY COMMANDANT FOR MISSION SUPPORT IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED PURSUANT TO THE AUTHORITY OF TITLE 14, U.S.C., SECTION 305:

#### To be vice admiral

REAR ADM. THOMAS G. ALLAN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, ATLANTIC AREA, IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED PURSUANT TO THE AUTHORITY OF TITLE 14, U.S.C., SECTION 305:

#### To be vice admiral

REAR ADM. NATHAN A. MOORE

#### IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major

KENNETH J. SCHNEIDER, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major

JEFFREY A. DOVAN  
HARVEY P. LACANILAO  
HUGO J. VARGAS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major

BRYAN M. BAKER  
WILLIAM T. CARRIER

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major

ANTONIO C. EWINGS

LUCAS A. SPENCER  
ADAM W. SPIARS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

ROBERT W. BROOKS III  
CHRISTOPHER T. PERKINS  
RAMON R. RAMIREZ, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

DONALD E. CHARBONEAU  
RICHARD R. OLSEN  
JEFFREY D. PLANTERN  
JEFFREY A. TRANBERG

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

AARON MORA

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

GLEN R. POND

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

RAFAEL B. MARTINEZ  
JARED A. MASON  
ISAAC K. TIBAYAN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

LUIS E. COLON  
ZACHARY D. CURRAN  
WILLIAM A. FRIEND  
ANTHONY L. GALLUZZI

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

JASON T. CONNOLLY  
DANIEL J. KASSEBAUM  
RICKY L. MANLEY  
SEAN M. O'BRIEN  
COLE A. SARDINTA

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

DUSTIN M. BAILEY  
CARLEIGH J. COWART  
JONATHAN D. EATON  
CANDACE C. GAMEZ  
ANTHONY I. GARCIA  
AMIR H. GOLSHANI  
EDWIN L. KIM  
RYAN M. KRALICEK  
MATTHEW B. LANGLOIS  
JAVIER PEREZ  
JAMIE L. SCOTT  
XAVIER TEN

*To be major*

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

MATTHEW D. DALEO  
ISAAC D. JEWSON  
MICHAEL J. LANDERS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

JASON R. BEKEN  
NORMAN P. BUNCH  
REYNALDO E. DESENGANIO, JR.  
MARK A. GUTIERREZ, JR.  
JOSHUA T. RAY  
ROBERT A. RIVAS  
CHARLES L. TRIMBLE  
JOSHUA B. WHITEHEAD

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

BERNARD J. COYNE, JR.  
DAVID B. SOUTHERLAND  
NATHAN M. STUHR  
AHBLEZA THEOBALD

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

GREGORY S. CANEVARI  
ANTONIO G. MARRERO

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

RICHARD L. RAINES

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

JAMES M. ROD

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

MATTHEW T. MIGLIORI

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

DANIEL E. FUSON

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

GLENN A. STALEY  
ALFREDO TOPETE  
COREY R. WAINSCOTT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

JOHN O. WILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

MARK A. WESS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

SCOTT H. WILLIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

SONNY D. ROWLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

CLAUDIA L. BATTLE

CONFIRMATION

Executive nomination confirmed by the Senate January 10, 2024:

THE JUDICIARY

S. KATO CREWS, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO.