

both dominoes, no one has any dominoes to put down, the game gets locked, and you count numbers and count dots to see who won.

So it says:

It's over. Your 59, but I have double twos. It's over. Sixty years with a domino game locked up for us.

Now, I know this is a very colloquial Cuban way of expressing it, but this is incredibly powerful. The people in Cuba understood what that means, and that means that all this ideology, all this stuff they talk about, and all these lies of the regime that worked out really well for them, people don't believe it anymore, and they are not afraid anymore. Meanwhile, their lives are ruined. Young people in Cuba, artists in Cuba who realize that the only country on this planet where Cubans are not successful is Cuba, and they are tired of it, and we should stand with them.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

UNANIMOUS CONSENT REQUEST—S. 1520

Ms. GILLIBRAND. Mr. President, I rise today to once again call for every Senator to have an opportunity to vote on a generational bill to fix how the military deals with sexual assault and other serious crimes.

It is the Military Justice Improvement and Increasing Prevention Act. This bill will ensure that men and women who serve in our military have the opportunity for basic justice, basic civil liberties, and basic protection under the law.

I want to start by recognizing the monumental advance toward military justice reform made during our Senate work week. The Independent Review Commission on Sexual Assault in the Military released their recommendations, which included removing the prosecution of sexual assault and related crimes from the chain of command. It is a historic sign of progress after decades of obstruction.

The Secretary of Defense has agreed with the Commission's findings that the removal of sexual assault prosecutions from the chain of command and the professionalization of the military justice system would benefit survivors and in no way diminish good order and discipline. It is also a historic sign of progress that President Biden has endorsed all of these recommendations.

After years—years—of pushing for these types of reforms, this change in thinking from our military and executive leadership is truly momentous. Every crime that the IRC reviewed, they recommended removing it from the chain of command. That is a clear recognition that the current military justice system is not capable of addressing the epidemic of sexual assault among our ranks and that it is not providing justice for our servicemembers.

As President Biden said, "This is the beginning, not the end of our work." While I welcome the IRC's recommendations, I am deeply heartened to see that Secretary Austin and Presi-

dent Biden both endorse the recommendations and will happily work with us to make them a reality. We also have to recognize that the IRC was provided a very limited task—to review only sexual assault and harassment in the military. No other crimes were under their purview. Unfortunately, they were also not asked to look at other serious crimes that are related, such as murder.

We as a Congress have been tasked with a larger job. It is our job to ensure that the military writ large works for every servicemember. The recent scandals at Fort Hood, the murder of Vanessa Guillen, and the deep racial disparities in prosecutions have made it plain that the need for reform in the military justice system goes far beyond sexual assaults. Vanessa Guillen was murdered, and she was harassed. Serious crimes such as murder deserve the consideration of military lawyers who are trained with expertise, not commanders.

For those who worry about the impact that this reform would have on command authority, I would point to the head of the IRC, the chairwoman, Lynn Rosenthal, who said:

The IRC rejects the notion that, by removing legal decisions about prosecution from the command structure, that commanders have no role. It's simply not the case. Commanders are responsible for the climates they create. They're responsible for working to prevent sexual assault and sexual harassment, and they're responsible for making sure that victims are protected when they come forward to report. So, the idea that they won't have an interest in solving this problem if they are not making [a] technical, legal [decision], we think, is simply false.

The same logic extends to all serious crimes. Commanders will still be responsible for setting the culture that prevents them, for protecting victims, and for maintaining an interest in solving these problems even if they are not making these complex, technical decisions about whether or not a case should go to trial. And in a great number of these cases that do not go forward to trial, they come back to the commander for the commander to use his discretion—nonjudicial punishment, summary court-martial, or special court-martial—the many tools he still has.

We must guarantee that we have a professional, unbiased system for all servicemembers. It is our constitutional duty to provide oversight and accountability over the Department of Defense. We are the authors of the military justice code. We are the ones who put it in place. It is Congress's duty to update it and to make sure it works. We can do that by taking this momentum and building upon it and passing the Military Justice Improvement and Increasing Prevention Act this year. We have the votes to pass it in committee. We have the votes to pass it on the floor. This is an issue we have been fighting for and talking about and having hearings on for 8 years.

I began calling for a full vote on the floor on this bill on May 24. Since then, an estimated 2,744 servicemembers will have been raped or sexually assaulted. More will have been victims of other serious crimes. All of them deserve justice, and it is our responsibility to provide it.

Mr. President, as if in legislative session, I ask unanimous consent that, at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate Armed Services Committee be discharged from further consideration of S. 1520 and the Senate proceed to its consideration; that there be 2 hours for debate equally divided in the usual form; and that upon the use or yielding back of that time, the Senate vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Mr. President, I object to the Senator's request for the reasons that I have previously stated.

As the Senator from New York acknowledged, on July 2, President Biden announced that he "strongly supports" the recommendations put forth by Secretary Austin based on the work of the Independent Review Commission that would reform how the military prosecutes sexual assault-related crimes. Subsequent to the President's statement, the administration forwarded to the committee their legislative proposals to implement this reform.

I support and commend the President, the Secretary, and the IRC leadership and staff for their work, and I look forward to working with them and the administration and my colleagues, particularly my colleagues on the Armed Services Committee, to enact this historic and momentous change to the Department of Defense.

Sexual assault is an unconscionable crime and a pervasive problem in the military and in American society. While the military has taken steps to try to stop sexual assault in the ranks, it simply hasn't been enough. I strongly agree with the President's statement that "sexual assault in the military is doubly damaging because it also shreds the unity and cohesion that is essential for the functioning of the U.S. military and to our national defense."

While this change will be important, enhancing prevention, education, and command climate and culture will also be vital. If this reform to the UCMJ is the only thing we do, then I think that it will not be successful on its own. We need to prevent these crimes, not simply prosecute them.

I understand that my colleague from New York, Senator GILLIBRAND, disagrees with the proposed scope of this reform. Nevertheless, I want to acknowledge her leadership on this issue. She has fought for 8 years for this reform, and that day, with respect to sexual assault, is coming. Indeed, just as a footnote, the legislation that is being advanced would include every crime incident to a sexual assault, so that if a

victim is subject not just simply to sexual assault but to other crimes in that incident, all those crimes are to be tried together. So the need to import crimes like murder and arson and other nonsexual related crimes is, in my view, not going to accomplish the goals that I think this Senate has been focused on, particularly over the last 6 months or so.

I intend to include the administration's proposals in next week's markup at the annual Defense bill, subject to amendment. I think that is important to know—subject to amendment, that the UC as proposed would not allow amendments. It would not allow colleagues on the floor to come up and say: I have a better idea. We will do that in the committee, as we have always done it in the committee or at least tried to do it in the committee.

I look forward to working with Senator GILLIBRAND and my other colleagues in the committee as we consider, debate, and vote on this and other proposals, but I still must reiterate my objection to the unanimous consent request.

I yield the floor.

The PRESIDING OFFICER. The objection is heard.

Mrs. GILLIBRAND. Mr. President.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. First of all, our bill is entitled "Military Justice Improvement and Increasing Prevention Act," so, as the chairman has requested, there is a great deal of prevention in this bill. And I dare say, if the chairman was going to include all of the recommendations of the IRC, we would have a very strong base bill on which to work from, but I do not have the sense that that will be done. In fact, I do not have the sense that all the recommendations are being considered, so I intend to offer an amendment that encompasses all of the recommendations.

Second, the reason why murder and other serious crimes must be included is because there are two challenges within the military: One, sexual assault cases are not handled properly, and unfortunately too few go to trial and too few end in conviction. The rate of going to trial and the rate of conviction has gone down.

The second reason is, if you only allow sexual assault cases to have a proper review, you will further marginalize survivors of sexual assault, who, more often than not, are women who report those cases, because receiving special treatment and a special legal system will not create fairness within the military for them.

Third, there is enormous evidence in the last 3 years of considerable racial bias against Black and Brown servicemembers. In the marines, if you are a Black man, you are up to 2.6 times more likely to be punished. That is a serious problem, and this is an issue that has been investigated for a long time.

So I believe that the bright line of felonies, as our allies have already done in the UK, Israel, Canada, Netherlands, Germany, and Australia, is meaningful because they did it for defendants' rights, they did it to professionalize their military justice system, and they did it to protect all servicemembers. Servicemembers in the U.S. military deserve nothing less.

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.

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

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mrs. GILLIBRAND. Mr. 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.

### TENTH ANNIVERSARY OF SOUTH SUDAN

Mr. MENENDEZ. Mr. President, I rise today to acknowledge the 10th anniversary of South Sudan's independence. July 9 is a bittersweet day for the resilient people of South Sudan. For decades, South Sudanese fought a brutal war with the government in Khartoum in which 2 million people lost their lives. After decades of bloody struggle, the parties to the conflict signed the 2005 Comprehensive Peace Agreement, CPA, which provided for self-determination for the South and paved the way for South Sudan's independence in 2011, with the diplomatic support of the United States and others in the international community.

Yet the promise of South Sudan's independence has turned into tragedy. Deep fault lines that emerged during the country's long struggle for independence, accentuated by rivalry and rent seeking among the country's corrupt political elite, brought about catastrophe. A little over 2 years after independence, 400,000 people were killed and more than 4 million were displaced during the 5-year civil war between forces loyal President Salva Kiir against those aligned with Vice-President Riek Machar. Unspeakable atrocities were committed against civilians during the conflict, including women and children. In 2017, the war induced a famine that brought hundreds of thousands more to the brink of disaster.

The United States and its international partners have invested heavily in diplomatic efforts to support and

end to the conflict in South Sudan. Despite failed cease-fire agreements and the intransigence of the warring parties, in 2018 regional leaders working through the InterGovernmental Authority on Development, IGAD, were finally able to obtain agreement on what was called the Revitalized Agreement on the Resolution of Conflict in South Sudan, R-ARCSS. Although far from ideal, the agreement lays out a framework for a peaceful resolution of the conflict, political reform, and democratic transition.

But implementation of the agreement remains slow, and South Sudan sits at a very dangerous crossroad. Responsible parties have failed to implement major provisions of the R-ARCSS, including those on power-sharing, constitutional development, security sector reform, economic issues, and transitional justice, or have reneged on their commitments. Nongovernments to the R-ARCSS continue to wage an active insurgency, particularly in Equatoria. Locally rooted communal violence is also rampant, fueled by the invisible hand of rival national political elites. Kiir's security apparatus continues to violate the human, civil, and political rights of the South Sudanese people. Overlaying all of these problems is an urgent humanitarian crisis—driven by conflict induced food insecurity, displacement, and COVID-19—made all the more worse by longstanding efforts by the Government of South Sudan to undercut humanitarian access.

It is clear that South Sudan's stalled peace process needs a reboot. The lack of progress on implementation of the R-ARCSS has created significant concern about elections now slated for 2022—if they are even held. And if they are held, without prior implementation of core components of the agreement and other key actions, the polls could be a flash point for conflict and violence.

In order to prevent this outcome, South Sudanese leadership, the United States, and international partners must take urgent action.

Political leadership in Juba must immediately organize a process for robust and inclusive negotiations over a new constitution in a process that involves all South Sudanese stakeholders, including civil society and holdout rebel groups. While I would not presume to dictate what the South Sudanese people themselves might decide, it seems to me that devolution of power from the national government to the states and local administration, and genuine power-sharing at the national level are necessary ingredients to avoid the winner-take-all calculus that has served as an incentive to take and hold on to central power at any cost.

Regional neighbors must act as well. Ongoing instability in East Africa, including the war in Tigray, a fragile transition in Sudan, and political turmoil in Somalia, has distracted regional actors who traditionally engage