

Given her years of experience working on issues germane to the Federal Circuit, she will be ready upon confirmation to hit the ground running.

Mr. President, at the end of her hearing, I said to her say: "Why did you want to do this? Why would you go into public life? It seems like things are going pretty well for you as a lawyer."

She said: "It has always been my dream to serve on this bench."

Well, I hope her dream comes true and the Senate helps her reach it. I urge my colleagues to join me in voting in favor of Ms. Cunningham's nomination.

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.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

UNANIMOUS CONSENT REQUEST—S. 1520

Mrs. GILLIBRAND. Mr. President, I rise again today to call for every Senator to have the opportunity to cast their vote on the Military Justice Improvement and Increasing Prevention Act.

It is time for us to look at this issue to move serious crimes like sexual assault and murder out of the chain of command and put them in the hands of well-trained military prosecutors who are independent, impartial, and highly trained uniformed prosecutors.

This is an issue that deserves urgency. I began calling for this full floor vote on May 24. Since then, it is an estimate that 2,912 servicemembers will have been raped or sexually assaulted during that time; more will have been victims of other serious crimes. Many will not even report these crimes because they have no faith in the current system, where decisions about whether to prosecute are made by commanders and not trained lawyers. And yet this vote continues to be delayed and denied, week after week.

While I am glad to see that more of our colleagues have acknowledged that we must move sexual assault out of the chain of command, it is not enough. It doesn't address the fundamental flaw in the military justice system, which is that it asks commanders to act as judge and jury in highly complex crimes that they are not trained to do.

In fact, the training commanders get includes just a few hours, at the most, on legal topics like military justice and unlawful command influence. No one could be expected to learn in a few hours what it takes lawyers years of study and decades of experience to master.

That is why this bill would move serious crimes to the purview of those lawyers who have had the time to properly prepare for the job.

Today, I would like to outline exactly which crimes this bill would

move out of the chain of command. Opponents have tried to misrepresent these crimes the bill addresses. It does not, for example, deal with larceny under \$1,000 or destruction of government property. Those crimes would stay with the commander.

The bill includes a finite list of crimes. I will read them all now: recruit maltreatment, nonconsensual distribution of visual images, murder, manslaughter, murder of a pregnant mother, child endangerment, sexual assault, obscene mailing, sexual assault of a child, voyeurism, major financial crimes, major fraud, robbery, bribery, graft, kidnapping, arson, extortion, aggravated sexual assault, maiming, domestic violence, stalking, perjury, obstruction of justice, and retaliation.

That is it. That is the list. Those are crimes that have punishment of more than 1 year associated with them.

I ask those who oppose this reform to tell me why they would expect a commander with as little as a few hours of training to be prepared to try cases on obscene mailing or to be well versed on the elements of extortion. Tell me about the commander who understands the intricacies of using false documents to claim benefits or has the time to investigate complex financial frauds. Tell me about what leaves our commanders prepared to act as judge and jury in a murder trial or a kidnapping case.

Our bill simply recognizes that these are serious crimes that require legal expertise to properly review and prosecute. By moving these crimes to independent military lawyers, this reform allows commanders to focus on what they are trained to do: preparing our troops to fight and win our Nation's wars.

Additionally, the chairman has said that this bill would remove from the chain of command "crimes that have been handled by the military chain of command effectively for years and years and years."

But, actually, that is not the case. They haven't been handled effectively.

Just this week the Military Times reported on the case of Private Jonathan Lauture, who is alleged to have shot and killed Jason Lindsay in June 2019, when Lindsay entered Lauture's home in an attempt to intervene in a situation of domestic violence.

His chain of command at Fort Bliss was aware of the killing, but they did not inform the Army's criminal investigation division. Instead, they quickly reassigned him to Fort Stewart, where he continued to assault his wife.

The Military Times reports:

Army investigators had no idea that the shooting had even occurred, much less the domestic violence. . . . Lauture's Fort Bliss chain of command did not inform the CID of the shooting. Nobody did, until a domestic violence investigation in December 2019 by Fort Stewart CID incidentally learned that Lauture had [allegedly] killed a man who was attempting to rescue his wife.

That is how the current system handles alleged murder and domestic vio-

lence. It is not only ineffective, it is actively concealing information and hampering justice. That is why the current system is unacceptable.

We have to reform the system. The Military Justice Improvement and Increasing Prevention Act is supported by experts, by servicemembers, and by a bipartisan filibuster-proof majority of Senators if we bring it to the floor.

Mr. President, as 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; 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.

The PRESIDING OFFICER. Objection is heard.

## 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. 193, Tiffany P. Cunningham, of Illinois, to be United States Circuit Judge for the Federal Circuit.

Charles E. Schumer, Richard J. Durbin, Tina Smith, Margaret Wood Hassan, Catherine Cortez Masto, Jeff Merkley, Patty Murray, Tammy Baldwin, Debbie Stabenow, Gary C. Peters, Angus S. King, Jr., Sheldon Whitehouse, Robert P. Casey, Jr., Christopher Murphy, Ben Ray Lujan, Jack Reed, Chris Van Hollen.

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 Tiffany P. Cunningham, of Illinois, to be United States Circuit Judge for the Federal Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Kansas (Mr. MORAN).

The yeas and nays resulted—yeas 63, nays 34, as follows:

[Rollcall Vote No. 266 Ex.]

## YEAS—63

Baldwin	Blumenthal	Brown
Bennet	Booker	Cantwell

Capito	Kaine	Romney
Cardin	Kelly	Rosen
Carper	King	Rounds
Casey	Klobuchar	Rubio
Collins	Leahy	Sanders
Coons	Lee	Schatz
Cornyn	Lujan	Schumer
Cortez Masto	Manchin	Shaheen
Duckworth	Markey	Sinema
Durbin	Menendez	Smith
Ernst	Merkley	Stabenow
Feinstein	Murkowski	Tester
Fischer	Murphy	Tillis
Gillibrand	Murray	Van Hollen
Grassley	Ossoff	Warner
Hassan	Padilla	Warnock
Heinrich	Peters	Warren
Hickenlooper	Portman	Whitehouse
Hirono	Reed	Wyden

## NAYS—34

Barrasso	Hagerty	Sasse
Blackburn	Hawley	Scott (FL)
Blunt	Hoeben	Scott (SC)
Boozman	Hyde-Smith	Shelby
Braun	Inhofe	Sullivan
Burr	Kennedy	Thune
Cassidy	Lankford	Toomey
Cotton	Lummis	Tuberville
Cramer	Marshall	Wicker
Crapo	McConnell	Young
Cruz	Paul	
Daines	Risch	

## NOT VOTING—3

Graham	Johnson	Moran
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The PRESIDING OFFICER (Mr. VAN HOLLEN). On this vote the yeas are 63, the nays are 34.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Tiffany P. Cunningham, of Illinois, to be United States Circuit Judge for the Federal Circuit.

The PRESIDING OFFICER. The Senator from Louisiana.

## UNANIMOUS CONSENT REQUEST—S. 2359

Mr. KENNEDY. Mr. President, I rise today on my own behalf and on behalf of my colleague Senator BILL CASSIDY.

I know this has been true for States besides Louisiana, but for the last 18 months, from a weather perspective, Louisiana has been a fantastic impression of hell. We have had three hurricanes. We have had, depending upon how you define them, probably 10 different heavy rain events. And when I say "heavy rain events," I mean, that doesn't sound very serious. I can assure you, it was. When you get 6, 8, 10, 12 inches of rain in a short period of time, you are going to flood. I don't care if you are living on Pikes Peak. You are going to flood. The water has to go somewhere. And, of course, we were part of the bad, debilitating freeze, as well, that also hit Texas very hard.

My people are very resilient, and they are tough, but they are tired.

Most Americans, when they think of a natural disaster, at least in connection with Louisiana, think of Hurricane Katrina, and, certainly, it was a bad one. I was there. We never would have recovered without the help of the American people, and I will never be able to thank the American people enough for putting forth their hard-earned tax dollars to help us recover.

These new hurricanes and rain events and freezes impacted probably close to one-third, maybe 40 percent of my people. The worst part of it, but not the only part that was hit hard, was South-west Louisiana. At last count, about 100,000 homes were damaged, flooded, or blown over.

They are still running the numbers. The damages are in the billions and billions and billions and billions of dollars, and my people need help.

The purpose of my bill today is to offer us help for them. My bill today and Senator CASSIDY's bill today—as I said, I am here on behalf of Senator CASSIDY, as well—would authorize \$1.1 billion to help my people recover.

Now, I want to emphasize, some people, when they think of flooding and hurricanes, think of wealthy people with second homes, with multimillion-dollar dwellings on the beach. That is not what I am talking about. I am not putting down anybody who has a nice, expensive beach house, but that is not what we are talking about in Louisiana.

The people who were hit by these weather events, through no fault of their own, are just good, honest middle Americans who get up every day and go to work and obey the law. They pay their taxes. They try to do the right thing by their kids. Their biggest investment is their home, and many completely lost their home. Many of them had flood insurance, and many of them had homeowner's insurance—and both. But it just didn't cover their losses completely. So we are talking about middle America here, and I want to make that clear.

Now, Mr. President, I am sure you are thinking, because I know you well and you are a smart man: OK, if we are spending \$1.1 billion here, where are we going to get it?

Well, I come to you today with a problem, but I also come to you today with a solution.

I don't want to digress too much, but, as you know, we are trying to build out 5G in America, and 5G operates through radio waves through the air called spectrum. And the FCC is in charge of those radio waves. A couple of years ago, the FCC—and those radio waves, by the way, belong to the American people. The FCC licenses them out to companies to use in wireless communications. A few years ago, the FCC was about to give away what is called the C-band spectrum, these particular radio waves that would allow for 5G to become reality in America. And a number of us objected. We said: You know, you don't own these radio waves. The American people own these radio waves. Why are you giving them away?

And after some lively discussions, we finally turned the FCC around, and they decided to auction those radio waves to the highest bidder. They brought in \$80 billion—\$80 billion—and I am very proud of that. That money is sitting in an account in the Department of the Treasury.

Senator CASSIDY's bill and my bill would authorize the use of \$1.1 billion of that \$80 billion in cash to be used through community development block grants to help my people recover.

I can assure you that I wouldn't be here today asking for this if my people didn't desperately need it. They are hanging on. They are hanging on with every ounce of strength they have, but they are human. And, as I said, they are tough, but they are tired.

For that reason, on behalf of Senator CASSIDY and myself, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2359, which is at the desk. I further ask that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. PAUL. Mr. President.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, reserving the right to object, we have now crossed \$28 trillion in debt. We borrow more than \$2 million every minute. The deficit last year was over \$3 trillion. The deficit this year will be over \$3 trillion. There is a \$1 trillion wish list out there for everybody. Everybody wants something.

Somebody says: Oh, there is money in the Treasury. Guess what. There is not. There is a big hole, a big black hole in the Treasury, 28 trillion dollars' worth.

So we do have this one asset, and when we sell it, we should do it to pay down the deficit. We shouldn't do it to expand government further.

So I object to this because we are \$28 trillion in debt. We don't have any money, and we should be fiscally conservative as we profess to be.

I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Nevada.

## ORDER OF BUSINESS

Ms. CORTEZ MASTO. Mr. President, I ask unanimous consent that all postclosure time on the Cunningham nomination be expired and that at 5:30 p.m., Monday, July 19, the Senate vote on confirmation of the nomination; further, that if the nomination is confirmed, 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

## MORNING BUSINESS

Ms. CORTEZ MASTO. 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.