weakened, or learning undermined, which is why I am here today to urge everyone to join me in voting against this resolution and to work with me and the Department of Education to continue to support high-quality charter schools, while improving oversight and transparency of our Federal funds.

I yield the floor.

Mr. SCOTT of South Carolina. I ask unanimous consent for another 30 seconds.

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

Mr. SCOTT of South Carolina. This issue is an issue of America's future and America's now. Today, our kids desperately need quality education from sea to shining sea. This CRA provides us more momentum in the direction of making sure the poorest kids in the poorest ZIP Codes have quality education. That is all this is about.

I urge my colleagues to vote yes.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

VOTE ON S.J. RES. 60

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall the bill pass?

Mr. SCOTT of South Carolina. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. HICKENLOOPER) is necessarily absent.

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

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

[Rollcall Vote No. 390 Leg.]

YEAS—49

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Collins	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tillis
Cramer	Marshall	Toomey
Crapo	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	
Graham	Portman	

NAYS—49

Baldwin	Gillibrand	Murphy
Bennet	Hassan	Murray
Blumenthal	Heinrich	Ossoff
Booker	Hirono	Padilla
Brown	Kaine	Peters
Cantwell	Kelly	Reed
Cardin	King	Rosen
Carper	Klobuchar	Sanders
Casey	Leahy	Schatz
Coons	Luján	Schumer
Cortez Masto	Manchin	Shaheen
Duckworth	Markey	Sinema
Durbin	Menendez	Smith
Feinstein	Merkley	Stabenow
Tester	Warnock	Wyden
Van Hollen	Warren	
Warner	Whitehouse	

NOT VOTING—2

Cruz	Hickenlooper

The joint resolution (S.J. Res. 60) was rejected.

(Mr. KAINE assumed the Chair.)

(Mr. SCHATZ assumed the Chair.)

(Ms. STABENOW assumed the Chair.)

(Mr. KAINE assumed the Chair.)

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. KING). Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Francisco O. Mora, of Florida, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador.

The PRESIDING OFFICER. The Senator from New Jersey.

EXECUTIVE CALENDAR

Mr. BOOKER. Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 1255, Elizabeth Frawley Bagley, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federative Republic of Brazil; that the Senate vote on the nomination without intervening action or debate; 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.

The clerk will report the nomination.

The legislative clerk read the nomination of Elizabeth Frawley Bagley, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federative Republic of Brazil.

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

The nomination was confirmed.

The PRESIDING OFFICER. The President will be notified of the Senate's action.

The Senator from New Jersey.

UNANIMOUS CONSENT REQUEST—H.R. 2116

Mr. BOOKER. Mr. President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 2116 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed on the motion.

Before I do this, sir, I would like to just read a brief statement if I may, Mr. President.

The PRESIDING OFFICER. Proceed.

Mr. BOOKER. Mr. President, I am really proud to be New Jersey's junior Senator. Even more so, I am proud that I have called Newark my home for most of my adult life. I can talk about my community for weeks on end. I know the Presiding Officer has heard me talk about Newark for some time.

It is an incredible community where we do not mistake wealth with worth. We know the value of goodness and decency. And a lot of members of my community in the city of Newark are Black and Brown folks, and the special relationship they often have to their hair denotes deep cultural traditions. You go to my city right now, and you will find hairstyles of different types: locks, cornrows, twists, braids, bantu knots, and, of course, what I once had, Mr. President, afros.

You will find barber shops and hair salons aplenty that are dedicated to the upkeep of these beautiful hairstyles. One of my favorite things to do is to go to barber shops to sit in community with folks and connect.

I can write almost a dissertation probably, sir, right now about the role of barber shops in Black and Brown communities. They are incredible community cultural convening places.

But I also want to say that it is not always a source of joy. At times, the conversation has turned to a deep source of hurt and pain. There is a decades-long problematic practice of discrimination against natural hair in this country.

It was brought to the forefront in 2018 when a New Jersey student named Andrew Johnson was forced to cut his dreadlocks in the middle of a wrestling match. The entire ordeal was caught on camera. And as the scissors were brought out to cut Andrew's hair, you can see the deep hurt and pain on the face of this young man. It is the pain felt by many, traumatic at times, of hurtful experiences that make you question your very belonging in a community—the beauty of your hair, its natural style, your immutable characteristics, your cultural beliefs, your connection to your heritage.

No person in America should have to deal with this pain, and that is why I stand here today, urging this body to pass legislation that is dear to my community's heart, dear to communities all across the country. It is named the Creating a Respectful and Open World for Natural Hair Act, otherwise known as the CROWN Act.

This bill is ultimately a matter of justice. Hair discrimination is real. It is a continuing and a pernicious problem for Black and Brown people in our country. It can lead to lost employment opportunities. It can lead to violations of students' civil rights. In short, it forces people to change parts of their very being so as to avoid harassment or punishment.

A recent study from Michigan State University found that Black women are 50 percent more likely to be sent home

from the workplace because of their hair, and 80 percent of Black women feel the need to change their hair from its natural state to fit in at the office.

Another study from Duke University found that Black women with natural hairstyles are less likely to land job interviews than White women or Black women with straightened hair.

Many students, other than Andrew, have had their civil rights violated. There have been cases in schools that have changed their dress code midyear to place restrictions on hairstyles, targeting Black students with locks and expelling them from school when they refused to cut their hair. Although existing law prohibits some forms of hair discrimination as a type of racial or national origin discrimination, Federal courts, at times, have narrowly construed this protection in a way that has allowed schools, workplaces, and other Federal institutions to discriminate against people of African descent who wear certain types of natural or even protected hairstyles.

That is where the CROWN Act comes in. This commonsense pragmatic piece of legislation is necessary. This legislation clarifies that discrimination based on a hair texture or hairstyle that is commonly associated with a particular race or natural origin—including hair that is tightly coiled or tightly curled, locks, cornrows, twists, braids, Bantu knots, and afros—is a prohibited form of discrimination.

Since the moment I first introduced the CROWN Act with Members of the Congressional Black Caucus, while I am grateful for their work and leadership, we have worked to build more support. In the House, this bill passed with broad bipartisan support because of the strength of the lead of my colleague and friend from New Jersey, Congresswoman BONNIE WATSON COLEMAN. Here in the Senate, Senator COLLINS has signed onto the bill, making it a bipartisan effort. And it is an effort that replicates what has already been done in 19 States—so-called blue States, such as mine or California, to so-called red States, like Nebraska, Tennessee, and Louisiana.

At its core, the CROWN Act is a commonsense policy. It is legislation that further protects the civil rights of Americans. But on a more profound and deeper level, it is a celebration of what makes up the wonderful fabric of our Nation: the rich, cultural diversity and the connections people have to their very identity.

We know the significance that hair plays for the communities that make up the diverse American fabric. For Black folks, hair is rooted in stories of strength and resistance. During the time of slavery, in Colombia, hair braiding was used to relay messages, including as a way to signal that one wanted to escape the lash of bondage.

As one person eloquently described, the hair of Black women is ''a crown that tells a story—a story of struggle, triumph, pain, pride, and comfort.''

The CROWN Act is a chance for us to make sure that story and the stories of so many other cultures are told, a chance to make sure that those stories aren't punished but become more of an integral part of the larger American story. It is a chance to make sure that those stories aren't stigmatized to the point that some have to make the difficult decision to change their natural hair just to have a chance to land a job, to succeed in school, or to escape discrimination overall.

This is a chance for us to make for a more perfect union, to bend the arc of the Nation just a little bit more toward justice, to end another chapter, another area, of deplorable discrimination, which is why today I ask for unanimous consent to pass the CROWN Act.

And so, I guess, as in legislative session, I now ask for unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 2116 and the Senate proceed to its immediate consideration; further, 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?

The Senator from Kentucky.

Mr. PAUL. Reserving the right to object, we all agree that racial discrimination is not only wrong but illegal. The Civil Rights Act of 1964 and other Federal statutes prohibit discrimination on the basis of race, color, or national origin.

The Supreme Court found in the 1973 case McDonnell Douglas Corporation v. Green that using a pretextual reason as cover for discrimination is a violation of Federal civil rights law. Subsequently, the protections sought by this bill are already provided for in Federal law. Using hairstyle as a pretext for racial discrimination is already illegal.

But there is reason to believe that this bill is not ready for enactment. When the House Judiciary Committee considered this legislation, some Members questioned whether this legislation would prevent certain hairstyles and lengths out of concern that they may hinder workplace safety or the ability to perform certain critical functions of the job. For example, employers may require certain hairstyles so that personal protective equipment properly protects the wearer.

Many questions remain unanswered about whether this bill would prevent employers from imposing race-neutral standards, such as maintaining a hairstyle that makes it difficult to become caught in machinery on a factory floor or the ability to properly wear a helmet at a construction site.

This bill would make workers less safe, make it more difficult to start a business and provide jobs, and almost certainly result in expensive litigation and overburdened courts.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BOOKER. I would like to say a couple of things.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Thank you very much for the recognition, Mr. President—the Presiding Officer.

I really heard the point about workplace safety. This bill does not prohibit employers from addressing safety concerns. Instead, it accounts for employers' legal obligations to ensure workplace safety. Written in the bill, section 6(b) of the bill expressly prohibits that the employment nondiscrimination provision ''shall be enforced in the same manner and by the same means, including with the same jurisdiction, as if such subsection was incorporated into Title VII of the Civil Rights Act of 1964.'' In other words, employers will be no more burdened by this bill than they are under the current employment discrimination law.

Under the longstanding, burden-shifting scheme applied by the courts in title VII cases, the employer may defeat a discrimination claim by asserting the workplace safety as a legitimate nondiscriminatory reason for taking adverse employment action against an employee, with the burden then shifting to the employee to prove that the asserted reason was a pretext for discrimination.

So this is addressed, and I appreciate that. But as it was passed in a boldly bipartisan way, it was shown to have incorporated that concern in the bill itself.

Again, this is something that has been passed in States like Tennessee and Louisiana. This has been shown to have wide bipartisan support. It is shown to be needed in the Federal context. And I am hoping that we, through continued deliberations, can actually get that passed.

Mr. President, if I may have leave to say one more thing, I would like to just wish you a Merry Christmas, to the Presiding Officer. I appreciate the cheer and good will that is in this Chamber, and I look forward to happy holidays for everyone.

The PRESIDING OFFICER. The Chair returns the greetings.

The PRESIDING OFFICER. The Senator from North Carolina.

FAREWELL TO THE SENATE

Mr. BURR. Mr. President, I rise today in the time-honored tradition of giving my farewell remarks to the United States Senate. This is an opportunity to thank my friends, my colleagues, and the voters of North Carolina who have supported me for 28 years, through 8 elections, for the opportunity to serve and the ability to make a difference for my State and my country.

Thirty years ago, I was a businessman with a happy family in Winston-Salem, NC, who decided things in Washington, DC, weren't working exactly right. So I decided to run for Congress in an effort to help make that change for the better. My reason for