

The IRA's climate provisions and fossil fuel permitting should be off the table during this negotiation.

We cannot allow the well-being of American families or our planet to be held hostage to a radical, rightwing, conservative House of Representatives that is out of control in terms of its relationship with reality.

I appreciate the attention of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

LOUISIANA HOUSE BILL 12

Mr. KENNEDY. Mr. President, I am going to talk for a few minutes today about HB12. That is not HB12 from the U.S. House of Representatives; that is HB12 from the Louisiana House of Representatives. Why do I want to talk about it? Because it is important. It is important for my State, and I think it is important for other States.

HB12 passed the Louisiana House of Representatives yesterday—maybe it was the day before—by a vote of 88 to 15, and it is headed to my senate.

As the Presiding Officer knows, it is frustrating in that the American people can do things that take your breath away—we can unravel the human genome; we can take a diseased human heart—we can do that in America—and replace it with a new one and make it beat; we can send a person to the Moon—but we can't seem to teach our children how to read and write when we have 18 years to do it.

I don't come here this morning to assess blame. Our problem is shared in other countries. That is no excuse. Our problem is caused by a multitude of factors, but I believe and I will bet the Presiding Officer believes that every child can learn—that every child can learn. It is harder for some than others. I recognize that some of our children do not have a supportive home life, not just in America but in other parts of the world. It seems commonsensical to me that if parents do not love their child, the child is not going to stop loving the child's parents; the child is going to stop loving himself or herself. But I don't know how to fix that. All we can do is continue to believe that every child can learn—every child.

My State, like other States, has a problem with elementary and secondary education. Over half of my children—my young people—in Louisiana are not reading at their grade levels, and at some point, as a child is socially promoted in school and progresses, it almost becomes impossible for a child to learn if the child can't read.

It is not just money. Go look at a list of what States spend on elementary and secondary education—and not just States but local governments and the Federal Government as well. One of our States in America is spending \$54,000 a year on their public schools. I mean, God bless them, but that is a lot of money. It is not just money. We have to try and we have to be courageous

enough to try new things that we think will work.

Now, what does that have to do with HB12 in the Louisiana State Legislature? Here is what HB12 would do. It would say: Look, we are not blaming anyone, but if you are a child in the third grade in Louisiana and if you can't read, according to objective standards, at an acceptable level, then you are going to stay in the third grade. We don't care if you are 16 years old. We can hold you until you are 18. But we think you can learn, and you can't learn if you can't read.

Now, that doesn't mean that the child just repeats the third grade with no help. We will assign that child special tutors. We will assign that child special attention. We will give that child a number of efforts to demonstrate that child's proficiency after getting this special tutoring and attention. But we think every child can learn.

This approach has been tried in two other States—Mississippi and Florida—and it has worked in both States—in both States. We have copied it from Mississippi and Florida. We take no pride of authorship. I am always willing to copy other people's ideas that work and give them full credit. Let me just mention the success in Mississippi, and I hope my colleagues in the Louisiana Legislature—I love every one of them—are listening to me.

After Mississippi implemented its requirement that kids can't advance until they can read, this is what one analysis says of the results of that effort:

The results are stunning: In sixth grade, three years after the intervention, retained students outperform similar students by 1.2 standard deviations (a 0.8 effect size is generally considered "large"), with no measurable impact—

None—

on student absenteeism or special education classification, negative indicators sometimes associated with retention.

Those aren't my words; that came from an in-depth study at Boston University.

This analysis goes on to say:

The magnitude of Mississippi's accomplishments with early reading is truly impressive and rightly deserves attention and replication by other states. For low-income, Black, and Hispanic students, by 2019, Mississippi had risen to the top five of all the states on the fourth grade NAEP, with each group showing more than a year's additional progress since 2013.

I could go on. I could cite you similar analyses and statistics for the State of Florida.

Every child can learn. It just requires a little extra attention and love for some of our children.

Now, HB12 in the Louisiana Legislature would copy the program in Mississippi and Florida. It has passed, as it did last year, overwhelmingly, as I mentioned, in the Louisiana House of Representatives. Last year, in the Louisiana House of Representatives, it passed overwhelmingly. This year, just

recently, it passed by a vote of 88 to 15. Last year, when the bill went to my State's senate, the bill died. We are on our second try, and the bill is now before the Louisiana State Senate.

I know every member of my Louisiana State Senate. I respect all of them, and I am pleading with them. Please, please, please, pretty please with sugar on top, pass this bill. It has worked in other States. If it doesn't work in Louisiana, I will come right to this lectern and say it didn't work, that we tried it. We gave it our best shot, but it didn't work.

But I think it will, and I think our kids deserve the chance. Every child can learn. Every child can learn, but some of our children need special attention. This bill, HB12, before the Louisiana State Senate will provide that attention.

Please, members of my Senate, pass this bill.

I yield to my colleague from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

RECOGNIZING THE SIGNIFICANCE OF ASIAN AMERICAN, NATIVE HAWAIIAN, AND PACIFIC ISLANDER HERITAGE MONTH

Ms. HIRONO. Mr. President, May is Asian American, Native Hawaiian, and Pacific Islander Heritage Month.

This month is an opportunity to celebrate the many contributions of AANHPI communities and the critical role we have played throughout our Nation's history.

From trailblazers like Patsy Mink and Anna May Wong to our own Vice President HARRIS, members of our community have long been leaders in government, science, business, the arts, and more. But while we celebrate our community, this month is also a reminder of how much work remains to advance equality and equity for our community.

The AANHPI community has long been the target of racism and discrimination in this country. Among other challenges, our communities are still combating anti-Asian violence, suffering from health disparities, and experiencing sex trafficking and violence at alarming rates.

The AANHPI community is the fastest growing demographic group in the United States. In the past 20 years alone, the number of Asian Americans in the United States has nearly doubled.

But we are not a monolith. AANHPI communities come from dozens of countries and speak countless languages. The diversity makes our community and our country stronger. That is why, in a moment, I will seek unanimous consent to pass a resolution recognizing AANHPI Heritage Month.

This resolution highlights many of the leaders of our community throughout history and some of the triumphs and challenges we have faced throughout the years. It affirms the important

role our communities continue to play in the story of our Nation and has bipartisan support.

As in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 209.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 209) recognizing the significance of Asian American, Native Hawaiian, and Pacific Islander Heritage Month as an important time to celebrate the significant contributions of Asian Americans, Native Hawaiians, and Pacific Islanders to the history of the United States.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Ms. HIRONO. I ask unanimous consent that the resolution be agreed to; that the Hirono amendment at the desk to the preamble be agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 209) was agreed to.

The amendment (No. 90) to the preamble was agreed to as follows:

(Purpose: To amend the preamble)

In the eighth whereas clause, in the matter preceding paragraph (1), strike “important milestones for the Asian American and Pacific Islander community” and insert “anniversaries”.

The preamble, as amended, was agreed to.

The resolution with its preamble, as amended, reads as follows:

S. RES. 209

Whereas the people of the United States join together each May to pay tribute to the contributions of generations of Asian Americans, Native Hawaiians, and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans, Native Hawaiians, and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian American, Native Hawaiian, and Pacific Islander community is an inherently diverse population, composed of more than 45 distinct ethnicities and more than 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian American population grew faster than any other racial or ethnic group over the last decade, surging nearly 55.5 percent between 2010 and 2020, and during that same time period, the Native Hawaiian and Pacific Islander population grew by 30.8 percent;

Whereas there are approximately 24,000,000 residents of the United States who identify as Asian and approximately 1,600,000 residents of the United States who identify as Native Hawaiian or Pacific Islander, making up more than 7 percent of the total population of the United States;

Whereas the month of May was selected for Asian American, Native Hawaiian, and Pacific Islander Heritage Month because the first Japanese immigrants arrived in the

United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from Chinese immigrants;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests the President to issue an annual proclamation calling on the people of the United States to observe the month with appropriate programs, ceremonies, and activities;

Whereas 2023 marks several anniversaries, including—

(1) the 125th anniversary of United States v. Wong Kim Ark, 169 U.S. 649 (1898), a decision of the Supreme Court of the United States that determined that the 14th Amendment grants birthright citizenship to all persons born in the United States, regardless of the national origin of their parents;

(2) the 80th anniversary of the Act entitled “An Act to repeal the Chinese Exclusion Acts, to establish quotas, and for other purposes”, approved December 17, 1943 (commonly known as the “Magnuson Act of 1943”) (57 Stat. 600, chapter 344), which formally repealed the Act entitled “An Act to execute certain treaty stipulations relating to Chinese”, approved May 6, 1882 (commonly known as the “Chinese Exclusion Act of 1882”) (22 Stat. 58, chapter 126);

(3) the 35th anniversary of the passage of the Civil Liberties Act of 1988 (50 U.S.C. 4211 et seq.), which granted reparations to Japanese Americans incarcerated during World War II; and

(4) the 30th anniversary of the enactment of Public Law 103-150 (107 Stat. 1510), which acknowledged the 100th anniversary of the January 17, 1893, overthrow of the Kingdom of Hawaii and offered an apology to Native Hawaiians on behalf of the United States;

Whereas Asian Americans, Native Hawaiians, and Pacific Islanders have made significant contributions to the United States at all levels of the Federal Government and in the Armed Forces, including—

(1) Daniel K. Inouye, a Medal of Honor and Presidential Medal of Freedom recipient who, as President pro tempore of the Senate, was the then-highest-ranking Asian American government official in the history of the United States;

(2) Dalip Singh Saund, the first Asian American elected to Congress;

(3) Patsy T. Mink, the first woman of color and Asian American woman elected to Congress;

(4) Hiram L. Fong, the first Asian-American Senator;

(5) Daniel K. Akaka, the first Senator of Native Hawaiian ancestry;

(6) Norman Y. Mineta, the first Asian-American member of a Presidential cabinet;

(7) Elaine L. Chao, the first Asian-American woman member of a Presidential cabinet; and

(8) Kamala D. Harris, the first woman and the first Asian American to hold the Office of the Vice President;

Whereas the 118th Congress includes 21 Members of Asian or Pacific Islander descent;

Whereas, in 2023, the Congressional Asian Pacific American Caucus, a bicameral caucus of Members of Congress advocating on behalf of Asian Americans, Native Hawaiians, and Pacific Islanders, is composed of 72 Members, and other congressional caucuses work on Asian American, Native Hawaiian, and Pacific Islander issues also;

Whereas, in 2023, Asian Americans, Native Hawaiians, and Pacific Islanders are serving in State and Territorial legislatures across the United States in record numbers, including in—

(1) the States of Alaska, Arizona, California, Connecticut, Georgia, Hawaii, Idaho,

Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming; and

(2) the Territories of American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands;

Whereas Asian Americans, Native Hawaiians, and Pacific Islanders represent more than 6 percent of Federal judges and 7 percent of Federal employees, including hundreds of staffers of Asian, Native Hawaiian, or Pacific Islander descent who serve as staff in the Senate and the House of Representatives;

Whereas, since March 2020, there has been a dramatic increase in reports of anti-Asian hate crimes and incidents, including those related to the COVID-19 pandemic, including—

(1) a 339-percent increase in anti-Asian hate crimes in 2021, and a 124-percent increase in 2020;

(2) according to Stop AAPI Hate, over 11,000 hate incidents reported since the start of the COVID-19 pandemic through March 2022, and countless others that have not been reported;

(3) on March 16, 2021, the murder of 8 people, including 6 Asian women, at 3 separate Asian-owned businesses in the Atlanta, Georgia, region; and

(4) on May 15, 2022, the shooting of 5 people in Laguna Hills, California, in which the Taiwanese congregation at Geneva Presbyterian Church was targeted;

Whereas the incidence of hate crimes against Asian Americans continues to be above levels observed before the COVID-19 pandemic;

Whereas discrimination against Asian Americans, especially in moments of crisis, is not a new phenomenon, and violence against Asian Americans has occurred throughout United States history, including—

(1) the enactment of the Act entitled “An Act supplementary to the Acts in relation to Immigration”, approved March 3, 1875 (commonly referred to as the “Page Act of 1875”) (18 Stat. 477, chapter 141), which restricted entry of Chinese, Japanese, and other Asian women to the United States and effectively prohibited the immigration of Chinese women, preventing the formation of Chinese families in the United States and limiting the number of native-born Chinese citizens;

(2) the enactment of the Act entitled “An Act to execute certain treaty stipulations relating to Chinese”, approved May 6, 1882 (commonly known as the “Chinese Exclusion Act of 1882”) (22 Stat. 58, chapter 126), which was the first law to explicitly exclude an entire ethnic group from immigrating to the United States;

(3) the issuance of Executive Order 9066 in 1942, which authorized the forced relocation and incarceration of approximately 120,000 individuals of Japanese ancestry during World War II, the majority of whom were citizens of the United States;

(4) the murder of Vincent Chin;

(5) on January 17, 1989, the Cleveland Elementary School shooting in which a gunman used an AK-47 to kill 5 children, 4 of whom were of Southeast Asian descent;

(6) the rise in discrimination and violence against Muslim, Sikh, Arab, Middle Eastern, and South Asian Americans following the attacks on the World Trade Center and the Pentagon on September 11, 2001; and

(7) on August 5, 2012, the mass shooting at a Sikh temple in Oak Creek, Wisconsin, in which a White supremacist fatally shot 6 people and wounded 4 others;

Whereas, in response to the uptick in anti-Asian hate crimes throughout the COVID-19 pandemic, Congress passed the COVID-19 Hate Crimes Act (Public Law 117-13; 135 Stat. 265), which was signed into law by President Joseph R. Biden on May 20, 2021;

Whereas, in celebration of the contributions of Asian American, Native Hawaiian, and Pacific Islanders in the United States, Congress passed the Commission To Study the Potential Creation of a National Museum of Asian Pacific American History and Culture Act (Public Law 117-140; 136 Stat. 1259) to establish a commission to study the creation of a National Museum of Asian Pacific American History and Culture, which was signed into law by President Biden on June 13, 2022;

Whereas, as part of the American Women Quarters Program, the United States Mint has issued, or will issue, commemorative quarters honoring the contributions of—

(1) Chinese American film star Anna May Wong;

(2) Native Hawaiian composer and cultural advocate Edith Kanaka'ole; and

(3) Congresswoman Patsy Mink;

Whereas there remains much to be done to ensure that Asian Americans, Native Hawaiians, and Pacific Islanders have access to resources and a voice in the Federal Government and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian American, Native Hawaiian, and Pacific Islander Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of, and to understand the challenges faced by, Asian Americans, Native Hawaiians, and Pacific Islanders: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of Asian American, Native Hawaiian, and Pacific Islander Heritage Month as an important time to celebrate the significant contributions of Asian Americans, Native Hawaiians, and Pacific Islanders to the history of the United States; and

(2) recognizes that Asian American, Native Hawaiian, and Pacific Islander communities enhance the rich diversity of and strengthen the United States.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, the negotiations are currently making progress. As Speaker MCCARTHY has said, he expects the House will vote next week if an agreement is reached, and the Senate would begin consideration after that.

Following the vote on the Abudu nomination, Members should remain aware and be able to return to the Senate within a 24-hour period to fulfill our responsibilities to avoid default.

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

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

NOMINATION OF NANCY G. ABUDU

Mrs. BLACKBURN. Mr. President, today I rise to oppose the nomination

of Nancy Abudu as President Biden's nominee for appointment as a U.S. circuit judge for the 11th Circuit Court of Appeals.

Now, in a government as divided as ours is at this time, we expect to have some controversial nominees that come before us at the Judiciary Committee. We expect debate; we do expect disagreement; but what we should never expect or tolerate is a nominee who has proven herself completely unfit for the role she is asking.

Ms. Abudu has shown us that there is no such thing as a good-faith debate. She views disagreements over policy as evidence of bigotry. She describes herself as a radical legal activist and has compared her fellow Americans to Jim Crow-era racists and endorsed political violence against conservatives.

She has stated that policing is—and I am going to quote her here—the true threat to our collective safety. Hear me out on this. She has said that policing is—and I quote her—the true threat to our collective safety. She has embraced lawless sanctuary city policies and compared our criminal justice system to the horrors of slavery. These are her statements and her positions.

I would be doing a disservice to our Federal, State, and local law enforcement officers if I didn't point out the rank hypocrisy of my Democratic colleagues' attempt to force this nominee through during National Police Week.

Now, as I said, she feels like policing is a threat to our collective safety, but my Democratic colleagues, during this National Police Week, are choosing to push her forward.

She used the significant power of her position within the Southern Poverty Law Center to weaponize charges of hate against her political opponents, all the while covering up blatant discrimination within her organization.

Indeed, the Southern Poverty Law Center, every year, issues their "hate" list. This should give everyone pause, but perhaps the most egregious example of Ms. Abudu's hostility toward the rule of law involves this very Chamber, those of us of each party who sit in this Chamber.

In 2021, she engaged in a vicious mudslinging campaign in an attempt to manipulate the U.S. Senate into abandoning the filibuster and endorsing a radical overhaul of our Federal elections. Her campaign was so full of misrepresentations—and we will just call them falsehoods—that even some of the most progressive Members of her party balked at what she was doing. This is the conduct that the Biden administration is seeking to reward.

Justice is to be evenhanded; equal justice for all; one system of justice, not two tiers of justice. We must not tolerate what is happening here, and we must not approve this nominee.

We had a great discussion in the Judiciary Committee about people who are unfit for the bench, unfit for public service, and the need to make certain that people are fit for this service. Ms.

Abudu, by her actions, has proven herself to be unethical, unscrupulous, and completely untethered from any acceptable philosophy of law.

To approve this nominee would be to rubberstamp a nominee who terms herself a "radical leftist activist." It would rubberstamp a radical agenda. It would rubberstamp an activist judge. We don't want that on our courts, and this is something the American people have rejected repeatedly.

Mr. President, I ask unanimous consent that the following articles be printed in the RECORD following the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NANCY ABUDU, ANOTHER CONCESSION TO THE FAR LEFT AND TO ONE OF ITS MOST DISREPUTABLE ORGANIZATIONS

(By Carrie Campbell Severino)

President Biden's judicial gifts to dark-money groups do not end with Ketanji Brown Jackson or other far-left nominees he picked for lower courts. Eleventh Circuit nominee Nancy Abudu made her career in the dark-money realm since 2005, when she joined the American Civil Liberties Union. She worked for several years for the group's Voting Rights Project, leaving just as another future Biden nominee—Dale Ho—became its director. From there, Abudu assumed the post of legal director of the ACLU of Florida.

In 2019, after over a decade with the ACLU, Abudu joined the Southern Poverty Law Center (SPLC), a once admirable group that in recent years has been mired in scandal and recognized as a racket that betrays its stated principles—not least by vilifying those it disagrees with as "hate groups." A number of liberals have acknowledged this, with Nathan J. Robinson, founder of the left-wing Current Affairs, calling the group's signature "Hate Map" an "outright fraud."

Abudu is the group's director for strategic litigation. A wide-ranging coalition of over 50 organizations and individuals protested her nomination in a letter to Senate Judiciary Committee Chairman Richard Durbin and Ranking Member Chuck Grassley. They stated bluntly: "Ms. Abudu works for a disreputable organization that has no business being a feeder for positions to any judicial office—not even of a traffic court—let alone the second highest court system in the United States. She is a political activist not a jurist and is unfit to serve at the federal appellate level."

The Family Research Council (FRC) circulated the letter. They have good reason to have sounded the alarm. They know the real danger of being labeled a "hate group" by the SPLC. As their letter to Durbin and Grassley explains:

These destructive accusations have done real harm to many people. In the first conviction under the post-9/11 District of Columbia terrorism statute, the convicted terrorist was shown to have been motivated by the SPLC's "hate group" designation and related identifying information.

In that case, SPLC materials facilitated a troubled young man's delusional, and thankfully unsuccessful, plan to commit mass murder. Using the SPLC "hate map," this native of northern Virginia targeted the Family Research Council (FRC) and two other nearby groups in August 2012 for having beliefs supporting traditional marriage. Fortunately, no one was killed, although he did shoot and critically wound FRC's unarmed building manager who subdued him while wounded.