

President Biden's watch. It is going to continue to get worse, not better. Under this administration, fentanyl has poured across the southern border and into our communities across America. If anyone should be named and shamed for ignoring this crisis, it is not the House of Representatives, it is the gentleman sitting at 1600 Pennsylvania Avenue.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 261.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Tanya J. Bradsher, of Virginia, to be Deputy Secretary of Veterans Affairs.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 261, Tanya J. Bradsher, of Virginia, to be Deputy Secretary of Veterans Affairs.

Charles E. Schumer, Jon Tester, Raphael G. Warnock, Angus S. King, Jr., Sherrod Brown, Tim Kaine, Tina Smith, Mark Kelly, Debbie Stabenow, Richard J. Durbin, Jeanne Shaheen, Catherine Cortez Masto, Chris Van Hollen, Alex Padilla, Gary C. Peters, Richard Blumenthal, Margaret Wood Hassan.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 124.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Jeffrey Irvine Cummings, of Illinois, to be United States District Judge for the Northern District of Illinois.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 124, Jeffrey Irvine Cummings, of Illinois, to be United States District Judge for the Northern District of Illinois.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

#### LEGISLATIVE SESSION

#### MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 198, H.R. 4366.

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

The legislative clerk read as follows:

A bill (H.R. 4366) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

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 motion to proceed to Calendar No. 198, H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

Charles E. Schumer, Patty Murray, Jack Reed, Alex Padilla, Richard J. Durbin, Chris Van Hollen, Martin Heinrich, Debbie Stabenow, Richard Blumenthal, Christopher Murphy, Brian Schatz, Tina Smith, Margaret Wood Hassan, Christopher A. Coons, Catherine Cortez Masto, Tammy Duckworth, Benjamin L. Cardin.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, September 7, be waived.

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

#### ORDERS FOR MONDAY, SEPTEMBER 11, 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 3 p.m. Monday, September 11; that following the prayer and pledge, the Journal of proceedings be approved to date, morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon conclusion of morning business, the Senate proceed to executive session to resume consideration of the Bradsher nomination; further, that the cloture motions filed during today's session ripen at 5:30 p.m.

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

#### ORDER FOR ADJOURNMENT

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators CARDIN, LANKFORD, and LEE.

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

The PRESIDING OFFICER. The senior Senator from Maryland.

#### 60TH ANNIVERSARY OF THE MARCH ON WASHINGTON

Mr. CARDIN. Mr. President, 60 years ago last week, on Monday, August 28, hundreds of thousands of men and women descended on our Nation's capital for the March on Washington for Jobs and Freedom.

The march has become synonymous with Dr. Martin Luther King, Jr.'s "I

Have a Dream" speech, which he delivered from the steps of the Lincoln Memorial and has become a central rallying theme for the civil rights movement.

Dr. King was prophetic in his remarks, beginning by saying that the day "will go down in history as the greatest demonstration for freedom in the history of our nation."

To this day, it is the standard by which every other march and rally in Washington is judged. I thank all the Marylanders who attended the march and wanted to give a special thanks to those who joined the reenactment last week in Annapolis, which was kicked off by the Morgan State Marching Band. Had he lived to see the progress that has been made, and sometimes lost, six decades later, I am confident that Dr. King would have been uneasy and deeply frustrated that we are still fighting many of the same battles against bigotry and racism as well as economic repression and hate-fueled gun violence. Yet I am sure he would have leaned into the words he spoke on March 31, 1968, just days before his assassination, when he said:

We shall overcome because the arc of the moral universe is long, but it bends towards justice.

Of course, Dr. King knew that we cannot leave it to fate to bend the arc of the moral universe on its own. We must work together for justice, equality, and democracy so that all people in this great Nation can be free. As Dr. King said:

All men, yes, black men, as well as white men, would be guaranteed the inalienable rights of life, liberty and the pursuit of happiness.

Labor leader A. Philip Randolph's opening speech at the march was also explicit in the broad demands of the moment:

We want a free, democratic society dedicated to the political, economic, and social advancement of men along moral lines.

To that end, for many years in the U.S. Senate, I have been humbled to lead the fight for a number of key civil rights measures that would move the arc in the right direction of progress. These are basic measures that rebuke the structural racism that has been so deeply ingrained in our legal, social, and economic system for generations.

All of these legislative measures have healthy Democratic support; but, regrettably, with few exceptions, they are not yet bipartisan.

So let me go through some of these efforts. First, the End Racial and Religious Profiling Act would ban discriminatory profiling by Federal, State, and local law enforcement nationwide. Prohibited behavior would include targeting based on actual or perceived race, ethnicity, nationality, religion, gender, gender identity, or sexual orientation.

This prohibition covers Federal, State, and local law enforcement agencies carrying out criminal, immigration, or custom laws. Nothing in this

bill would keep law enforcement officers from pursuing suspects based on legitimate descriptions—including their race and ethnicity, et cetera—but the days of targeting groups of people solely on how they look would end. My legislation was included in the broader George Floyd Justice and Policing Act, and I was pleased to see the U.S. Department of Justice recently strengthened their guidance against discriminatory profiling.

Next in my efforts, I would like to mention the Democracy Restoration Act, which would finally end the permanent denial of voting rights nationwide for individuals with criminal convictions who have been released from incarceration.

The bill aims to eliminate the complicated patchwork of State laws, many harkening back to the Jim Crow era. The current system worsens racial disparities in access to the ballot box and contributes to confusion and misinformation regarding voting rights.

In early August, a Federal appeals court issued a decision stating that the Mississippi's lifetime ban on voting for individuals convicted on some felonies "violates the Eighth Amendment's prohibition against cruel and unusual punishment."

As described by the Brennan Center For Justice:

The remarkable 2-1 ruling by the U.S. Court of Appeals for the Fifth Circuit will re-enfranchise tens of thousands of people.

My legislation was included in the broader For the People and Freedom to Vote Act legislation.

On voting rights, I joined a bipartisan working group to help pass the Electoral Count Reform Act to address some of the tactics used to attempt to overthrow the 2020 elections, which led to the January 6 insurrection at the Capitol.

But Congress still needs to take up and pass the John Lewis Voting Rights Reauthorization Act to begin to repair the damage done by the Supreme Court in curtailing the rights to vote and the use of voter suppression tactics, particularly against minority communities.

And when it comes to the lower Federal courts such as the district and circuit courts, I have continued to work with the Biden administration to recommend highly qualified and diverse Federal judges for lifetime appointments who believe in equal justice under the law that protects all Americans.

In regards to equal rights for women, we still have unfinished business. In May of this year, a bipartisan majority of the U.S. Senate voted to remove the arbitrary deadline for the ratification of the Equal Rights Amendment and making it the 28th Amendment to our Constitution.

I was proud to lead the effort on this historic vote, along with my partner in this effort, Senator LISA MURKOWSKI of Alaska. For more than a decade, I have been working with a full grassroots

army of women and men who understand that constitutional equality will not be a reality until the Equal Rights Amendment is recognized and ratified.

I first introduced a similar resolution in 2012. At that time, I had only 17 cosponsors, and we were still three States short of ratification.

Today, we have a bipartisan majority of Senators affirming that 38 States have ratified the ERA thanks to Virginia's ratification as the 38th State in 2020. This vote was decades in the making. I served in the Maryland House of Delegates in 1973 when the Maryland General Assembly voted to ratify the ERA. For my wife, my daughter, and my granddaughters, I have been working to complete the ratification of the ERA to protect their rights and the rights of all people across this Nation.

The ERA simply states that equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex. That is it. That is the very straightforward text of what the Equal Rights Amendment to the Constitution says. Ratification would affirm women's equality by enshrining the principles of women's equality and explicitly prohibiting against sex discrimination in our Nation's founding document.

Most Americans think the ERA already is part of our Constitution, and nearly three-quarters support it. A majority of States covering a supermajority of Americans have equal rights or gender equality provisions in their State constitutions—as does Maryland—but millions are still left behind.

At the Federal level, the only current explicit guaranteed right in the United States Constitution based on sex is the 19th Amendment, which is the right to vote. That amendment was proposed by Congress in 1919, shortly after the end of World War I, and ratified by the States in 1920. Clearly, existing legal protections against sex discrimination fall well short of addressing the systemic sex-based inequality in our society.

Congress ratified the ERA in 1972 and sent it to the States for ratification. But back in 1972, an arbitrary deadline of 7 years was included in the enabling legislation for the ERA. The deadline was not—is not—in the amendment itself.

Congress extended the deadline to a full 10 years when it was clear that 38 States would not complete their ratification in time. What we are now trying to do is follow that precedent and change that deadline again. Actually, we want to remove that deadline.

With Virginia's ratification in 2020, the States completed their work, and it is now up to Congress to remove any doubt about the ERA being part of our Constitution. This has been a struggle, but we must make it to the finish line. Our resolution S.J. Res. 4 would clarify once and for all that the ERA has met all the requirements of article V of our Constitution.

As the 28th Amendment, the ERA would serve as a new tool for Congress, Federal Agencies, and in the courts to advance equality in the fields of workforce and pay, pregnancy discrimination, sexual harassment and violence, reproductive autonomy, and protection of the LGBTQ+ individuals. It is also a signal to the courts that they should apply a more rigorous level of review to laws and government policies that discriminate on the basis of sex.

That is what the ERA is all about: equality, the most fundamental of American values. I am disappointed by the outcome of the vote this May, but this is not the end. Just before the Senate vote on the measure, I led my colleagues in a vigorous floor debate in support of the ERA and our resolution to affirm the ratification.

Not one opponent showed up to debate the merits of the resolution or equal rights. No one. It tells me that we are on the right side of history, and they know it.

So make no mistake about it, this march towards equality on account of sex continues. We will not rest until the ERA is in the Constitution of the United States. The States have done their job. We will get the necessary votes to make that a reality.

My life of public service was inspired by my faith but also by the civil rights movement and elected leaders of the 1960s. I was first elected to Congress in 1986 and sworn into office in 1987, along with Congressman John Lewis of Georgia, who would become a lifelong friend and mentor.

Years earlier, John was one of the original Freedom Riders and served as chairman of the Student Nonviolent Coordinating Committee. He was one of the major organizers of the 1963 March on Washington.

For John, the movement for freedom, justice and equality—economically, socially, and all aspects of life—was not merely a movement; it was his life's work.

As times changed and as the struggle for equality took on new forms, his commitment never faltered. He marched on Washington through Selma and in the Halls of the U.S. Capitol with the same faith, courage, and conviction.

This past weekend, tens of thousands gathered on the National Mall to continue to march for freedom and justice, hearkening back to those who stood on the same ground six decades earlier. Dr. King's daughter-in-law, Arndrea Waters King, described to the crowd:

We are here to liberate the souls of the Nation, the soul of democracy from the forces who would have us all go backwards and perish rather than go forward as sisters and brothers.

As President Joe Biden said recently, recalling Dr. King's reference to a "promissory note" to every American, it is "a promise derived from the very idea of America, that we are all created equal and deserve to be treated equally throughout our entire lives. While

we've never fully lived up to that promise, we've never—thank God—fully walked away from it . . . for our administration and with your help, it means pushing back against voter suppression, election subversion, and hate-fueled violence."

So, Mr. President, my message to our colleagues is let us work together to do the work necessary to make sure that the moral arc of the universe moves toward justice. We must carry out that mission.

With that, I yield the floor.

## MORNING BUSINESS

### ADDITIONAL STATEMENTS

#### REMEMBERING DOROTHY CALDWELL

• Mr. BOOZMAN. Mr. President, I rise to recognize the life and advocacy of child nutrition champion Dorothy Caldwell who passed away on August 13, 2023.

From a young age, it was clear to her teachers and others around her that Dorothy would make a difference in Arkansas. She was a trailblazer.

Dorothy was active in 4-H and graduated high school at the age of 16. With help from her community, she was the first person in her family to attend college. At the University of Arkansas, she was involved in a number of activities. She served as vice president and chaplain of Phi Upsilon Omicron, the university's home economics sorority. As a senior, she traveled all over the State for her duties as president of the Arkansas Future Teachers of America.

She fostered a passion for helping students and went to work improving nutrition programs, first as director of food and nutrition for the Lee County School District and, from 1988–1997, as director of child nutrition for the Arkansas Department of Education. Her skills, experience and commitment to public service took her to Washington, DC, where she worked at the U.S. Department of Agriculture for 4 years. Dorothy continued her leadership advancing child nutrition policy in numerous roles including as president of the School Nutrition Association. In this capacity she helped develop nationwide child nutrition standards. Her tireless advocacy on behalf of school-age children resulted in standardized lunch times, education initiatives about healthy eating and the launch of student breakfast programs. She earned the honor of "School Nutrition Hero" from the School Nutrition Foundation at its 50th anniversary celebration.

Dorothy dedicated her career to improving the lives of children and ensuring they receive the nutrition necessary to succeed. As we continue building on the groundwork she established and improve access to USDA school meal programs, we remember

and honor her tireless efforts and admirable example.

I offer my deepest condolences to her family, friends and those who had the privilege to work alongside such a wonderful person. I am hopeful they can find comfort knowing Dorothy's legacy will live on.●

#### TRIBUTE TO STEPHEN BROWN

• Mr. RUBIO. Mr. President, I recognize Stephen Robert Brown, the Bradford County Teacher of the Year from Bradford High School in Starke, FL.

Stephen never predicted he would work as one of the most celebrated teachers in the school district. He developed his teaching philosophy as one that teaches from bell to bell and advocates for all students, not just those in his classes. He instills in his students the confidence to achieve their long-term goals and develops plans to help meet those goals.

Stephen's students grow academically and personally by the end of each school year. He welcomes his students to ask questions to better comprehend the assignments, and ultimately wants to see them thrive.

Stephen is the team lead for the Exceptional Student Education Department at Bradford High School. He also is the school's ACT testing coordinator.

I extend my deepest gratitude and best wishes to Stephen for his commitment to his students. I look forward to hearing about his continued good work in the years to come.●

#### TRIBUTE TO FRANCISCO CARDOZA

• Mr. RUBIO. Mr. President, I recognize Francisco Cardoza, the Orange County Teacher of the Year from Village Park Elementary School in Orlando, FL.

Francisco helps his students gain confidence and seek excellence in their schoolwork. He often has fun lessons for his students, such as setting the classroom up to mimic a racetrack to demonstrate force and motion or going into a hospital room to teach how to measure volume and mass.

While Francisco considers his students his top priority, he also works to help everyone else on campus. He volunteers to tutor other students, mentor children, lead a committee, or plan a school event. His colleagues know he commits to teaching and leads others to be successful in any way he can.

Francisco is a fifth grade teacher at Village Park Elementary, where he has taught for nearly 2 years. He began the school's National Elementary Honor Society chapter and Safety Patrol and helped run its Amazing Shake initiative.

I extend my deepest gratitude and best wishes to Francisco for his commitment to his students. I look forward to hearing about his continued good work in the years to come.●