



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 118th CONGRESS, FIRST SESSION

Vol. 169

WASHINGTON, WEDNESDAY, SEPTEMBER 20, 2023

No. 152

Senate

The Senate met at 10 a.m. and was called to order by the Honorable PETER WELCH, a Senator from the State of Vermont.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the fountain of all goodness, thank You that You have us in the place where You want us to be.

Teach our lawmakers to take seriously their role in solving the problems of our times, that they may fulfill Your plans for their lives. Continue to inspire them and to bless others through their work. Use Your sovereign wisdom to bring about good results from their decisions. Lord, give our Senators the courage to tell us what we need to hear so that Your truth will set us free. Make them willing to take judicious risk when it leads to justice and truth.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 20, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable PETER WELCH, a Senator from the State of Vermont, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. WELCH thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2024—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4366, which the clerk will report.

The senior assistant 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.

Pending:

Schumer (for Murray-Collins) amendment No. 1092, in the nature of a substitute.

Murray amendment No. 1205 (to amendment No. 1092), to change the effective date.

Murray motion to suspend rule XVI for the consideration of Schumer (for Murray-Collins) amendment No. 1092 (listed above) to the bill.

Schumer motion to commit the bill to the Committee on Appropriations, with instructions, Schumer amendment No. 1230, to change the effective date.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the time until 12:15 p.m. be for debate only. At 12:15 p.m., we have a vote on the cloture motion on moving forward on the mini-bus.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

H.R. 4366

Mr. SCHUMER. Mr. President, today, Senators from both sides of the aisle will have a chance to affirm that bipartisanship still rules the day in the Senate appropriations process.

In a few hours, we will hold a cloture vote on the suspension of rule XVI, to override the stall tactics of one Member who objected last week to waiving rule XVI. It is yet another reminder that, in both Houses, a small group of hard-right Republicans is dead set on grinding the gears of government to a halt. For MAGA Republicans, it is as if chaos is a virtue and cooperation a crime, but I do not believe that this is the view of most Members in this Chamber, Democrats or Republicans.

The appropriations process has been a true bipartisan success story to date. Our colleagues on the other side have asked for regular order, and we have worked with them to ensure we have done just that, just as we did on the NDAA bill. Our colleagues on the other side have asked for amendments, and we have worked with them to consider amendments.

We worked side by side with our Republican colleagues in the Appropriations Committee to bring these three bills to the floor: MILCON-VA, Agriculture, and Transportation-HUD. It has taken a lot of hard work. We have had plenty of disagreements, as both sides normally do, but we have worked through them. It is a reminder that,

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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even in divided times, it is the hard work—hard work—of achieving bipartisanship that produced results.

Today, we have a chance to make sure all the good work of the appropriators is not wasted. Whether the Republicans give us cloture or not, we on this side of the aisle are going to do our best to ensure that the minibus gets done. We have come very far, and there is no good reason to turn back.

GOVERNMENT FUNDING

Now, Mr. President, on the CR, every day we get closer to September 30, one truth becomes clearer and clearer: There is no scenario for avoiding a government shutdown without bipartisan ship.

A government shutdown would be a terrible and unnecessary outcome for our country. Millions of Americans who count on government services would have their lives disrupted. It could impact the pay of our service members, who so bravely serve us. Air traffic controllers and TSA employees would have to work without pay. FEMA's Disaster Relief Fund—needed by so many—could dry up.

A shutdown would be disastrous. A shutdown would be unnecessary. Make no mistake, a shutdown is certainly avoidable. Yet, with each passing day, House Republicans seem less interested in avoiding a shutdown and more interested in catering to the hard, hard, unreasonable, adamant, and stubborn hard right.

A few days ago, House Republicans released what they claimed was a deal for a CR—a slapdash, reckless, and cruel bill that everyone knew had no chance—no chance—of passing in the Senate. It would have cut 8 percent to virtually all nondefense spending. It would have cut investments to the Social Security Administration. It would have meant cuts to law enforcement, to NIH funding for cancer research, to nutrition assistance, to protections for clean water, for small business loans, even for the people protecting the border. Still, it wasn't extreme enough for the hard right.

House Republicans rejected their own extremist bill, and by rejecting it, that is a dead giveaway they are not serious about avoiding a shutdown. They seem more interested in just finding the lowest common denominator—finding something, anything, that can appease the hard right no matter how extreme, no matter how unrealistic, no matter how cruel, and no matter how unseriously this would be taken by the country and by this body. This is not a serious way to solve the crisis.

Look, I sympathize with the Speaker. I know his task isn't easy, as he has a lot of very, very difficult Members to deal with. But we all have—including the Speaker—a responsibility to the American people. Real lives would be disrupted in a shutdown.

The answer to avoiding a shutdown is right in front of Speaker MCCARTHY, and he knows it: bipartisanship. Speaker MCCARTHY says he wants to avoid a

shutdown. He says nobody wins in a shutdown. Well then, he should reach across the aisle to find an agreement that actually has the votes to pass both Chambers. That is the only way—the only way—this crisis gets resolved.

When Members of your own side operate in bad faith, when has appeasement ever worked? If he gives in to them now, they will want something more tomorrow and the next day and the next day. Some of them have stated boldly that they want a shutdown. The Speaker has an obligation not to let those people who want a shutdown have their way.

Chasing the lowest common denominator won't ever solve the Speaker's problems. The hard right will just keep demanding more extreme things. It is the pattern we have seen play out all year long, and that approach will only lead to one outcome: a MAGA government shutdown. This has been the problem with MAGA extremism from the start. It is not serious about governing. It hates governing. "Chaos" is the only word in their playbook.

We have Members of the hard right who openly say—bragging—they want a shutdown. Well, it doesn't have to be this way, and it shouldn't be this way. Those few who want a shutdown should not control the House. Speaker MCCARTHY doesn't have to pretend like a MAGA bill is the only option. Again, there are real people who will be hurt if the government is shut down. They like to see us work together so their lives don't get disrupted.

Today is September 20. House Republicans have less than 10 days to figure this out. If Republican leadership chooses to work with Democrats, we can avoid a shutdown very quickly, but if they continue to appease the MAGA hard right, we all know exactly how this is going to end.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

PRESCRIPTION DRUGS

Mr. MCCONNELL. Mr. President, next week, America's world-leading medical innovation sector will face their first deadline in the Biden administration's push for prescription drug socialism.

Under Washington Democrats' so-called Inflation Reduction Act, the companies behind certain major treatments for seniors, for everything from arthritis to diabetes, to cancer, will have to choose, by the end of next week, whether to enter into a so-called "negotiation program" run by Federal bureaucrats, pay an excessive fine, or take their drugs off the market.

Well, the devil is in the details. Unsurprisingly, Democrats intend for this "negotiation" to be anything but. It turns out, the IRA empowers the Biden administration to reject any counteroffer during the process and, thus, arbitrarily set the maximum price to whatever number the bureaucrats choose.

Now, the Biden administration claims that this policy will save consumers money and lead to cheaper treatments, but this couldn't be further from the truth. In reality, this so-called "negotiation" with unelected bureaucrats will ensure that fewer lifesaving treatments make it to the markets in the first place.

I was very proud to have worked alongside then-Vice President Biden on his Cancer Moonshot Initiative and the 21st Century Cures Act back in 2016. Unfortunately, by one estimate, the Biden administration's own price-fixing scheme would destroy nearly nine times as much funding for cancer research as that legislation, back in 2016, provided by eliminating incentives for drug companies to invest in R&D. Already, several companies announced last year that they were discontinuing research into treatments for cancer and other diseases due to concerns about the impact of Washington Democrats' regulations.

The Biden administration wants to dry up the world's most prolific pipeline of lifesaving cures. The American people deserve better than prescription drug socialism.

UKRAINE

Mr. President, now, on another matter, yesterday, President Biden told the world we would support Ukraine's fight "as long as it takes." Unfortunately, for all of his lofty rhetoric about Ukraine, the President's actual approach to Russia's escalation—his passive, indecisive leadership—has risked prolonging the war and jeopardizing public support for our efforts. In some cases, his open fretting about escalation and "World War Three" has contributed to the hesitation of allies like Germany.

Like most Republicans, I have been clear-eyed about the threat of Russian aggression since long before Putin's so-called "little green men" seized Ukrainian territory back in 2014, long before the last Democratic President mocked realism about Russia to score points in a political debate. And I have urged the administrations of both parties to take steps to help Ukraine deter Russian aggression before it escalated—like the previous administration's decision to send the lethal weapons that President Obama had found too provocative.

When President Biden took office, he focused on lowering tensions with Moscow with giveaways like the 5-year extension of the New START Treaty, rather than shipping lethal weapons to Ukraine to help shore up their defenses. As Vladimir Putin massed forces on Ukraine's border over the

winter of 2021, I urged the President to move quickly to provide critical military capabilities like Stingers and Javelins and to build the logistical infrastructure needed to support Ukraine should Russia escalate. Ah, but President Biden delayed. He dithered for months before approving shipments of advanced air defense systems or medium-range rocket systems like HIMARS. And he anguished for over a year about authorizing F-16s and Abrams tanks.

Eventually, under duress from both parties in Congress, the Biden administration provided each of these capabilities, but the President's hesitation kept our allies, who follow American decisions very closely, from unlocking similar capabilities of their own sooner.

At every step of the way, President Biden's decisions on support for Ukraine have been slow, his actions have been tentative, and his caution has been debilitating. Unfortunately, the President's public messaging has been similarly insufficient. He has an obligation to speak to all Americans, but most of his messaging about lofty and abstract principles seems tailored to Washington think tanks.

President Biden and his administration need to explain to the Nation in practical terms that our Nation has a fundamental interest in Ukrainian victory and European security, that our support for Ukraine isn't distracting from competition with China but contributing materially to it, that Europe has turned a corner on collective defense and burden sharing and is actually contributing more to Ukraine than the United States, that U.S. assistance is subject to rigorous oversight and accountability protections, that most of the security assistance is actually being invested in America's own—our own—defense industrial base, and that pulling the plug would be far more ruinous than our disastrous withdrawal from Afghanistan.

I sometimes get the sense that I speak more about Ukraine matters than the President does. Well, I hope his administration will use this evening's classified Senate briefing to begin making his case more forcefully.

I am encouraged by reports that the United States may finally provide ATACMS, a capability that could have made an impact on the battlefield sooner. And I hope we will learn why this decision, like those preceding it, has taken so long.

Tomorrow, I will join colleagues in welcoming President Zelenskyy to the Capitol, and I will continue to make the case myself for sustained support of the Ukrainian cause—not out of charity but out of primary focus on America's interests. But until President Biden takes on his responsibility to actually lead the case publicly here at home, his administration's timid leadership will continue to speak volumes, both at home and abroad.

The ACTING PRESIDENT pro tempore. The majority whip.

PRESCRIPTION DRUG COSTS

Mr. DURBIN. Mr. President, most Americans agree that the cost of prescription drugs is too high. Most Americans agree that President Biden has done the right thing by reducing the monthly cost of insulin to \$35 so that millions of people facing diabetes can afford their medication. Most Americans agree that it is almost impossible to explain why American drug companies sell the same drugs in Canada for a fraction of the cost they charge American consumers. Most Americans agree that the pharmaceutical companies should be able to take advantage of basic research by Agencies like the National Institutes of Health but, when it comes to their profit-making, they ought to be reasonable with the American taxpayers, who started them down the road to a successful product.

Most Americans also agree that the No. 1 driver in the cost of health insurance premiums is the cost of prescription drugs. BlueCross BlueShield of Chicago has told me as much. It stands to reason.

That is why it is very difficult to understand the statement just made by the Republican leader in the Senate, who is suggesting that the idea of negotiating with the pharmaceutical companies so that Medicare, for example, doesn't pay the highest price for drugs isn't a reasonable thing.

What I heard from the Republican leader was this was prescription drug socialism—socialism—that we would go to the private sector and say: Life-saving drugs should be affordable. You are entitled to a profit, but you are not entitled to rip off taxpayers or consumers across America.

That seems like a reasonable approach. In fact, it seems so reasonable that someone suggested we do that for our veterans years ago. The Veterans' Administration has been negotiating prescription drug pricing for years.

What the Senator from Kentucky refers to as “unelected bureaucrats” are the officials of the Veterans' Administration who, on behalf of the veterans and their families, sit down at a table and negotiate a reasonable cost so that veterans will always have those drugs available to them and the government will pay not the highest price but a reasonable price for the product.

That has been going on for decades, and I don't recall any Republican—or Democrat, for that matter—who stood before the Senate or the House and said: That is a bad idea. The Veterans' Administration ought to pay a much higher price for drugs, and taxpayers ought to foot the difference.

The reason you don't hear that is it doesn't make sense. We should be able to negotiate reasonable pricing for pharmaceutical drugs in Medicare, just as we do in the Veterans' Administration. That is what President Biden has suggested.

If you took a look at the top 10 drugs that the Medicare system is buying across America, not surprisingly, these

drugs, which have tongue-twister names, are familiar to most Americans. Why?

The pharmaceutical companies have put so many ads on television for the drug Xarelto that we can not only pronounce it but we can spell it. And Xarelto, of course, is a drug that appeals to many people but certainly to senior citizens.

Now, for the record, there are only two nations in the world that allow television advertising of pharmaceutical drugs: the United States and New Zealand, of all places. So why do the pharmaceutical companies spend more money on television advertising and marketing than they do on research to find new drugs and cures? Well, they do that because they make money at it.

They are trying to reach American consumers—in this case, senior citizens—and convince them, the next time they go for a doctor's appointment, to ask for one of these drugs.

Now, the doctor may decide to counsel the person that that drug is not appropriate for the challenges of the medical situation they face. He may say there is a generic that is much cheaper, and he may try to talk them out of the idea. But, after some time, the doctors usually give in to the patients. They have a limited amount of time to debate with them, and they have got to move on to another patient. And so the high-priced prescription drug advertised on television is then sold to the senior citizen. And as a result, the taxpayers, through Medicare, pay for a large portion of that high-priced drug. That is an unfortunate system, but it is very profitable for the pharmaceutical companies.

So to call this socialism is to ignore the obvious. We want Americans to have access to affordable, effective drugs, whether they are buying them as private citizens or through programs like Medicare and Medicaid. What the President has said is: I should take my authority as President, given to me by Congress with a measure that received only Democratic votes, and negotiate drug prices down to an affordable level—for the government and for individuals.

Some may call that “prescription drug socialism.” I call it common sense. We should protect American consumers from high-priced prescription drugs. Why the Republican leader takes the opposite position is his business, but I think most Americans believe it is a reasonable approach.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. President, on a separate issue, I rise today to discuss the critical role that U.S. attorneys play in keeping America and our communities safe. Unfortunately, this is not the first time I have come to the floor to request unanimous consent to take up and confirm U.S. attorney nominations.

Across the United States, men and women are chosen to head U.S. Attorney Offices through the Department of

Justice. It is a major responsibility. I have seen many U.S. attorneys in my lifetime and my time in the Senate, and I know them to be carefully screened before they reach this level. They go through background checks—extensive background checks—to make certain there are no questions about their background before they are appointed to this position. They then go through the Judiciary Committee of the Senate, which I chair, carefully screened by both Democrats and Republicans. Then they are voted on in the committee and sent to the floor here for approval.

Unfortunately, we have run into an obstacle. Last year, we went through an exercise twice when a Republican Senate colleague refused to allow the Senate to confirm nearly 12 Justice Department nominees by voice vote, which is the typical approach used under Presidents of both political parties. Thankfully, the Senator involved in that particular issue lifted his objections in time for these 12 to be appointed to U.S. attorney posts across the United States.

We were able to get the U.S. attorneys and marshals confirmed and in place so they could go to work. And, thank goodness, we did.

Unfortunately, here we stand again today, finding ourselves in a position where a single Senator objects to the timely confirmation of U.S. attorney nominees.

In short, one Senator—one Senator—is making it more difficult for us to put women and men in the position of U.S. attorney for the prosecution of violent criminals, tracking down fugitives, and protecting Americans from gang violence, cyber crime, terrorism, narcotics, and fraud.

It is an awesome job to be U.S. attorney because of the possibilities of all of the vulnerabilities of American citizens.

Remember when extreme voices were crying out “defund the police”? We knew better as Americans. Sure, reform is appropriate, but we need the police, just as we need prosecutors—criminal prosecutors. Now, we have one Senator who has decided to stop this effort at criminal prosecution by these new U.S. attorneys.

It is worth taking a moment to think about what U.S. attorneys do. The position of U.S. attorney is nearly as old as the Nation. It was created as part of the Judiciary Act of 1789, which was passed by the first Congress and signed into law by President George Washington.

U.S. attorneys are empowered to prosecute all Federal criminal offenses; and we have recognized, since the founding of America, that they are an integral part of our justice system.

U.S. attorneys play a critical role in enforcing the law, promoting public safety, protecting our communities. Blocking the confirmations of U.S. attorneys threatens public safety and puts many Americans and their fami-

lies, including the most vulnerable among us, at greater risk.

Why would we knowingly want to put our families that we represent in States across America at greater risk by holding up the employment of U.S. attorneys?

Now, we have heard a lot of tough talk about law and order from a lot of Senators. But when it comes to law and order, we shouldn't allow one Senator to prevent us from confirming well-qualified law enforcement nominations today.

This Senator has vowed to “grind the Department of Justice to a halt.”

Let me repeat that.

This Senator has vowed to “grind the Department of Justice to a halt.”

And all of this because of why? He is upset that special counsel Jack Smith has indicted the former President of the United States on multiple felonies. This is a protest, a political protest, for an action taken by a special counsel. But he is doing it at the expense of families all across America.

Let me repeat that.

A Member of this body is undermining our government's efforts to prosecute violent crimes, terrorism, and crimes against children because he does not like it that one of his political allies is being held accountable for his actions. He is doing so despite the fact that these are exceptional—exceptional—nominees for U.S. attorneys, and there is no principled basis to delay their confirmation.

Let me describe some of these U.S. attorneys who are being held up by this one Republican Senator.

Todd Gee, nominated to be U.S. attorney for the Southern District of Mississippi, is dedicated to the rule of law and longtime career in public service. A native of Vicksburg, MS, Mr. Gee attended George Washington University and Tulane Law School. He spent several years as an assistant U.S. attorney right here in the District of Columbia. He prosecuted homicides, carjackings, and gun crimes. In one case, he was the lead prosecutor in securing the convictions for seven members of a deadly street gang that had been indicted for multiple murders. Since 2018, Mr. Gee has served as Deputy Chief of the Public Integrity Section at the Department of Justice. He is a dedicated public servant with significant experience as a Federal prosecutor. He is the person for the job of U.S. attorney in Mississippi.

Don't take it from me, take it from both Mississippi Senators, both Republicans, who approved his nomination. And yet he is being held up.

Tara McGrath, nominated to be U.S. attorney for the Southern District of California, devoted her legal career to keeping America safe. Ms. McGrath attended Boston College and the University of Michigan Law School before beginning her career as Deputy Staff Judge Advocate with the U.S. Marine Corps. She was honorably discharged after 6 years of service in the Marine

Corps and then began serving as Federal prosecutor in the Southern District of California.

During her time with the U.S. Attorney's Office, she received awards for her work on crime prevention and prisoner re-entry and handled drug importation, human trafficking cases, and gang prosecutions.

Notably, Ms. McGrath led the investigation of a large-scale racketeering and drug-trafficking operation run by the Mexican cartels in San Diego County that resulted in 51 indictments against 40 defendants.

How many times have we heard Members from the other side of the aisle talk about the scourge of fentanyl in the United States, the narcotics that are killing too many Americans every single day? What is going to stop that? A lot of different things. But one thing that has to be part of the equation is a criminal prosecutor who knows how to bring them to court and hold them responsible for the deadly narcotics and deaths across America.

Why in the world would we stop Ms. McGrath from becoming a U.S. attorney in California, where she has a proven record of doing just that? By holding up her nomination for no specific reason, we are jeopardizing the safety of so many people who innocently expect us to do our duty.

These are individuals—the ones she has prosecuted—responsible for drive-by shootings, child abduction attempts, meth distribution. Thanks to Ms. McGrath, they are off the streets.

She recently returned to her military roots, served as a lawyer for the Marine Corps in Okinawa in Japan since 2019. She has represented America admirably. She will be an outstanding U.S. attorney.

A third U.S. attorney nominee who is being held up by this Senator is Rebecca Lutzko. This one is interesting. She was nominated to be U.S. attorney for the Northern District of Ohio, the home State of the Senator who is holding up her nomination.

She is a longtime Federal prosecutor. She attended Boston University and Georgetown University Law before clerking on the U.S. Court of Appeals for the Sixth Circuit.

After 7 years in private practice, Ms. Lutzko joined the U.S. Attorney's Office for the Northern District of Ohio, handled cases involving prescription drug trafficking, gun crimes, and corruption. She eventually became Appellate Chief of the office's Criminal Division.

For nearly a decade, Ms. Lutzko was the lead counsel in prosecuting an online pill-mill organization that illegally distributed well over 4 million pain pills to customers in all 50 States. She secured convictions on all 12 defendants in the case, and the organization was forced to surrender \$4 million to the U.S. Government in criminal proceeds.

She has served her office with distinction. She would be an outstanding U.S. attorney.

April Perry, nominated to be U.S. attorney for the Northern District of Illinois, has significant experience in the private sector and as a Federal prosecutor.

She attended Northwestern University and the Northwestern Law School and then clerked on the Seventh Circuit Court of Appeals. Then she served as Federal prosecutor in the Northern District of Illinois for over a decade, where she handled narcotics, gang violence, public corruption, and fraud cases. Notably, Ms. Perry specialized in child exploitation prosecutions and spent 6 years in the office as Project Safe Childhood Coordinator.

As an assistant U.S. attorney, she investigated a former police officer who was convicted of raping a person he had arrested, and she secured the conviction of a former priest who was accused of sexually abusing more than 20 children.

Ms. Perry has since served as Chief Ethics Officer for the Cook County State's Attorney's Office and is currently working as the GE Healthcare a senior counsel for Global Investigations and Fraud and Abuse Prevention.

She has the qualification and leadership abilities to serve as U.S. attorney with distinction.

The interesting thing about all of these nominees that are being held up by one Senator from the other side of the aisle is the extraordinary records they have already written in their lives as criminal prosecutors. That is why Senators from both political parties in the U.S. Senate have said they are entitled to a promotion and entitled to an opportunity to lead these U.S. attorney's offices.

By keeping these posts vacant, by refusing to give us a vote in the Senate on their nominations, we are jeopardizing the efforts of U.S. attorney's offices to control narcotics and crime.

These men and women are on the frontline of keeping us safe in America. To hold up their nominations without any specific complaint about any one of these nominees is just unacceptable.

We have a responsibility here to keep America safe. We can't keep them safe by using a political reason to hold up the nominations of these well-qualified people. If you are truly for law and order, if you are truly for law enforcement, if you want the prosecutors across America to keep us safe, then, for goodness' sake, lift the hold on these nominations.

Mr. President, I am prepared to make a unanimous consent request at this point.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar No. 129, No. 266, No. 314, and No. 315; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President

be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Ohio.

Mr. VANCE. Mr. President, reserving the right to object.

The Senator from Illinois knows well, I cannot and will not give consent to the confirmation of new officials at the Department of Justice.

My objection is not specific to the qualifications or the particular individuals that have been nominated. My objection is, instead, to the fact that we live in an era where the Department of Justice is used for politics as much as justice. And that is unacceptable.

The DOJ is, and always has been, defined by its most consequential investigations and prosecutions. This DOJ is thus defined by its selective prosecution of the leader of the opposition—the man running against Joe Biden to become President of the United States. Of course, I am speaking of Donald Trump.

Now, this unprecedented double standard selectively prosecuting Donald Trump, leaving the President and his family completely untouched, is a reason why the Department of Justice's public confidence has completely collapsed.

A recent NBC News survey showed that 35 percent of the American people approve of the Department of Justice, which is a radical decline from where it was just a couple of years ago.

It is the constitutional duty of this body to provide advice and consent to high-level DOJ nominees. My real fear here—I don't want to be here, I don't want to be objecting to these nominees—but what I like much less is the fact these nominees will be used by the Attorney General for politics over justice.

My colleague might say—and he might say this to Senator TUBERVILLE, who has a similar hold on Department of Justice nominees—that this is extraordinary, that what we are doing as Republicans in objecting to the unanimous consent of these nominations is extraordinary. And I agree it is extraordinary. But what is more extraordinary is this moment in time where the leader of the opposition is being prosecuted by the President of the United States, and the Department of Justice again and again and again is using its powers to go after people from pro-life activists to members of the community who are just exercising their rights.

I would love to live in a country where the Department of Justice does not engage in selective prosecution. I would very much like if the Department of Justice focused on the work of law enforcement instead of politics. Until it does, I will object to these nominations.

I will object to giving unanimous consent. For these reasons, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Illinois.

Mr. DURBIN. Mr. President, my colleague says he is holding up these critical law enforcement positions because former President Trump is being treated unfairly. He promises to grind the Department of Justice to a halt in loyalty to his political ally.

President Biden has continually demonstrated his respect for the Justice Department's independence. He has never interfered in any investigation into himself or his family. In contrast, President Trump treated the Justice Department as his personal law firm for 4 years, and he continues to undermine the rule of law by repeatedly threatening and making baseless accusations against judges, prosecutors, grand jurors, and witnesses.

Former President Trump has been indicted four separate times—once, of course, a State indictment in Georgia. As the criminal charges mount, President Trump is becoming even more reckless in threatening judges, prosecutors, jurors, and witnesses. That is what inappropriate interference in our judicial system looks like.

Instead of directing his concerns there, the Senator from Ohio is attacking law enforcement officers who want to keep our families and communities safe. In fact, one of the nominations that he is holding up, in argument that the Department of Justice has become a political tool, is a nomination which he notified the Judiciary Committee he supports—from his home State of Ohio. If this person is a political tool, why did he support this person for this nomination? He is holding him up today for political reasons.

Despite the tough talk from the Senator of Ohio about crime in America and all the references I have to put up regularly with the other party making references to crime in the city of Chicago, I can't think of a better way to fight crime and protect communities than by confirming all these qualified nominees, especially one for the Northern District of Illinois.

While the Senator from Ohio stands in the Senate talking about crime in my home State and other places, Ms. Perry could be leading Chicago's Firearms Trafficking Strike Force in cracking down on the illicit flow of illegal guns from other States into Chicago.

The Chicago Police Department recovered more than 10,000 guns every year from criminal investigations for the last 2 years—10,000 guns taken off the streets. Ms. Perry could be helping to coordinate these efforts with ATF and other law enforcement agencies.

Instead, thanks to my colleague's political position, our law enforcement agencies and U.S. attorneys are missing key officials who would otherwise be leading these efforts.

If you are for law and order, if you are for safety in the streets, if you want to reduce gun violence, how in the world can you rationalize stopping the nominations of U.S. attorneys, the

lead criminal prosecutors of the U.S. Department of Justice?

I would like to give them the help and leadership they need, but the Senator from Ohio blocks it. These offices and the safety of the public they serve should not be subject to politics. These are highly qualified nominees who deserve to be swiftly confirmed. Until we do so, our law enforcement agencies in Ohio, Illinois, Mississippi, and California are going to be limited on how they can fight crime.

I really am saddened that this has become the new standard for Senate Republicans. One Senate Republican has stopped 300 military promotions for 6 months or longer. Deserving men and women, many of whom risked their life for our country and have served us so well, are being punished because of a political item on the agenda. As important as it may be, you have chosen the wrong targets to take your political revenge.

The same thing is true when it comes to these nominees. For goodness' sake, give the Department of Justice the tools it needs to stop the spread of fentanyl and narcotics in the United States, to stop and slow down violent crime in the United States, to do something to protect children from being trafficked. To stop these nominations is to turn a blind eye to the reality that faces crime in our country. I can't explain it. I won't even try to.

I just beg the Senator from Ohio to think twice. Grinding the U.S. Department of Justice to a halt, as you have promised, is nothing to be proud of. We will not be safer as a nation; we will not be better off in terms of the safety of our children; and this political strategy is, unfortunately, ill-intended and is going to have a result which is going to hurt a lot of innocent people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. OSSOFF). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FEDERAL AVIATION ADMINISTRATION

Mr. THUNE. Mr. President, on Monday, the Democrat leader came down to the floor to discuss the continuing resolution the House proposed, and he criticized it for, among other things, making "no attempt to reauthorize the FAA."

Making "no attempt to reauthorize the FAA."

Well, apparently it slipped the Democrat leader's mind that the Senate is currently making no attempt to reauthorize the FAA either. That is right. It has been 97 days since the Democrat chair of the Commerce Committee halted consideration of the Federal Aviation Administration reauthorization at the beginning of the scheduled markup because the Democrat leader

objected to a bipartisan amendment that Senator SINEMA and I planned to offer—an amendment to improve aviation safety by implementing a structured, rigorous training program for prospective airline pilots.

Current training requirements for airline pilots require 1,500 hours of flight time, primarily in the cockpit, although military pilots and those with a bachelor's or associate's degree in aviation can receive credit for some of those hours.

I recognize the value of cockpit experience and see time in real aircraft as an essential part of training airline pilots, but those 1,500 hours alone are not always the ideal preparation for flying commercial jets or training truly well-rounded pilots.

For starters, the majority of the 1,500 hours are generally completed in small, single-engine aircraft, which have very little relevance to regional or large jetliners in terms of flight characteristics and instrumentation. Little to none of the currently required flight hours, which aspiring airline pilots must seek out and complete on their own, are accumulated in the type of aircraft these pilots will be flying should they get a job with an airline. In fact, current rules would theoretically allow some of those hours to be completed in a hot air balloon—not exactly preparation for flying a 787 across the ocean.

To address these deficiencies and to better prepare pilots for airline jobs, 7 years ago, the Air Carrier Training Aviation Rulemaking Committee—a body of industry, labor, and safety representatives who meet regularly under the auspices of the FAA's Office of Aviation Safety—developed and recommended the implementation of an Enhanced Qualification Program that would create a structured pathway for pilots to obtain intensive training.

That is exactly—exactly—the type of program our amendment would create. Following the recommendations of the Air Carrier Training Aviation Rulemaking Committee, our amendment would implement a 2-month Enhanced Qualification Program, designed and audited by the FAA and administered by air carriers, that would give aspiring airline pilots intensive training both in the classroom and in simulators with experienced air carrier pilots and other experts. Individuals who successfully completed the program would be given a 250-hour credit toward their restricted airline transport pilot license, similar to the credits currently given for undergraduate work in aviation.

The Enhanced Qualification Program in our amendment would significantly improve pilot training and passenger safety. As I said, intensive training in the kind of air carrier environment where prospective airline pilots will be flying is something that is largely missing from current training. Getting the chance to work closely with seasoned pilots would help turn out highly

qualified pilots who are better prepared for flying commercial jets.

In addition, our program's use of simulator training, whose proven value has resulted in its extensive use by our military, would give prospective airline pilots exposure to the cockpits of the jets they would be flying and, crucially, allow them to experience what it is like to handle challenging and dangerous situations in those cockpits.

For obvious reasons, standard flight training hours don't involve deliberately flying into perilous weather conditions or dealing with things like fires or engine failure, but simulator training offers prospective airline pilots a chance to deal with all those situations and more and deal with them again and again until their response to these situations is fine-tuned.

You don't have to take my word for it. A bipartisan group of former FAA Administrators and former presidents of the Air Line Pilots Association recently sent a letter to the chairs and vice chairs of the relevant House and Senate committees wholeheartedly endorsing the kind of simulator training our amendment would provide. Let me just read a little bit from that letter, and I am quoting here:

[F]acilitating the adoption of new technologies that enhance safety should be a bedrock principle for government and industry alike. . . . Since the tragic crash of Colgan Air Flight 3407 almost 15 years ago, there have been significant advances in technology that are incorporated into a pilot's training upon an airline hiring them, but these technologies have not improved the 1,500-hour path to becoming an airline pilot. Modern, state-of-the-art airline flight simulators accurately recreate the experience of flight operations in a fully immersive experience, forcing pilots to encounter aircraft malfunctions, including rare events like rapid decompressions, emergency descents, high-speed rejected takeoffs, dual engine failures, severe icing conditions, flight control malfunctions and full stalls, all without placing any lives in danger.

He goes on:

Simulators also present the opportunity to incorporate actual accident and incident scenarios into training. . . . Like training for an athletic endeavor, a high volume of repetitions of high-quality exercises improves performance and "muscle memory." Requiring the repeated practice of the prevention of and recovery from myriad real-world accident scenarios in full-motion flight simulators will make better pilots.

Again, that comes from former FAA Administrators and presidents of the American Air Line Pilots Association.

So, as I said, that is the message that was sent to the relevant chairs and vice chairs by a bipartisan group of former FAA Administrators and Air Line Pilots Association presidents, a letter that clearly demonstrates the value of the kind of program that Senator SINEMA's and my amendment would establish for improving pilot training and passenger safety—precisely what we are talking about here with respect to our amendment.

I suspect that if put to a vote in the Commerce Committee or on the Senate

floor, for that matter, there is a good chance our amendment would pass, which is presumably why the Democrat leader is blocking any chance for a vote. It is less clear why the leader is opposed to the substance of our legislation. Does he really think that we can't improve upon the 1,500 hours of training largely undertaken in a single-engine prop plane? That is the way it is today. As I said before, that is not exactly the ideal preparation for flying a commercial jet.

A program that better prepares prospective airline pilots for the planes they will be flying seems really to me like a no-brainer. But regardless—regardless—the Democrat leader has every right to oppose our amendment. What is inappropriate is not his opposition but the fact that he is using his position as majority leader to block committee debate on this amendment, which has had the practical effect of blocking the entire bill.

The Commerce Committee and the Senate as a whole are set up for debate and amendment. That is what we do here, and we take votes here. If you don't want to take hard votes, don't run for the U.S. Senate. This place is not set up with the intention of having a single individual determine legislative outcomes.

When I was chair of the Senate Commerce Committee—and I chaired that committee for 4 years—bipartisan debate and amendment were the order of the day. That is how we did things, and it helped produce a lot of strong pieces of legislation, including, I might add, the longest reauthorization of the FAA since 1982.

The last time we did an FAA reauthorization, I chaired the committee, and we brought a bill to the floor that enjoyed broad bipartisan support, which is what we ought to be doing with the legislation this time around. And if the Democrat leader would loosen his hold and stop trying to engineer the legislative outcome that he wants, we would get another bipartisan FAA reauthorization bill out of the committee and onto the Senate floor.

As the leader correctly indicated, the FAA reauthorization is—is—an important piece of legislation. So I encourage him to allow it to proceed through the committee and come to the floor of the U.S. Senate for a vote.

I yield the floor.

The PRESIDING OFFICER (Mr. FETTERMAN). The Senator from Kentucky.

UKRAINE

Mr. PAUL. Mr. President, I rise to put the leadership of the House, the Senate, and the President of the United States on notice. I will not consent to any expedited passage of any spending bill that provides any more American aid to Ukraine.

It is as if no one has noticed that we have no extra money to send to Ukraine. Our deficit this year will exceed \$1.5 trillion. Borrowing money from China to send it to Ukraine

makes no sense. It is not as if we have some sort of rainy day fund sitting around with trillions of dollars, a pot of money, and we are just going to send it to Ukraine. We are going to borrow it. When we borrow it and create new money to pay for that borrowing, we create the inflation that is plaguing our economy.

Since the beginning of Russia's war on Ukraine, the American taxpayers have provided Ukraine with \$113 billion. Over the 583 days of war, between February 24, 2022, and the end of the month, that averages \$6.8 billion per month or \$223 million per day. There are a lot of things that we need to fix in our country before we borrow money to try to perpetuate a war in another country.

When will the aid requests end?

When will the war end?

Can someone explain what victory in Ukraine looks like?

President Biden certainly can't. His administration has failed to articulate a clear strategy or objective in this war, and Ukraine's long-awaited counteroffensive has failed to make meaningful gains in the East. With no clear end in sight, it looks increasingly like Ukraine will be yet another endless quagmire funded by the American taxpayer.

That is why public support for the war is waning. A CNN poll from August shows that a majority of Americans now oppose Congress authorizing additional funding to Ukraine. Now, there are those in the Senate who would refuse to listen to these voices, voices coming from a war-weary nation, and who would hold the Federal Government hostage by inserting \$24 billion more for Ukraine. They are talking about saying the only way government stays open—the only way we avoid a shutdown—is by shoveling more American taxpayer dollars to Ukraine. They are going to link keeping the government open with more money to Ukraine, and I am here to say that I am not going to agree to it, and I will not let them shut down the government simply because they want to send more of your hard-earned tax dollars to Ukraine. Either the American people fund an endless war in Ukraine or the “uni-party” threatens to shut down the government.

This is a clear dereliction of duty, and I will not stand for it. Colleagues, as representatives of the American people, you should not stand for it either. The bill that comes before us should be about funding our government, not somebody else's government. I will not give consent to a bill that includes funding for Ukraine in keeping our government open.

As elected officials, we have an obligation to pursue a foreign policy that advances the security and prosperity of our country. Funneling billions of dollars that have to be borrowed into the meat grinder of eastern Ukraine does neither. The longer this conflict continues, the greater the risk that mis-

calculation or purposeful escalation draws the United States into direct conflict with Russia. Russia's military may have a bloody nose, but Moscow still maintains the largest nuclear arsenal in the world. Let's not pretend that the U.S. involvement in this war comes without risks.

If that is not bad enough, we lack effective oversight mechanisms to ensure that the hard-earned American tax dollars don't fall prey to waste, fraud, and abuse. For over a year now, I have been asking for a special inspector general to make sure they are not stealing our money. We have had one in Afghanistan, and his team of economists and technicians have overseen and found billions of dollars' worth of waste that they have saved. We need the same thing in Ukraine, a special inspector general to make sure they are not stealing our money.

When that has come before a vote in the Senate, the majority party here says: No, we just want to spend the money. We don't care. Some Republicans have gone along with this as well, and they have voted against an inspector general. It is a terrible abuse of our spending authority to spend money overseas in a war and not make sure that they are not stealing it.

So in addition to the colossal cost of the war, we end up paying a corruption tax. Ukraine is one of the most corrupt countries on the planet—maybe second only to Russia. Corruption runs deep through Ukraine, and there is plenty of evidence that it has run rampant since Russia's invasion.

As President Zelenskyy landed in New York earlier this week, we learned that corruption concerns in Ukraine's Ministry of Defense resulted in the firing of six Deputy Defense Ministers. This comes 2 weeks after the firing of Defense Minister Oleksii Reznikov, who was removed after it was discovered that the Ministry of Defense had mishandled military contracts.

Last month, Zelenskyy fired all 24 regional military recruitment chiefs because they were “involved in illegal activities, including enrichment.”

Last October, we learned that U.S. shipments of grenade launchers, machineguns, rifles, bulletproof vests, and thousands of rounds of ammunition were ending up in the hands of criminal gangs and weapons traffickers posing as humanitarian organizations. And what did the Senate do? They voted against a special inspector general to make sure they are not stealing our money.

What are we doing? Is this fair to the American people?

Millions of Americans are struggling each day to make ends meet. Millions of Americans are struggling to provide for their families and put food on the table.

Can we honestly look our constituents in the eye and tell them that this is a good investment of their dollars?

Some say the war in Ukraine is a fight to save democracy, but those who

say that need to be honest with themselves. Ukraine is far from a shining example of democracy. And while the strain of war can make for questionable government actions, we have to live with them when the war is over.

For all the platitudes about America supporting democracy and making the world safe for democracy—the Woodrow Wilson advocates among us—the biggest recipient of American welfare, Ukraine, canceled its next Presidential election. You are telling me we are sending \$100 billion to a country that is not going to have elections? We are going to send \$100 billion to a country that now has, what, a President for life?

They say: Well, we could, but it is difficult.

Does anybody remember the American Civil War, where 600,000 people died and yet we didn't miss an election?

They canceled the Presidential election. We should cancel our aid as a response.

This is not the only concerning development in Ukraine. Despite Zelenskyy's charm offensive this week, his actions also deserve scrutiny. Citing national security concerns, Zelenskyy has banned Orthodox churches oriented toward the Russian Orthodox Church and has ordered Ukrainian law enforcement to raid churches and arrest priests.

He has banned the political opposition. How do you have a democracy if you are not going to have elections and you ban the opposition? He suspended 11 political parties, including the Opposition Platform—For Life, the second largest party in Ukraine's Parliament and the one which held 44 seats.

He has attacked free speech by banning opposition media and increasing his government's regulatory power over journalists. It hardly sounds democratic to me.

Earlier this year, he signed into law a bill that allows Ukraine's state broadcasting council to regulate all media in Ukraine. The council can impose mandatory orders, fines, restrict content from search engines, and even outright suspend media outlets without a court decision. It hardly sounds very democratic to me.

If these actions sound like the actions of an authoritarian regime, if you suspect these do sound like an authoritarian regime, you are right.

This past July, a Swiss intelligence report observed "authoritarian traits" in Zelenskyy, as he tries to push the mayor of Kyiv, Vitali Klitschko, out of contention for Ukraine's 2024 Presidential elections. Citing martial law, Zelenskyy stated that those elections will not take place.

Martial law, no elections, banning opposition parties, this is where your \$100 billion has gone, and they are not done.

We don't have the money. The money is being borrowed. We borrow the money from China to send it to Ukraine.

In 2021, Zelenskyy fired multiple government officials, including his Prime Minister, for investigating a Ukraine oligarch who just happened to be a key backer of Zelenskyy's Presidential campaign. The United States placed sanctions on this oligarch for his involvement in significant corruption, and earlier this month, he was finally arrested. Clearly, Ukraine and the regime are not paragons of democracy.

But this is not just about what Ukraine is or is not with respect to government. This is about American interests in our national security. Every day this war continues is another spin of the roulette wheel with another chance of it stopping on Armageddon, and we are paying for the privilege.

We cannot continue with business as usual. We cannot continue to put the needs of other countries above our own. We cannot save Ukraine by dooming the U.S. economy, and we certainly cannot save Ukraine by fighting a war with Russia.

As we go further and further into debt, we become weaker. It is not just that this is not helping our national security; the very threat to our national security is our debt. The more we send money overseas, the more we deplete our munitions, the worse things get.

No matter how sympathetic we are to the Ukrainian people, we must put the American people first; and to that end, I encourage my colleagues to oppose any effort to hold the Federal Government hostage for Ukraine funding.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

GOVERNMENT FUNDING

Mr. CORNYN. Mr. President, by my watch, today is September 20. The fiscal year for the U.S. Senate and for the U.S. Government ends in 10 days. Congress, which is required to fund the government by passing appropriations bills, has not passed a single appropriations bill 10 days before the end of the fiscal year.

The obvious point is that, unless Congress acts to fund the government in the next 10 days, the government will be without funds, and large portions of the Federal Government will shut down; notwithstanding the fact that some people think maybe that is a good idea and that we are spending too much money here, so let's just shut it down. Well, tell that to the members of the U.S. military and their families. Tell that to the men and women who serve bravely as members of the Border Patrol and of the Customs and Border Protection, who are responsible for processing the goods that enter into our country from our trading partners who create millions of jobs. Tell that to Immigration and Customs Enforcement, or ICE. Tell them that they will have to work and not get paid. Programs that support our seniors, veterans, children, and some of the most vulnerable Americans will be para-

lyzed, and a range of services from passport processing to opioid treatment will be delayed. Good luck if you want to take a vacation and need your passport renewed.

Well, as may be obvious from my statements, I am not a fan of government shutdowns. I have noticed from my experience that when that happens, the same problems that caused you to shut down the government are still there staring you in the face when the government reopens, and it creates a lot of collateral damage and a lot of collateral expense. It doesn't actually save money; it actually costs more money because of the disruption. And shutdowns harm innocent people and create needless uncertainty for our economy.

I don't need to tell Members of the Senate that our economy is in a precarious position right now. Inflation is at a 40-year high—or it has been at a 40-year high—and the Federal Reserve continues to raise interest rates in order to try to deal with inflation. One of the largest autoworker unions in the country, the UAW, is currently on strike; and we don't know how long that strike will last or how far it will spread. So notwithstanding the fact that President Biden likes to talk about the virtues of Bidenomics, I think if you ask most people whether they are feeling good about the economy and their personal and family prospects, they will tell you they are a little nervous—and with good reason.

I mentioned that shutdowns are not a useful tool nor do they provide leverage for negotiations. I know, here in the Senate, we are always looking for leverage to try to persuade people to do what we want or to vote for the things we like or to vote against the things we don't like. Leverage is part of the way we operate. But shutting down the government does not provide leverage, certainly not to the people who, ultimately, contribute to that shutdown. But, sadly, that seems to be the direction we are heading in.

It has been pretty clear for a long time now that the Senate majority leader—the only person who can actually bring bills to the floor and schedule them for a vote—is trying to play the old Washington blame game: It is not my fault. It is somebody else's fault. In this case, he wants to put the blame solely on the shoulders of the House of Representatives and the Republicans who have a thin majority there.

Before the August recess even ended, Senator SCHUMER began pointing the finger at House Republicans, referring to their desire to secure spending cuts—the horror of trying to save money, of trying to reduce the debt and annual deficits. Our debt-to-GDP ratio is 100 percent. We have been writing checks here in Washington that somebody is, ultimately, going to have to cover, and it probably won't be us. It will probably be our children and grandchildren. So I applaud the House

of Representatives for trying to find ways to save money.

But the Senator from New York, the majority leader, called those—the angling for spending cuts—political games. Over the past few weeks, he has continued to try to sell this narrative to the press. Unfortunately, he has found some traction. Some of the press is saying: Oh, it is all the Republicans in the House. He even called the process here in the Senate the “gold standard.” The “gold standard.” We are in big trouble. If the way that the majority leader has handled this appropriations process is the gold standard, we are in big trouble. He has even gone so far as to call it a MAGA shutdown.

Well, Senator SCHUMER is in a very powerful position as the majority leader, but that power comes with responsibilities, which he has completely abdicated. The majority leader sets the schedule in the Senate, as I mentioned. He determines which bills come to the floor, whether they will receive a vote, and how many amendments will be considered. That is a lot of power in one person, and that is the benefit of being the majority leader—being able to set the schedule, to schedule votes, and decide who gets to vote on amendments and the like. It also comes with responsibility—and I don’t mean just a responsibility to the Senate; I mean a responsibility to the American people and to the institutions that work for them, like the Senate, like the House.

So the Senate can only take up and pass legislation when Senator SCHUMER is on board, and when it comes to funding the government, it is obvious he is clearly not on board.

I see the chairwoman of the Senate Appropriations Committee on the floor. I want to just, once again, commend her and the ranking member, Senator COLLINS, and all 14 of the Senate Appropriations Committee members for doing their job and doing it on a timely basis.

I think all of us sort of hoped maybe this would be the beginning of a crack in the broken system and that maybe we could get the Senate to work again as it is supposed to. Well, it was a great plan. As I said, they did their part. The committee passed all of its 12 appropriations bills by the end of the summer—or, actually, by the end of July—marking the first time that has happened in 5 years. Each bill passed with bipartisan support—some of them unanimously. That is impressive, and I know that Senator MURRAY and Senator COLLINS worked hard to achieve that.

But the committee’s productivity was no accident. The chair and the vice chair of the committee promised a return to the regular way we have been appropriating money for time immemorial, consistent with the rules of the Senate. They followed through on their promise. They used the power that they have as the Appropriations Committee, and they also embraced their responsibilities. I applaud them for it.

They gave the majority leader exactly—exactly—what he needed in order to restore the Senate appropriations process to its normal function, according to the rules. But you can’t do that by not passing a single appropriations bill in the U.S. Senate 10 days before the end of the fiscal year.

Despite the fact that the Appropriations Committee began passing funding bills on June 22, the majority leader did not even attempt to put the first funding bill on the floor until mid-September. I think it was 18 days before the end of the fiscal year. Now it is 10 days, and we still haven’t voted on a single bill. He could have tinkered with the Senate’s 2-week recess for the Fourth of July. He could have said: Well, instead of 5 weeks for an August break or a summer break, let’s make it 4 weeks, because this is important. We need to get our work done. But he did none of those things. He could have adjusted the priorities as the majority leader.

All we have been doing here—it is not like we have been voting on legislation. All we have been doing is doing nominations. When you are doing nominations, it is not that they are unimportant, but you are not using that time—which is coin of the realm here in the Senate, which is floor time—in order to pass legislation.

Well, it is pretty obvious—it should be obvious—to everybody that the majority leader has decided to run out the clock. He has orchestrated this crisis here in the U.S. Senate. I say “crisis” because of the disruption that it will cause, the unnecessary disruption this shutdown will cause, if it occurs, but he allowed months to pass without making any effort—any effort—to move appropriations bills.

So the majority leader can criticize our colleagues across the Capitol as much as he wants. He does it a lot. He tries to shift the blame from himself to them. Again, this is a world-class sport here in Washington, DC. It is called the blame game. Years ago, someone said, “Well, whoever has got the best narrative wins in Washington, because the press will go along with it, and they will ignore the real or, at least, the whole story,” which is the complicity of the majority leader in creating the circumstances that we find ourselves in now.

We find ourselves with an impossible task given this heel-dragging by the majority leader. We cannot get these appropriations bills passed through the Senate. We cannot get a bill that the House will agree to. We cannot get a Presidential signature before the deadline. It is impossible, and the majority leader knows that. He created the problem. He orchestrated it. This was intentional.

So the Senate is rushing to pass some appropriations bills, this so-called minibus, but there is no scenario—none at all—in which the Senate will pass all 12 appropriations bills before September 30. There is just not enough

time. Again, I am confident that this truncated timeline was no accident. It was all part of the majority leader’s plan.

Now, you might ask me: Why in the world would he do something like that?

Well, when he basically undermines the work of the Appropriations Committee on a bipartisan basis, when he doesn’t give all 100 Members of the Senate an opportunity to participate in the process by offering amendments, debating those amendments, and getting votes on those, it actually increases his power and influence. We saw that last December when, basically, three or four people negotiated an omnibus appropriations bill. And he likes that because it enhances his power, but we should not be asked to like it, because that means we are unable to do our job on behalf of the constituents we represent—in my case, 30 million Texans.

Over the last few months, back when the debt ceiling vote occurred, it sounded like Senator SCHUMER was on board with what Chairman MURRAY and Ranking Member COLLINS were trying to do. He applauded the bipartisan work of the Appropriations Committee and talked about the importance of working together in good faith. But here is another lesson I have learned here in Washington: Don’t just listen to what people say. Watch what they do.

When given the opportunity to restore the Senate appropriations process to its customary function and put individual bills on the floor in a timely manner, he took a pass. He let months go by without even attempting to put a funding bill on the floor.

I know, after the minibus came to the floor, there has been an attempt to try to get this thing going, and we are still working on that. But this is all entirely predictable if you wait until the last minute to try to do the work you should have done months ago.

We are just months away from a potential government shutdown, something that I am hopeful we can avoid. But, of course, what is the majority leader’s tune? Not my fault.

He called the process here in the Senate the “gold standard.” If this is the gold standard, we are in big trouble.

The majority leader bears responsibility for the Senate’s failure to pass a single appropriations bill so far. The Appropriations Committee gave Senator SCHUMER exactly what he needed in order to do his job on a timely basis. The fact that Senator SCHUMER fumbled the ball is no one’s fault but his own. This is not a “MAGA shutdown.” This is a Schumer shutdown. He ignored his own commitment to return to regular order.

I wasn’t privy to the conversations the majority leader had with the chair and the ranking member of the Appropriations Committee, but, based on what they did, my impression is that they held the hope that, somehow, we would have an orderly and timely process. I know that is what they want.

That is what I want. But Senator SCHUMER made sure that was not possible. And, ultimately, he will carry much of the blame if the government shuts down next Saturday.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. SMITH). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, so ordered.

H.R. 4366

Mrs. MURRAY. Madam President, last week, an overwhelming 91 Senators voted to begin debate on the bipartisan appropriations package—a package of bills that each passed the Appropriations Committee unanimously. But then a few Senators decided to object to a run-of-the-mill procedural request, threatening to derail our months of hard work, halt our return to regular order, and prevent the full Senate from having a chance to debate and offer amendments and vote on our appropriations bills.

The senior Senator from Maine and I have been working hard to make sure we have a robust amendment process with amendments from Democrats and Republicans. And so many Senators have been working with us in good faith so we can debate their ideas for how to make these bills stronger. That is how this process should work.

But in the wake of continued obstructions from a very small handful of Senators, we can't get started discussing those amendments without this vote on a motion to waive rule XVI.

So I hope all of our colleagues who voted to move forward last week will join us for cloture and for this motion so we can avoid an omnibus and keep our bipartisan process on track, because that is really what this vote is. It is a vote to keep us on track, and that should be a really simple choice.

Do you want to continue our return to regular order and move forward with the appropriations bills that we have all spent months putting together in an open, bipartisan way, or do you want to halt the Senate's appropriations bills and essentially set up another massive 12-bill omnibus at the end of the year?

I have heard the complaints from a very small handful of Members who are trying to derail this process, but I have not heard any—any—realistic alternatives from them for us to pass the Senate's funding priorities in a more open and bipartisan process than what the senior Senator from Maine and I have worked so hard to provide.

We held nearly 50 hearings in the committee. We televised those mark-ups for the first time ever so people back home can follow along—complete with debate and amendments—and see what we are doing here. We were trans-

parent. Our doors have been open the whole time—in fact, they still are—for Members who have ideas on how to make these bills stronger.

The vice chair and I went through great pains to give every single Senator the chance to weigh in on them. And I am pleased to say a lot of our colleagues took that opportunity. You shared your thoughts, your ideas. You shared the needs, the concerns of your families back home—all of which helped to make all these bills stronger.

That is why, even though the Appropriations Committee has everyone, from strong liberals to staunch conservatives, all 12 of our funding bills passed with overwhelming bipartisan support. In fact, every bill in the package before us passed the committee unanimously.

That is a very different process from where we ended up in the past few years and from what we will end up with again if we can't keep these bills moving forward.

To everyone who wishes these bills came to the floor even sooner—and I think we all understand how it feels to wish things moved faster around here—I hope you will vote with us today to prevent any further delays that will derail this process and would lead us, then, of course, to an omnibus. After all, wishing the Senate was faster is no reason to slow us down now.

And to those saying the bills spend too much money, these bills are written to the bipartisan deal that was struck by the President and Speaker MCCARTHY that we all voted on just a few months ago. These aren't the bills I would have written. They enact cuts across so many of the programs that I care deeply about. But that was the deal that the President and the Speaker shook hands on. If you don't like them, vote no on the bill.

I have heard from so many colleagues, including in speeches given right here on the Senate floor, about how they hate getting jammed at the end of the year with a 12-bill omnibus, about how we have got to return to regular order. And I have worked really hard with the senior Senator from Maine, with all of our chairs and ranking members on the Appropriations Committee, all of our committee members on both sides of the aisle, and every Member of this body who has come to my door to get us moving in that direction, to keep up our return to regular order.

I think we can get there. And I think moving forward with this package will show the American people we are serious about getting there. But it depends on this vote because if, after all the work we have done over the last months to make sure every Senator can have their voice heard, moving all 12 appropriations bills through our committee in an open, bipartisan way and having 91 Senators vote to move forward with this package—if after all of that—we let a handful of Senators toss out months of hard work to move

us closer to regular order, abandon an overwhelming bipartisan effort to do something as basic as funding our government, and cause chaos that puts us all on a collision course for another omnibus, well, frankly, I think that sends a very bleak message for the future of this body and whether we will ever be able to truly break through the pattern of dysfunction and partnership that we all hate.

We have got to get back to regular order. We have got to get back to bipartisanship. We have to get back to helping people in solving problems, just like we all came here to do.

This vote is our chance to break that pattern, to avoid another omnibus, and to make sure the Senate and all of its Senators and all the people we represent have their voices heard and concerns addressed in our Nation's funding bills.

So I urge my colleagues who joined me in putting this bill together, all of my colleagues who voted with me last week to get started with debate and amendments, to join me in pushing back against a small handful of Senators who are objecting to moving forward and who want to stop us dead in our tracks.

I hope everyone votes for cloture, votes for the motion to suspend rule XVI, and keep us on track.

I ask unanimous consent to begin the vote.

The PRESIDING OFFICER. Without objection, so ordered.

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 senior assistant 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 suspend the rules under rule V of the Standing Rules of the Senate with respect to substitute amendment No. 1092 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, as printed in the CONGRESSIONAL RECORD on September 14, 2023.

Patty Murray, Susan M. Collins, Tammy Baldwin, Robert P. Casey, Jr., Sherrod Brown, Margaret Wood Hassan, Ron Wyden, Jack Reed, Amy Klobuchar, Catherine Cortez Masto, Tom Carper, Martin Heinrich, Gary C. Peters, Christopher Murphy, Brian Schatz, Cory A. Booker, Charles E. Schumer.

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 motion to suspend the rules under rule V of the Standing Rules of the Senate with respect to substitute amendment No. 1092 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, as printed in the CONGRESSIONAL RECORD on September 14, 2023, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Alaska (Ms. MURKOWSKI) and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 49, nays 48, as follows:

[Rollcall Vote No. 233 Leg.]

YEAS—49

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

NAYS—48

Barrasso	Fischer	Paul
Blackburn	Graham	Ricketts
Boozman	Grassley	Risch
Braun	Hagerty	Romney
Britt	Hawley	Rounds
Budd	Hoeven	Rubio
Capito	Hyde-Smith	Schmitt
Cassidy	Johnson	Schumer
Collins	Kennedy	Scott (FL)
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Tuberville
Cruz	McConnell	Vance
Daines	Moran	Wicker
Ernst	Mullin	Young

NOT VOTING—3

Booker	Murkowski	Scott (SC)
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(Mr. HICKENLOOPER assumed the Chair.)

The PRESIDING OFFICER. (Ms. CORTEZ MASTO). On this vote, the yeas are 49, the nays are 48.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

MOTION TO RECONSIDER

Mr. SCHUMER. Madam President, I enter a motion to reconsider.

The PRESIDING OFFICER. The motion is entered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 282.

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 the following named officer for reappointment as Chairman of the Joint Chiefs of Staff and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 152 and 601: to be General, Gen. Charles Q. Brown, Jr.

CLOTURE MOTION

Mr. SCHUMER. 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. 282, Gen. Charles Q. Brown, Jr., for reappointment as Chairman of the Joint Chiefs of Staff and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 152 and 601: to be General.

Charles E. Schumer, Mark Kelly, Patty Murray, Alex Padilla, Tammy Baldwin, Angus S. King, Jr., Catherine Cortez Masto, Margaret Wood Hassan, Debbie Stabenow, Michael F. Bennet, Richard Blumenthal, Kirsten E. Gillibrand, Martin Heinrich, Maria Cantwell, Benjamin L. Cardin, Chris Van Hollen, Richard J. Durbin, Jack Reed, Brian Schatz.

LEGISLATIVE SESSION

Mr. SCHUMER. 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. I move to proceed to executive session to consider Calendar No. 281.

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 the following named officer for appointment as Chief of Staff of the Army and appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 7033: to be General, Gen. Randy A. George.

CLOTURE MOTION

Mr. SCHUMER. 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. 281, Gen. Randy A. George for appointment as Chief of Staff of the Army and appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 7033: to be General.

Charles E. Schumer, Mark Kelly, Patty Murray, Alex Padilla, Tammy Baldwin, Angus S. King, Jr., Catherine Cortez Masto, Margaret Wood Hassan, Debbie Stabenow, Michael F. Bennet, Richard Blumenthal, Kirsten E. Gillibrand, Martin Heinrich, Maria Cantwell, Benjamin L. Cardin, Chris Van Hollen, Richard J. Durbin, Jack Reed, Brian Schatz.

LEGISLATIVE SESSION

Mr. SCHUMER. 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. I move to proceed to executive session to consider Calendar No. 249.

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 the following named officer for appointment as Commandant of the Marine Corps and appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8043: to be General, Gen. Eric M. Smith.

CLOTURE MOTION

Mr. SCHUMER. 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. 249, Gen. Eric M. Smith for appointment as Commandant of the Marine Corps and appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8043: to be General.