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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mrs. MURRAY).

PRAYER

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

Let us pray.

Eternal Lord God, we thank You for this Thanksgiving season. We are grateful for life, liberty, and the pursuit of happiness.

Lord, we cling to Your promise in Isaiah 54:17, which tells us no weapon turned against us will succeed. Your promises are great, precious, and true.

Today, use our lawmakers to protect the oppressed, to preserve freedom, and to speak the truth with compassion.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

LEGISLATIVE SESSION

FURTHER CONTINUING APPROPRIATIONS AND OTHER EXTENSIONS ACT, 2024—MOTION TO PROCEED

Mr. SCHUMER. Madam President, I move to proceed to Calendar No. 248, H.R. 6363.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 248, H.R. 6363, a bill making further continuing appropriations for fiscal year 2024, and for other purposes.

CLOTURE MOTION

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

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 proceed to Calendar No. 248, H.R. 6363, a bill making further continuing appropriations for fiscal year 2024, and for other purposes.

Charles E. Schumer, Patty Murray, Jack Reed, Benjamin L. Cardin, Maria Cantwell, Brian Schatz, Chris Van Hollen, Martin Heinrich, Jeanne Shaheen, Amy Klobuchar, Catherine Cortez Masto, Richard J. Durbin, Robert P. Casey, Jr., Tammy Baldwin, Tina Smith, Angus S. King, Jr., Margaret Wood Hassan.

Mr. SCHUMER. I suggest the absence of a quorum.

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

The senior assistant 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 (Mr. WELCH). Without objection, it is so ordered.

CHINA

Mr. SCHUMER. Mr. President, today, President Biden will meet face to face with President Xi Jinping during the APEC summit in San Francisco. One month ago, President Xi said during our bipartisan codel that there are at least “a thousand reasons” for China and the United States to have a good relationship. Today, President Xi has the chance to show he is serious on at least a couple of those reasons.

Above all, I look forward to President Biden following up on our codel conversation with President Xi in order to get serious on combating the spread of fentanyl. Fentanyl was one of the biggest issues we raised with President Xi during our bipartisan codel, and I related to Jake Sullivan earlier this week that the President should be strong on this issue during this meeting.

One specific issue we raised was for Chinese law enforcement to coordinate with U.S. law enforcement and enforce laws already on the books to stop the sale of precursor chemicals that go into the making of fentanyl.

Let's be clear. Fentanyl is an American crisis with roots, in large part, in China, where large chemical companies openly sell precursor chemicals to buyers in places like Mexico, where it is manufactured by gangs into fentanyl and then sold in the United States.

When my colleagues and I met with President Xi a month ago, we were blunt on how fentanyl was devastating our communities and that China must recognize its role in combating this crisis. I told President Xi that China taking steps to crack down on the sale of precursor chemicals would be a great, great deal for them. The benefit they would see in the boost in American goodwill would far more than outweigh the tiny cost on their economy. Any good businessman would see that this would be a great trade.

President Xi seemed receptive to our concerns, and I believe that there is a

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



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good chance we will get some good news coming out of today's meeting. So I thank President Biden for his leadership as he meets with Xi for the second time in office. It was our experience that President Xi was responsive when we spoke candidly with specifics. I know President Biden will do the same today.

H.R. 6363

On the CR, Mr. President, last night, the House of Representatives overwhelmingly passed a temporary extension of government funding into early next year. The vote in the House was 336 to 95, with 209 Democrats and 127 Republicans voting in favor and 93 Republicans voting against it.

Shortly after the vote, I moved to place the House-passed bill on the Senate's legislative calendar, and I have just filed cloture on the motion to proceed to get this process moving in the Senate.

Today, my Democratic colleagues and I will work with Republicans—and I will work with Leader MCCONNELL—to see if we can come to an agreement to accelerate this bill's passage. If both sides cooperate, there is no reason we can't finish this bill even as soon as today; but we are going to keep working to see what is possible.

Now, the House's CR is far from perfect, but we are moving forward because we believe it accomplishes two things that I and other Democrats have been insistent on for weeks: It will avoid a government shutdown, and it will do so without any of the cruel cuts or poison pills that the hard right pushed for.

I think it was very important that Speaker JOHNSON recognized that Democratic votes are necessary to pass anything of significance in Congress. I have reminded him every time I have spoken to him that we have to work in a bipartisan way to get anything done and, if he follows the clarion call of the hard right, whose views are far away from even the mainstream of his Conference, let alone the American people's or the Senate's, that it would lead to disaster—the same problems that we saw under Speaker BOEHNER, Speaker RYAN, and Speaker MCCARTHY.

Thus far, the Speaker has heeded the lesson as we finish the appropriations process. Bipartisanship is the only way forward, as he once noted. When you have a Senate that is Democratic and a President that is Democratic and a Republican House, particularly one that just follows what the hard right wants, you will not get anything accomplished.

Of course, the CR doesn't do everything we want. Above all, we must finish working on President Biden's emergency supplemental request so we can send aid to Israel, provide humanitarian aid for innocent civilians in Gaza, stand with Ukraine, and provide funds for the Indo-Pacific. We will continue to work with Leader MCCONNELL on a way forward. We intend to move on the President's supplemental package sometime in the coming weeks.

As everyone knows, the biggest hold-up right now is the Republicans' insistence that they will only approve Ukraine aid in exchange for immigration items. We are going to work in the coming weeks, in good faith, to see if there is any possibility for a reasonable, realistic compromise that Democrats can support. To come to such a compromise, both sides will have to give. It can't be one side all the way, as when our Republican colleagues offered us, basically, H.R. 2, which we totally opposed and had no input into. So I hope we can get this reasonable, realistic compromise on the border done.

The bottom line is that we need to get Israel aid done; we need to get Ukraine aid done; we need to get humanitarian aid done; we need to get Indo-Pacific aid done. And linking any of these bipartisan issues to extremist positions, to extremist poison pills on immigration or any other issue, would be a colossal blunder that history will look very unkindly upon. I hope we can come to a solution in the coming weeks.

In the meantime, the most important order of business is to keep the government open. We will keep working over the course of the day to fast-track the House's bipartisan CR bill. No drama, no delay, no government shutdown—that is our goal, and we hope we have an agreement very soon. To avoid a shutdown with no cuts in vital programs and no poison pills is a very good solution for the American people.

STUDENT LOANS

Mr. President, on the student debt CRA, today, Senate Republicans continue their cruelty and their lack of connection with what people want and need as they force a vote on a cruel measure to eliminate President Biden's historic loan repayment program—a punch to the gut for millions and millions of borrowers, the overwhelming majority of whom are working class, poor, or middle class.

Let me be clear: I strongly—very strongly—oppose this terrible Republican measure to deny American families relief from the crushing burden of student debt.

My Republican colleagues like to talk a big game about helping working families, but with this student debt Congressional Review Act, they are actively trying to increase the pain on so many working Americans, working Americans who need a hand in paying off their student loans.

The hypocrisy is astounding on the other side of the aisle. Republicans don't think twice about giving huge tax breaks to ultrawealthy billionaires and large corporations, but when it comes to helping out working families with student debt relief, suddenly, it is too much money; it will raise the deficit; we can't afford it. Give me a break. Cut taxes on multibillionaires, and tell a struggling student who is making \$30,000, \$40,000 a year that they can't get a little help on their student loans? That is so out of whack with

what the American people want and care about.

Let me be clear: The President's SAVE Plan is a major lifeline for student loan borrowers to help get their financial houses in order. Over 5.5 million Americans are signed up and benefiting from this plan. So the worst thing we could do right now is let the Republicans' CRA pass and pull the rug out from under these borrowers' feet with no warning.

I strongly oppose this Republican CRA to overturn student debt relief. Democrats will keep working to make sure relief reaches every borrower in need.

MILITARY PROMOTIONS

Mr. President, on Senator TUBERVILLE, yesterday, the Senate Rules Committee reported out our resolution to quickly confirm the military nominations being blocked by Senator TUBERVILLE. I was proud to join the Rules Committee to vote in favor of this resolution. Now that the Rules Committee has acted, I will bring this resolution to the floor soon so we can swiftly confirm the hundreds of military nominations being held by Senator TUBERVILLE.

You know, Mr. President, there has been a lot of negativity and dysfunction in the Senate these days, but Senator TUBERVILLE has single-handedly brought the Senate to a new low. He should be ashamed of himself. Patience is wearing thinner and thinner with Senator TUBERVILLE on both sides of the aisle. What Senator TUBERVILLE is doing is an anomaly in the history of this Chamber.

Of course, every single one of us, not just Senator TUBERVILLE, has issues we feel passionately about, we are certain we are right, as he is in his anti-abortion stand. Every one of us could go and block all of our generals, all of our admirals, and harm our military security because we feel passionately and want to put our views above the views of the rest of the Chamber and of the American people in this case. And what would happen? We would have no military, basically. None. Our national security would be at risk—severe risk—and our way of life would change.

If every one of us had the temerity and recklessness to do what Senator TUBERVILLE has done—and, thank God, no one else has—of each party, it would not only bring the work of this Chamber to a halt, it would risk our national security; it would risk our American way of life eventually. Current and former military officials have spoken out again and again to talk about the devastating impact these holds have on our readiness and our military families.

I wish we had not reached this point. I wish my Republican colleagues could have importuned Senator TUBERVILLE to drop his reckless holds, but it has not happened. It has not happened. Although, there is still some ray of hope, particularly based on what Leader MCCONNELL said in his statement in

the Rules Committee, that maybe, at the last minute, Republican colleagues—which is their responsibility—can persuade their colleague to back off, to find an off-ramp, to aim, as Leader McCONNELL said in his speech at the Rules Committee, his hold at a policy official who has real say on this issue, not at generals, admirals, and flag officers who have worked so hard for our military and are now being held back and whose families are in difficulty because of what he has callously done.

So we still hold out some small hope that, in the next little, short while, our Republican colleagues can persuade Tuberville to back off. But if it does not happen, we intend to move this resolution to the floor of the Senate to overcome Senator TUBERVILLE's military holds.

I thank Chair KLOBUCHAR and I thank Chair REED for their good work on moving this important resolution.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

STUDENT LOANS

Mr. McCONNELL. Mr. President, today, the Senate will vote on yet another bipartisan resolution to overturn a harmful Biden administration regulation.

In its latest iteration, the administration's bid for student loan socialism—its so-called income-driven repayment scheme—would likely go down in history as the most expensive Federal regulation in our history.

Leading estimates predict this policy would heap a \$559 billion bill onto taxpayers over the next decade. In exchange, a majority of the high-earning borrowers who choose to take on student debt would avoid ever paying back the principals they borrowed.

The administration's plan would actually remove the guardrails that ensure Federal loan relief goes to low-income households. Apparently, loyal blue-State doctors and lawyers are the most important beneficiaries of student loan socialism.

Whichever way you slice it, the President's policy is a raw deal for working Americans who have made the sacrifices to pay off their student loans or avoided debt altogether. But with taxpayers footing the bill, it is also a powerful incentive for schools to raise the price of college even higher.

A bipartisan majority of our colleagues has already rejected the socialist fever dream, and President Biden's first attempt at massive loan cancellation was actually struck down by the Supreme Court. But today, thanks to the leadership of Chairman CASSIDY, Senator THUNE, and Senator CORNYN, the Senate has another chance to kick student loan socialism to the curb.

I would urge my colleagues to support the resolution later today.

BORDER SECURITY

Mr. President, on another matter, it is impossible to ignore the crisis at our

southern border that has erupted on Washington Democrats' watch—back-to-back, record-setting years that saw millions upon millions of illegal arrivals at the border and historic quantities of fentanyl and other lethal drugs pouring across to decimate American communities.

Let's remember where this crisis came from. President Biden campaigned on open-borders policies. His message was so compelling that crowds literally showed up at the southern border with his campaign logo on their shirts. As one put it back then, the President had "promised us that everything was going to change."

Vice President HARRIS offered a refrain of her own. She said:

Say it loud, say it clear, everyone is welcome here.

She called the previous administration's commonsense border security measures "criminalizing innocent people."

Well, this is the administration that canceled commonsense policies like "Remain in Mexico," shelved DHS resources meant for border wall construction, and abandoned overstretched border enforcement personnel to contend with the tidal wave of mass migration.

Today, cleaning up the administration's mess at the southern border is a matter of urgent national security. I am grateful to a group of Senate Republicans, including Lankford, Graham, and Cotton, who have been working in good faith on substantive policy reforms to bring this crisis under control.

The goal here is simple: Slow the flow, and stop the catch-and-release asylum system that is overrunning border communities and blue cities alike. The crisis isn't crying out for boatloads of new taxpayer dollars, just commonsense policy reform.

Unfortunately, Senate Democrats do not appear ready to admit this reality. They are apparently not ready to seriously address asylum abuse. That is a stance that has put them out of step with even left-leaning governments across the Western world.

For example, Germany, which is struggling with an asylum caseload costing roughly \$53 billion, is exploring trusted third country policies to keep asylum seekers outside its borders while their cases are adjudicated. Finland is considering closing some crossing points along its borders as Russia weaponizes migrant flows against the West.

Responsible people everywhere recognize that enforcing sovereign borders isn't some hand-wringing moral outrage. In fact, what is outrageous is refusing to do so.

The American people deserve safe streets, stable prices, and secure borders. These are the fundamental responsibilities of any government, but on all accounts, the Biden administration is failing to deliver.

CHINA

Mr. President, now on one final matter, 1 year ago, President Biden met for the first time with President Xi, the head of the Chinese Communist Party, and he pledged that the United States would compete vigorously with the PRC. One year later, the President and the chairman will meet again—today. So let's take stock of whether the Biden administration is living up to its pledge of vigorous competition.

The stakes of this competition simply cannot be overstated. The Chinese military is outpacing us in pivotal military capabilities like hypersonics, precise long-range fires, and even naval vessels. Beijing has secured a commanding share of the rare minerals necessary to create critical supply. Chinese agents are engaged in an aggressive effort to steal sensitive Western technologies and government secrets. And the PRC consistently signals its disdain for national sovereignty, human rights, and the free flow of commerce.

In other words, strategic competition with China is going to determine the course of the next century of American history. Yet the Biden administration has too often met this historic moment with weakness and naivete. Time and time again, it has sacrificed competition on the altar of green climate policy.

In the administration's quest to turn the American automobile industry electric, it has apparently made peace with sending American tax dollars to the Chinese industries that dominate battery-making inputs. In pursuit of grand climate diplomacy, the administration's envoys have been literally laughed out of Beijing by a state that keeps on increasing its carbon emissions and has no plan to start cutting them literally for years.

Meanwhile, the consequences of the Biden administration's neglect for American hard power are only getting more dangerous. The PRC is acquiring new weapons as much as six times faster than the United States, and for each of the past 2 years, it announced a 7-percent increase in military spending. But even as the President's national defense strategy identifies China as "the pacing threat," his defense budget requests haven't even kept up with inflation.

Chairman Xi has gone out of his way to align closely with fellow adversaries of the West, stepping up joint military exercises with Putin's forces and helping both Moscow and Tehran endure Western sanctions.

China has made military competition with the West a top priority. We can't afford to ignore this challenge. Our allies certainly aren't. Japan, South Korea, Australia, and other Indo-Pacific partners are investing heavily—heavily—in their own defensive.

Taiwan is seeking to make itself a harder target for Chinese aggression, but America must continue to do its part. We have to keep investing in the

sort of defense industrial base that can sustain this armament and strengthen our own military for effective deterrence. The Senate has multiple opportunities before us—in both supplemental measures and full-year Defense appropriations—to do exactly that, and we can't afford not to seize these opportunities.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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.

THE ECONOMY

Mr. THUNE. Mr. President, yesterday morning, the monthly inflation report came out. Once again, inflation was well above the Fed's target rate of 2 percent. Overall, prices have risen by 17.6 percent since President Biden took office—17.6 percent.

Price hikes in certain categories are even worse. Groceries are up 20.9 percent over that same period. Gasoline prices are up 54.8 percent. Electricity is up almost 25 percent. And rent is up 18 percent. Car repairs and maintenance are up 26.5 percent. And the list goes on.

The President said the other day that Bidenomics is the American dream. It turns out that Bidenomics is more of a nightmare for the American people.

President Biden likes to talk about giving American families “a little bit of breathing room,” but that is the exact opposite of what his policies have provided. Wealthy Democrats may not be concerned about a 20-percent increase in the cost of their groceries or a 54-percent increase in the price of gasoline, but for a lot of hard-working American families, those kinds of price increases have meant the difference between having that “little bit of breathing room” and having absolutely none.

The Joint Economic Committee estimates that Bidenflation is costing American families \$953 per month—\$953 per month. Even at half that, inflation would be a massive burden on working families. How many families have put off needed home or car repairs, deferred a kid's braces, or eliminated a family vacation because they are paying hundreds of dollars more a month for their basic needs? And how many other families haven't even been able to pay for their basic needs thanks to the inflation crisis that the President helped create?

It is no surprise that 65 percent of voters say that they had cut back on their nonessential spending or that 52 percent of voters—more than half—said that they had cut spending on food or other everyday necessities or that 55 percent of voters say they are worse off financially under President Biden. It shouldn't come as any big surprise.

Finally, 66 percent of Americans rate the economy as fairly bad or very bad.

The fact of the matter is, Americans can't catch a break under President Biden. First, there was the worst inflation crisis in 40 years, a crisis that has been improved from its worst point but is still very much with us.

And now there are the heightened interest rates that the Federal Reserve was forced to put in place to help rein in this inflation crisis. You have higher inflation, higher interest rates.

So now all Americans are dealing not only with consistently high prices; they are also dealing with these sky-high interest rates on credit cards and mortgages and car loans, which are being driven, in part, by the Fed's rate hikes, which have been done in response to out-of-control inflation.

The monthly mortgage payment on a single-family home increased 19 percent since last year. A recent NBC News article reported:

[I]n late 2020, the monthly mortgage payment on a typical, newly sold home was around \$1,100 in principal and interest. It's now about twice that.

Let me just repeat that.

[I]n late 2020, the monthly mortgage payment on a typical, newly sold home was around \$1,100 in principal and interest. It's now about twice that.

If the American dream is owning your own home, it is a dream that has become out of reach for too many Americans in the Biden economy. On the car-buying front, Americans are facing loan rates last seen, as one article noted, during the great recession. And soaring credit card interest rates are making it difficult for Americans to afford their credit card bills, much less make progress at paying them off. It is a situation not helped, of course, by the fact that many Americans had to turn to their credit cards to help them get by under Bidenflation.

It has been a rough 3 years for the American people, and I wish I could say that Americans could expect some relief. But with at least 1 year more on the President's time in office, I am afraid that Bidenomics will continue to eliminate American families' breathing room for the immediate future—so much for the President's American dream.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

U.S. SUPREME COURT

Mr. CORNYN. Mr. President, earlier this week, the U.S. Supreme Court issued an official code of conduct. This is really an update over existing rules that govern the ethics and operations of the Judiciary, not only at the Supreme Court but throughout the Judiciary throughout the country. This

document was important because questions have been raised about the practices of the Court and about public disclosures of some of their activities.

But the good news is, this was adopted by all nine members of the Court and codifies ethics rules and principles that guide the Justices' conduct.

I am glad that the Court took this step to make clear to the American people that they were committed to operating with the highest ethical standards. But I get the impression that some of our colleagues here in the Congress think that it is the job of another branch of government to tell an independent branch of government what it ought to do. Obviously, it is basic government. We have three coequal branches of government: the legislative branch, the executive branch. Those are the so-called political branches. Then there is the independent judiciary, which is, frankly, I believe, the crown jewel of our system.

I think there are those who sometimes feel like they don't like the decisions made by the Federal judges and that the best way to control that or to have an impact on it is to undermine public confidence in the Judiciary. As my Republican colleagues and I have said for months, any decision about the Supreme Court's rules, including their recusal rules or formal code of conduct, should not come from the Congress; it should come from the Court itself. And now it has done so.

The Senate has a limited, albeit important, role when it comes to the Supreme Court. That is through the confirmation process that we are all familiar with. As we know, all nine members of the Supreme Court underwent a rigorous confirmation process; they endured hours and hours of questions from members of the Judiciary Committee; they had FBI background checks and other background checks; they met with each Senator who was willing to meet with them one-on-one; and they were ultimately confirmed to a seat on the highest Court in the land. That is where the Senate's role ends.

It is not Congress's responsibility or authority to force the Justices to adopt a specific code of conduct or to dictate how the Supreme Court conducts its business. As I said, the Supreme Court and the Federal Judiciary is a separate—separate—and coequal—those are important words—separate and coequal branch of government. And it falls squarely outside the legislature's authority to tell the Supreme Court how to run its business.

There is another constitutional function that is available to us that, fortunately, we haven't had to use in a long time, which is impeachment. That is the role of the Senate and the House. The Senate confirms, but the House can vote Articles of Impeachment, and then there is a trial in the Senate in the most egregious set of circumstances, which, thankfully, we are not presented with.

Many of our friends across the aisle have been particularly vocal about

their desire to see a specific code of ethics for the Supreme Court. As a matter of fact, our Democratic colleagues, the majority, have even cosponsored a bill that would force—a coequal branch of government, the Federal judiciary, to adopt a certain specific code of conduct. This was introduced by our colleague from Rhode Island, Senator WHITEHOUSE, under the guise of “ethics reform.”

In addition to the code of conduct, it would impose strict new rules for recusal. That means when judges should withdraw from and not participate in the decision of a case. It would also subject the Justices to a never-ending stream of ethics complaints by politically motivated groups. The bill itself would incentivize frivolous ethics complaints against Justices to prevent that specific Justice from actually sitting on a particular case.

The Wall Street Journal Editorial Board called this the “Supreme Court Control Act,” which is certainly an appropriate description.

This bill is not designed to promote ethics and good governance. It was about forcing an independent branch of government to bend to the Senate’s will. In July, Democrats on the Judiciary Committee banded together to pass this potentially unconstitutional bill, but the majority leader has yet to bring it to the floor for a vote because I think he understands it would be dead on arrival.

Now that the Supreme Court has adopted an official code of conduct, I hope our colleagues across the aisle will finally lay this bad idea to rest. They said they wanted the Supreme Court to adopt a code of conduct. The Justices have now done that, and so, now, this should be a moot issue.

I hope this development will also encourage the chairman of the Judiciary Committee to abandon his latest partisan attack on the Court. In the Judiciary Committee last Thursday, Chairman DURBIN and Senator WHITEHOUSE planned to expand their so-called ethics investigation by issuing subpoenas to private individuals.

To be clear, the targets of these subpoenas are not government officials. They are not judges. They are not elected officials. They are private citizens.

Democrats want to bully, interrogate, and, potentially, embarrass these individuals for committing what, in their eyes, amounts to a serious crime, which is being friends with a Supreme Court Justice.

Senators DURBIN and WHITEHOUSE claim this is about transparency and rebuilding trust, but the evidence suggests the opposite. I find it telling that the only subpoena targets are known to donate to Republican candidates and conservative causes. Democrats seem to have zero interest in hearing from liberal billionaires and dark-money groups that have made it their mission to rig the Supreme Court in Democrats’ favor.

If our colleagues wanted to hear from folks who actually jeopardize the legitimacy of the Court, my Republican colleagues and I planned to provide a range of options. We planned to provide a range of options at last week’s meeting, but then, abruptly, Senator DURBIN gavelled us out, without taking up these subpoenas.

But I did file an amendment to subpoena liberal billionaire George Soros, for example, who is one of the biggest benefactors of the Democratic Party and a major contributor to the dark-money group known as Demand Justice. This isn’t your typical public interest advocacy group. The entire goal of the misnamed Demand Justice is to pack the Court and install a permanent liberal majority.

Last year, one of the cofounders of Demand Justice tweeted:

It’s time for [the Democrats] to see the Court as a political opponent, just as much as any [Republican] elected official, and run against it.

So Demand Justice, funded by George Soros, was saying that we need to target these lifetime-tenured, nonpolitical officeholders as political opponents and run against them. If we want to talk about depoliticizing the Court and rebuilding faith in the judiciary, this is where the Judiciary Committee should look.

The millionaires and billionaires who are bankrolling the effort to brand the Court as a political opponent are far more relevant to this debate than longtime personal friends of the Justices.

I was eager to see if Democrats’ commitment to “transparency” held up when wealthy Democrats were on the receiving end of a subpoena, but we never found out. As I said, just before the committee was supposed to vote, the chairman of the Judiciary Committee abruptly adjourned the meeting—I would like to think, because he finally had second thoughts about how dangerous and inappropriate this entire effort was. After all, the Senate Judiciary Committee has no business issuing subpoenas for private citizens under the guise of transparency.

There was no legitimate legislative purpose for conducting this witch hunt. Maybe our Democratic colleagues realized that Republican amendments were likely to pass, too, causing their partisan smear campaign to backfire. But the chairman claimed that it was just a matter of timing, and he has put the subpoena authorizations on the docket for the Judiciary Committee meeting tomorrow morning—Thursday, this week.

Democrats claim that the Justices are to blame for distrust and lack of confidence in the Court, but let’s take a look at some facts. The Justices already file, like we do, annual financial disclosure reports. They recuse themselves, under their rules, from cases when it is inappropriate for them to sit. They go to great lengths to avoid even the appearance of impropriety. To assuage any remaining concerns about

ethical standards, as I said, the Justices just adopted a code for the first time in history.

Meanwhile, Senate Democrats, who claim to care about public trust and confidence in the Court, are on the warpath. The Democratic leader, the majority leader of the U.S. Senate, stood on the steps of the Supreme Court just months ago and threatened two sitting Justices by name, saying they would pay the price and they didn’t know what would hit them if they didn’t reach his preferred decision in an abortion case—unbelievable.

A group of five Democratic Senators made a not-so-subtle threat to the Court, claiming it could be restructured if it didn’t deliver the preferred outcome in a case involving the Second Amendment.

Fifteen Democratic Senators, including several members of the Judiciary Committee, recommended slashing the Supreme Court’s budget if it failed to meet their demand to implement a new code of ethics that had the Democrats’ stamp of approval on it.

And, now, the chairman of the Judiciary Committee wants to interrogate private citizens over their personal finances, something he claims is imperative to restoring trust in the Supreme Court.

Well, it is pretty clear that the so-called ethics crisis in the Supreme Court isn’t really about ethics at all. It is about exerting control and domination over a separate, coequal branch of government, as the Constitution itself provides. So it is time for the Judiciary Committee to abandon its partisan charade and focus on the actual crises facing our country.

While the chairman spends valuable time—limited time—dealing with this made-up controversy, we have seen nearly 2.5 million border crossings in the past year. We are losing 70,000 Americans a year to fentanyl poisoning. The Biden administration has also lost track of hundreds of thousands of migrant children.

You would think that would be a matter of some urgency to the Judiciary Committee, and its chairman, that has jurisdiction over those matters. But these aren’t problems that have earned the time and attention of the Judiciary Committee. Rather, it has chosen partisan attacks on the independence of the Supreme Court.

I urge my colleagues to abandon their partisan attacks on the Supreme Court and to get back to doing the work of the American people, and a good place to start would be at the southern border.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Nebraska.

STOP EV FREELADING ACT

Mrs. FISCHER. As Americans in 2023, there is plenty that we disagree on, but, last week, USA Today released a new study on something we can all agree to hate—potholes. The study ranked all 50 States based on how many potholes covered their roads. It also included that the average car repair after a tussle with a pothole costs over \$400.

That is a lot of money for Americans to pay unexpectedly after a road incident, and, unfortunately, our pothole problem is about to get much worse.

For the past 67 years, the Highway Trust Fund has largely funded road maintenance across our Nation. The fund repairs wear and tear from vehicles that travel our highways. That is critical for our roads, for our infrastructure, and for our transportation.

But the Highway Trust Fund is running on empty. It is projected to run out of money in the next few years. The insolvency of the fund would necessitate a total restructuring of our highway repair system, and it would throw our national infrastructure under the bus.

So how do we prevent this from happening? The main source of revenue for the fund is the Federal gas tax, which is a user fee. The money that drivers pay in taxes when they fill up with gas automatically goes toward road construction. But as a smaller percentage of vehicles fill up with gas, a smaller amount of money goes into the Highway Trust Fund.

The use of electric vehicles, or EVs, has shot up over the last several years, and, of course, EVs don't use gas. Since they don't fill up with gas, they don't pay the gas tax, and they don't pay into the Highway Trust Fund.

As more EVs have been adopted, the fund has become more unstable. It is not receiving the same revenue as it used to. According to Deloitte, U.S. adoption of EVs will increase to 30 percent of new car sales by 2030. So that is 30 percent of new car drivers not paying into the Highway Trust Fund.

But if anyone should be paying into Federal road repair, it should be EV users. EVs can be up to three times heavier than gas-powered cars, due to their large batteries. This significant weight puts extra stress onto our roads. It pulverizes the road bed, causing more maintenance, more upgrades, and more costs.

The Highway Trust Fund exists to fix exactly the type of damage that these heavy EVs can cause. So it is only fair that all highway users, both gas-powered and electric vehicles, pay into that fund.

My recent bill, the Stop EV Freeloading Act would fix this discrepancy. This new legislation would require EVs to contribute to the Highway Trust Fund through a two-tier fee structure. The first tier corresponds to the Federal gas tax. Under my bill, buyers would pay a one-time \$1,000 fee on EVs

at the point of sale. That money would contribute to the highway trust fund. This \$1,000 fee equals the average amount consumers currently contribute to the fund from gas taxes over 10 years. Ten years is the average lifespan of an EV battery. This fee would tax EVs the same amount once that gas-powered cars pay over the lifespan of an EV battery.

The second tier corresponds to the heavy-vehicle use tax, which also contributes to the highway trust fund. Under my legislation, manufacturers would pay a one-time fee of \$550 on each EV battery module with a weight greater than 1,000 pounds. The average EV battery weight is a little less than 1,000 pounds, so taxing those heavier than average would ensure that the highway trust fund has enough money to cover any damage these vehicles inflict on highways. The \$550 tax is comparable to the fees imposed on heavy trucks because of the additional stress they cause to roads and bridges.

The current structure of the highway trust fund doesn't account for damage EVs can and do cause to our roads, and it is only fair that EVs and gas-powered vehicles pay those same fees. Both types of vehicles should contribute to the fund for the vital repairs and maintenance we need.

Ultimately the changes included in the Stop EV Freeloading Act would help the fund escape its impending insolvency. Right now, the highway trust fund is losing to the EV industry, and that means our roads are going to lose to heavy electric vehicles. When our infrastructure starts deteriorating, the American people are going to pay the price. My bill would stop that from happening.

Let's put gas-powered vehicles and electric vehicles on a level playing field. That is the only way we would all win.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

JUDICIAL CONFIRMATIONS

Mr. PADILLA. Mr. President, I rise today to celebrate a historic milestone for this body and for our country. Last week, as many people know, we confirmed the 150th Federal judge nominated by President Biden and the 100th woman nominated to the Federal Bench, all in just the first 3 years of the Biden Presidency.

More women have been confirmed to the Federal Bench under President Biden than under any President in the history of our country in their first term. It is a testament to the seriousness with which President Biden and Senate Democrats have taken to not only our role in strengthening the Fed-

eral judiciary with highly qualified candidates, but to do so while building the Federal Bench to better reflect the diverse nation that it serves.

Today, I want to take a moment to recognize three women recently confirmed by the Senate who I am confident will now serve with distinction.

First, last week, the Senate confirmed Judge Kenly Kiya Kato to serve on the U.S. District Court for the Central District of California. Judge Kato was born and raised in Los Angeles. She earned her undergraduate degree from UCLA and her J.D. from Harvard Law School.

One of her earliest jobs out of law school was in the Central District Federal Public Defender's Office, where she represented hundreds of clients at the district and circuit court level, helping to realize the constitutional right to counsel regardless of income.

After nearly two decades of work in California, in 2014, she was appointed to be Federal magistrate judge.

As the daughter of Japanese-Americans who were interned during World War II, Judge Kato understands personally the importance of equal justice under the law. Time and again, she has demonstrated her commitment to equal justice as a magistrate judge—a commitment I am confident she will now continue on the U.S. District Court for the Central District.

Last week, we also confirmed Monica Ramirez Almadani to the U.S. District Court for the Central District. Born in Los Angeles as the proud daughter of immigrants from Mexico, Ms. Ramirez Almadani is a product of the Los Angeles Unified School District. She went on to earn her A.B. from Harvard University and her J.D. from Stanford Law School.

From the ACLU's Immigrants' Rights Project to the Immigrants Rights Clinic at the U.C. Irvine School of Law, from the California Department of Justice to the U.S. Department of Justice, throughout her career, she has gathered extensive experience across a wide spectrum of civil and criminal law.

Since 2021, she served as president and CEO of Public Counsel, the largest provider of pro bono legal services in the country.

Whether defending low-income immigrant clients or in her capacity representing the U.S. Government at the Department of Justice, she has consistently demonstrated an unwavering commitment to the rule of law.

And now I am confident that she will serve the people of the Central District of the U.S. District Court with distinction.

Finally, I celebrate Monday's confirmation of Judge Ana de Alba to the Ninth Circuit Court of Appeals.

The daughter of immigrants from Mexico, Judge de Alba grew up in a family of farmworkers. A first-generation high school graduate, she went on to earn her bachelor's degree and her J.D. from the University of California Berkeley.

After graduating, she built a successful career in private practice in the Central Valley where she focused on complex commercial litigation and maintains a robust pro bono practice. She also went on to establish a workers' rights clinic for low-wage workers to learn their rights and to seek legal advice.

In 2018, Judge de Alba was appointed to serve as a superior court judge for Fresno County, where she served until 2022.

I was proud to come to the floor in June of last year to urge my colleagues to confirm her nomination to the U.S. District Court for the Eastern District of California, which we did on a bipartisan basis.

In the time since then, Judge de Alba has more than proven herself to be a qualified jurist, and she is exactly the public servant Americans deserve on the Ninth Circuit Court of Appeals.

Mr. President, every Member of this body accepts a considerable responsibility when we enter office to advise and ultimately recommend to the President nominees who will make up our Federal judiciary. As a former ranking member of the Senate Judiciary Committee, no one took that responsibility more seriously than our late colleague Senator Feinstein. I had the great fortune of working alongside Senator Feinstein to recommend to President Biden some of the nominees that we confirmed this past week. And today, these three women, these nominees that round out the 150th confirmation of the Biden Presidency, are just as much her accomplishments as they are ours.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SCHOOL CHOICE

Mr. KENNEDY. Mr. President, I want to talk for a few minutes today about elementary and secondary education, more specifically about school choice. School choice is inextricably related, in my opinion, to social justice. Put another way, I just don't understand how one can be a fairminded person and believe in social justice but not support school choice.

In Congress, of course, we seem to face a new crisis every week, and while we need to respond to them, I think it is important that we not lose sight of what I call the foundational issues that ensure that our country is free and democratic and aspirational and prosperous for our children and our grandchildren. One of those issues, one of those foundational issues, is education.

Right now, the American people are focused on the border, which is an open, bleeding wound; they are focused

on inflation; they are focused on crime; they are focused on turmoil abroad. I don't blame them, as we need to be focused on those things, but while we focus on those things, it is a fact that the quality of our students' elementary and secondary education has been steadily slipping, steadily slipping. And it is clarion clear. Unless you have been living in your parent's basement, it is clarion clear that the status quo of education in America isn't setting our kids or our country up for success. I take no joy in saying that, but sometimes you can't look reality in the eye and deny it; you have to admit it.

Here are a few examples of how America's and Louisiana's pre-K to 12 students are falling behind. The numbers are the numbers: Math and reading scores among American 13-year-olds are at their lowest levels in decades. That is not my opinion. That is according to the National Assessment of Educational Progress. As the Presiding Officer knows, that is a study done annually, known as "The Nation's Report Card." On "The Nation's Report Card," just 35 percent of American fourth graders—35 percent—are proficient in math. Only 32 percent of American fourth graders are proficient in reading.

American students are slipping globally as well. In 2008, the IMD World Competitiveness Center ranked American students first in the world. By 2023, the United States had slipped to 10th overall. In science, American students ranked 11th. In math, American students ranked 30th.

In Louisiana, I regret to say that roughly half of my students in Louisiana in grades K through 3 are not reading at the grade level—half. Only one-third of my kids in grades 3 through 12 are at grade level in the four subjects that the Louisiana Educational Assessment Program—we call it LEAP—tests. In fact, we have, in Louisiana, 24 school systems—24—in which fewer than a quarter of our students—fewer than a quarter—have proficient LEAP exam scores.

Now, I have said this before on the Senate floor, and I am going to say it again: The American people can do extraordinary things. We can unravel the human genome; we can take a diseased human heart and replace it with a new one and make it beat; we can send a person to the Moon. But we can't seem to figure out how to teach our children how to read and how to write and how to do math when we have 18 years to do it. And there is no excuse because all children can learn.

I know it is complicated, and there are a multitude of reasons why our children may be struggling. For over 15 years, I have been a volunteer substitute teacher in our public schools. I went to a public school. In Louisiana, we need substitutes so badly that they will even take politicians. I try to do it three times a year—sometimes more, sometimes less. Every time, I learn, but I am always reminded every time I

substitute teach of the fact that it is much, much harder today to be a teacher than when I was in a public school and that it is also much, much harder today to be a kid. So I have some understanding of the challenge.

The evidence is also clear now that closing schools during the pandemic made matters a lot worse. We in America made a mistake. Some States did better than others, but most of them got it wrong. But, you know, we can't keep blaming things on the pandemic. It has been a few years since our schools reopened, and our scores are nowhere near where they need to be. The truth is that pre-K to 12 education in America and in Louisiana was in trouble well before the pandemic, and we all know that. Yet leaders in many States remain hesitant, to say the least, to change anything—anything—about our public school system.

We have all heard the famous definition of "insanity." The definition of "insanity" is doing the same thing over and over again and expecting to get a different result. It is a cliché. Clichés become clichés because they are true. We need to follow the law of holes: When you are in one, stop digging. When you are in one, stop digging. We need to stop making excuses about pre-K through 12 education; and we need to stop doing things that don't work and then doing them again. You can't expect to fix a broken status quo—to magically fix it—and to magically fix our broken schools and equip struggling students if you keep doing the same thing.

The fact—the unhappy fact, the miserable fact—is that too many of our schools in America and in Louisiana are failure factories—they are failure factories—where violence is common and learning is rare.

But there are a few States that are bucking the status quo, and they are doing it in part by adopting school choice programs. So far, they have seen a lot of success.

School choice programs—"school choice," I realize it is a broad term—school choice programs can take many different shapes, but they all boil down to one thing, one foundational principle: Parents should be allowed to take their kids out of failing schools. Parents should be allowed to take their children out of failing schools and put them in schools that can help those children thrive and certainly do better. It is not complicated.

You know, American parents today, they can go to the grocery store, and they can choose from 40 different—maybe more but certainly 40 different breakfast cereals to feed their child in the morning, but in many States, those parents have absolutely no control over which school their child can attend.

Children are stuck in schools, too many of them assigned by their parents' ZIP Code, and there is little that most parents—too many parents—can do to change that even though it is

patently absurd to force children to attend failing schools when parents could enroll those kids and invest the money that pays for their education in better schools. That is where school choice comes in.

In practice, schools facilitate, they implement school choice by tweaking how they fund school systems.

For those of you who are unfamiliar with school funding schemes, most public schools have three main sources of funding: Federal dollars, State dollars, and local dollars. The exact breakdown of that money varies by State and by school system. In Louisiana, for example, the average school district gets about 11 percent of its money from Federal funding, 44 percent of its money from the State, and another 45 percent from local government, so 11, 44, and 45.

Local dollars typically stay with the school system in a particular town or parish. We call our counties parishes. But officials, public officials in Louisiana, have the right and the ability to allocate those State and Federal dollars the way they want to.

When States adopt school choice policies—here is how it works—parents typically get to decide which school will receive their child's share of State and Federal funding. The local dollars stay local, but parents can redirect the Federal and the State money.

There are two ways in which States that implement school choice reallocate that money, the Federal and the State dollars. The first is education savings account, and the second is—you have heard of it—vouchers.

Education savings accounts are government-funded savings accounts that take all or a portion of the Federal and State dollars allocated to each student and give it to parents to use for their kid's education. Parents can use the money a multitude of ways. They can use the money to pay for tutors, to purchase textbooks for homeschooling. Parents can use the State and Federal money to subsidize private school tuition. If a student and a parent have money left over when the student graduates from high school, that student can even use the funding to help pay for college. It is called an education savings account.

Other States use a voucher system. Under a voucher system, parents typically do not receive money directly. Instead, they get to choose. They tell the school system which school their child is going to go to and tell the school system to send the Federal and State money to that school. So the money follows the children. The parents can take that voucher to a traditional public school. The parents can take that voucher to a private school to pay private school tuition. The parents can take that voucher to enroll the kids in a charter school they would like.

Charter schools, as you know, are tuition-free, publicly funded schools that operate independent of the State. Rather than taking marching orders

from the government, charter schools are able to design their own curriculum and their own standards to help meet the needs of each student.

So whether it is through vouchers or education savings accounts, States that have embraced school choice have steadily climbed the ranks as the best States in this country for elementary and secondary education. That is just a fact. Look it up.

Take Florida for example. Florida has had school choice for a long time—decades. It is not mandatory, but it is an option. A lot of parents love that option, and they use it. Graduation rates in Florida have steadily increased year after year after year. Florida's fourth graders rank third in the country in reading and they rank fourth in the country in math according to "The Nation's Report Card." Other pro-school-choice States, including Iowa, North Dakota, and Utah, to mention a few, have all landed in the top 10 States on "The Nation's Report Card."

School choice works.

Even States that have traditionally struggled with respect to education are seeing improvements. Take Louisiana's neighbor, Mississippi. Mississippi overhauled its pre-K to 12 system in 2013 to help parents get their kids out of failing schools. The State implemented a voucher program for kids with dyslexia and low-income students to ensure that parents could find a successful school that would meet their children's needs.

Mississippi also implemented a law requiring schools to hold back students who cannot read at grade level in the third grade and give them additional instruction. In other words, if you are in the third grade and after several chances, you can't read at grade level, you are not socially promoted to grade 4. You are kept in the third grade until you can read, because kids drop out of high school in the third and fourth grade. If they can't read, they have no chance.

Since Mississippi did all of this in 2013, Mississippi has jumped from 50th in education to 35th. In 2023, student achievement levels reached an all-time high in Mississippi. Graduation rates climbed from 75 percent in 2011 to 87 percent by 2020—well above the national average. Mississippi managed all of this growth—all of this growth—while spending less money per student than all but four States. It is not just money; it is how you spend it.

This year, we are doing better in Louisiana. This year, Louisiana followed the lead of Mississippi, and we passed a law called HB12—I have talked about it on the floor—to ensure that all third grade students can read at grade level before they can move on to the fourth grade. Fortunately—and I thank him for doing it—Governor John Bel Edwards did not veto the bill. I was afraid he would. He signed it into law, and I want to thank him for that.

But when it comes to school choice, Governor Edwards has opposed it at every turn—every turn. He blocked two

bills last year that would have established voucher programs for my kids in Louisiana. If those two bills had passed, parents of students with special needs or students who could not read at grade level by the third grade could have taken their State money, the State-funded education dollars—not the local, the State dollars—to a different school that could better address those children's needs. But the Governor opposed the bills, and they didn't make it.

Those bills would have provided a lifeline to parents—a lifeline to parents—who were desperate and still are desperate to help their children succeed in school, but Governor Edwards opposed it. He opposed allowing these parents to find better alternatives for their children.

The good news is that Louisiana is about to have a new Governor, and the good news is that Louisiana is about to have a brandnew legislature. I can't speak for our new Governor, but I know our legislators. I have supported many of them. We made some wholesale changes. I hope my friends in the Louisiana Legislature are anxious and eager and enthusiastic about giving parents, finally, the power to remove their children from failing schools.

Parents overwhelmingly support school choice. In Louisiana, 75 percent of parents with school-age kids support school choice. Nationwide, that number has gone from 64 percent in 2019 to 71 percent today.

So you are asking yourself, who can oppose school choice? Many—not all but many—teachers unions and many—not all—of the administrators in failing schools; the adults, not the kids—the adults. Our schools are supposed to be about our kids, not the adults. Many—not all but many—of our teachers unions worry that giving parents the choice to pick a different school will result in more students attending nonunion schools, such as charter schools. Many—not all, many—administrators in failing schools hate the idea that they will need to compete with other local schools to attract kids and earn the State and Federal dollars that follow those kids. It is called competition.

As I am sure you have noticed, both of these fears I just referenced for some—not all—of our teachers unions and our administrators focus on what is best for them and the school system and the adults, not on what is best for the parents and the kids.

Competition makes everybody better. Competition makes everybody better, and that is true of our schools too. The United States has a highly competitive higher education system, and in return, our universities are the best in the world. They are. I have been to a school in another country. It was a good school. But as a group, American universities are the best in all of human history. Now, they have some problems, as we all know about, but they are still the best in the world.

There is a reason that most wealthy and well-connected people around the world want to send their children to an American campus to get their degrees.

The excellence of American universities is driven by the fact that students can choose to go elsewhere if a university stops delivering a quality education. The students and their parents can vote with their feet.

It is called choice. It is about as American as you can get. And that same competition, that same choice, will help restore K through 12 schools to excellence as well. Americans don't need to watch the status quo fail their children. They don't. States throughout this country are empowering parents to take control of their kids' education, and the whole country stands to benefit from their leadership.

When it comes to education, now, I am an all-of-the-above guy. I don't care if it is public schools, charter schools, private schools, vouchers, savings accounts, or pixie dust. If it will help our kids learn better, I am for it. I don't care who gets mad. And that is why I am very optimistic about the leadership changes in Louisiana and the good news it could mean for our elementary and secondary education and for our parents and our children.

I am not saying that school choice alone is the silver bullet. We have other problems in Louisiana. We need to expand access to education programs for at-risk children from early age to age 4. We need to do a better job there.

We have a shortage of qualified teachers. We need to find out which of our teachers can teach and pay them like the professionals they are and find out which of our teachers can't teach and either teach them how or tell them to find a new line of work.

We have got too much truancy among our kids. Forty percent of our K through 8 schools grade A or B; but, somehow, magically, 70 percent of our high schools are graded A or B. We know that is not right. We have watered down our standards. Also, college costs for our kids and our parents have doubled in the last decade.

So we have other problems, but school choice will help. And I believe, as much as I am standing here, that America's future and Louisiana's future can be better than our present and it can be better than our past, but not if we don't improve our schools. And no one is coming to save our schools in Louisiana but ourselves. And with new leadership and school choice on the horizon, the future of elementary and secondary education in Louisiana can be and is, to me, promising.

So I end as I began. No fairminded person, in my opinion, can say he or she supports social justice if they don't support school choice.

I neglected to mention, Mr. President, that with me today are two of my colleagues from my office: Ms. Maddie Dibble and Mr. Christian Amy. I wanted to recognize them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

REMEMBERING TED STEVENS

Ms. MURKOWSKI. Mr. President, on November 18 of 1923, a young couple living in Indianapolis, IN, George and Gertrude Stevens, welcomed their third child to the world, and they named him Theodore Fulton Stevens—"Ted," for short.

And like all new parents, I am sure that George and Gertrude were filled with hope and optimism about their boy's future: the things that he would do, the places that he would go, the life that he would have. But I suspect that even they didn't realize what an extraordinary life he would lead, a life of service and accomplishment during which he earned his place as a giant in the history of this Chamber and certainly in my State of Alaska.

So we are looking forward to the 100th anniversary of the birth of the late Senator Ted Stevens. This is coming up on Saturday. So I have come to the floor this afternoon to make sure that all of us who serve here and all who are listening know why it is important that we continue to remember and celebrate this truly great man.

Ted's service to our country began during World War II when he enlisted in the Army Air Corps as a pilot. He supported General Chennault's Flying Tigers in the China-Burma-India theater, flying missions over the Hump many, many times behind enemy lines.

After the war, Ted Stevens completed law school. He moved "north to the future," to Alaska, where he served as a U.S. attorney in Fairbanks. It was just a few years later, during the Eisenhower administration, that he joined the Department of the Interior, where he served as Secretary Fred Seaton's right-hand man in the successful fight for Alaska's statehood. Then, after statehood, Ted was elected to the Alaska House of Representatives. That was 1964.

He was then appointed to the U.S. Senate in 1968. He would go on to win reelection to the Senate seven straight times, receiving almost 80 percent of the vote back in 2002. In all, he served his State and his country for a total of 40 years and 10 days as a Senator—pretty extraordinary.

And Ted was a pretty busy legislator. He chaired four different committees, including Appropriations. His colleagues chose him to be their minority whip, the majority whip, and the assistant Republican leader. He led the Senate's Arms Control Observer Group, the U.S.-China interparliamentary group, and he also spent several years as our President pro tempore.

Ted was, by all accounts, a very powerful legislator, but he used his power

for a single purpose, and that was to help his country and to help his State. For him, it was pretty basic.

He helped us settle Aboriginal land claims and create Alaska Native corporations. He secured the authorization to build the Trans-Alaska Pipeline System, which remains, to this day, our State's economic backbone and provides for our energy security.

Ted was an outdoors guy. He loved fishing. He was able to write the framework that continues today to guide Federal fisheries management. That is the Magnuson-Stevens Act. He was a champion for national defense as well as international competitiveness, and he truly helped America become a superpower and, I believe, the economic envy of the world.

He helped to fund breast cancer research. He promoted women's participation in sports through title IX. It was incredible what he did for women's athletics and sports.

He also—very proudly and unabashedly; sometimes maybe even gleefully—brought home what I imagined to be billions of dollars. We are calling those now congressionally directed spending. It used to be earmarks back in the day. But they were specifically targeted to build basic infrastructure and to meet community needs across our still young and undeveloped State.

We have terminology in the Senate for those who have been around for a while who observed the traditions and the history of the Senate, but Ted was really an "old bull" in Senate parlance. He was a statesman. He was a patriot. He was a force to be reckoned with.

He was known to have just a little bit of a temper; although, I found that, oftentimes, that temper was just used for effect. He would don an Incredible Hulk tie just to show you all that he really meant business, and on those days when you saw him on the floor and he was wearing the tie, you would know maybe it was best to stay out of his way that day or, certainly, to be with him when he was fighting for Alaska's interests.

But as much as he was a fighter in that way, he was also one who worked across party lines. He legislated in the good old-fashioned way. He had a relationship with Senator Dan Inouye from Hawaii—often referred to him as his brother—and they led as a model, that duo of Alaska and Hawaii. They would rotate—literally rotate—on Appropriations being the senior appropriators. One Congress, one would be the chairman; the next Congress, majorities come and go. And there would be no daylight between the two of them. It was an extraordinary relationship built on respect and an understanding that you stand up and you fight for your State's needs.

Ted was one of those who really tried to let the politics stand down and just focus on what was good. He had a saying, and it is certainly one that has been emblazoned on many things that I have seen in these past couple of decades. But he would say:

To hell with politics. Just do what's right for Alaska.

And those are words that many of us still follow and that I think those in the Senate here would do well to live by: Do what is right for the people that have sent you here. Do what is right for your State.

I am so immensely fortunate to have worked with Ted. I was actually a high school intern for Ted Stevens when I graduated from high school—and then to have the privilege to serve alongside him, to have him as a mentor, a friend, a partner over the course of so many decades.

I have said and have been quoted in different articles about the role that Ted played in Alaska's history:

There is nothing that has happened in my lifetime, there is nothing that has happened since statehood, that Ted Stevens did not touch, that he did not build, did not create.

He had that much influence. There really was no one like him. He had a vision. He was determined to achieve it no matter who or what stood in the way.

He won medals for his distinguished military service. He was chosen as "Alaskan of the Century." For the entire 20th century, we designated that honor, that respect for him, for his remarkable service in statehood and in the Senate.

Now, it is true that a Federal investigation and extreme prosecutorial misconduct tipped an election that prematurely ended Ted's time in public office. That type of debasement would cost many their faith in the institutions that they had served for so long. But not with Ted—not with Ted. He kept his faith in the institution, not only in the institution of the Senate but in the institution of the judiciary. He knew he was innocent and maintained that, and he was ultimately exonerated.

But he left a reminder with all of us when he gave his departure speech in 2008. He left the Senate saying that "my future is in God's hands. Alaska's future is in yours."

We actually have had buttons made up with Ted's smiling face—I believe it is exactly this picture—and it says:

Alaska's future is in your hands.

Believe me, I look at that every single day. I take it very seriously.

We tragically lost Ted in a plane crash, just 2 years later, after he left office. This was August of 2010. It is still really hard for me to believe that he has been gone for 13 years. But, in so many ways, he is still with us; he is still around.

I see it in my office. I have the same office in the Hart building that he had. The same totem pole that he had in his office is now in my office. I visit his portrait here in the Capitol right outside that door there and visit his grave in Arlington National Cemetery.

At the Ted Stevens Anchorage International Airport, which I am flying in and out of just about every week, it seems there is a statue that sits in

kind of a main open area, and it is life size, with Ted sitting there with a briefcase at his feet and just kind of talking extemporaneously. And I walk by and give that hand a little squeeze every time I leave to go somewhere.

I certainly continue to pay my respects, but I often think about how Ted would face the issues that we confront today—not only the issues but how we are confronting them as legislators and lawmakers.

I mentioned Ted's legendary temper. And, understand that we all have different ways that we can respond and react, but, in fairness, I think that Ted would be very discouraged by what he is seeing with the politicization, the disrespect, I think, that sometimes we see with whether it is name-calling or just not treating one another with the level of decorum that the office demands.

As I say, he was an institutionalist. He believed in this institution, as I do, and I think he recognized that if we don't show respect for others, for one another, how can we expect that that respect will be reciprocated from others who are observing us?

Ted sometimes referenced the "pace of forgetting." It was his recognition that times change, people come and go, and how things happened or why they mattered isn't always recorded. Only 26 out of the 100 Members of the current Senate—barely over a quarter of this Chamber—ever had the privilege of serving alongside him. But, while Ted may be gone, he is certainly not forgotten. You don't forget legends like Ted Stevens, not here in the institution that he loved, and, certainly, not back home in Alaska.

We remember "Uncle Ted"—that is what we still call him—Senator Ted Stevens. We miss him. But as we near his 100th birthday, we will celebrate him. We honor his service and thank him for his life of dedicated work on our behalf.

And just a couple of days from now, on Saturday, November 18, I would encourage everyone to just stop for just a second and think about the contributions of great leaders like Ted Stevens. Certainly, I am going to be standing by to wish this great man a happy 100th birthday and to count the blessings he left behind.

Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, a really great editorial from the Anchorage Daily News, which was published on Sunday, November 12, about Senator Steven's birthday.

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

[From the Anchorage Daily News, Nov. 12, 2023]

THE MAN WHO RESHAPED ALASKA
(By the Editorial Board)

As we approach the 100-year anniversary of former U.S. Sen. Ted Stevens' birth on Nov. 18, the magnitude of change he wrought in Alaska has only become more important

since his death. There are certainly others who were instrumental in making our state what it is today—for example, former Gov. Jay Hammond for the creation of the Permanent Fund and its ensuing dividend; "Mr. Alaska" Bob Bartlett, whose advocacy for statehood as a territorial delegate and later career as senator put the Last Frontier on the map in Washington, D.C.; Elizabeth Peratrovich, who championed civil rights for Alaska Native people and played a major role in ensuring the territorial Legislature's passage of the Equal Rights Act of 1945. But when it comes to the breadth, pervasiveness and longevity of his legislative accomplishments, it's hard to argue that anyone else has had as great an impact on Alaska as Ted Stevens.

Although he became notorious on the Beltway for his unashamed embrace of pork barrel projects that benefited Alaska, Stevens had a formative role in almost every major federal law relating to the state. The Alaska Native Claims Settlement Act. The Trans-Alaska Pipeline Authorization Act. The creation of Title IX, which sought to ensure parity in sports opportunities between women and men—as well as several revisions that expanded or restored Title IX tenets after attempts to curtail them. The Amateur Sports Act of 1978, which established the U.S. Olympic Committee and laid the groundwork for the U.S. athletic powerhouse of today. The Alaska National Interest Lands Conservation Act. And the Magnuson-Stevens Fishery Conservation and Management Act that governs fishing in U.S. federal waters. Those are just the topmost highlights of Stevens' four-decade career in the U.S. Senate.

And, of course, Stevens' reputation for bringing home the bacon to Alaska was well-earned. As with his legislative accomplishments, the list of projects Stevens funded in Alaska is far too long to enumerate. Just in Anchorage, everything from port funds, trail system expansion, social services at Covenant House and Bean's Cafe, the creation of the Alaska Native Heritage Center, the Potter Marsh Conservation Center, the expansion of the Alaska Zoo, the Anchorage Museum, Ben Boeke Arena and Hilltop Ski Area, the Alaska Botanical Garden and the Eagle River Nature Center—all benefited from funds Stevens allocated. As Sen. Lisa Murkowski said, "There is nothing that has happened in my lifetime, there is nothing that has happened since statehood, that Ted Stevens did not touch, that he did not build, did not create."

Stevens was upfront about his (usually successful) quest to fund Alaska infrastructure at levels well above the per-capita funding flowing to other U.S. states. His rationale was that as a state that entered the Union more than a century after the vast majority of the others, Alaska had a lot of catching up to do in bringing its federally funded development up to parity with the rest of the country. And while watchdog groups and legislators from other states chafed at the allocation of funds to a state few of them valued, Stevens' perspective makes good sense to most anyone who has ever been here for any length of time and seen what Alaska has and doesn't.

Stevens' legacy, like most major figures in Washington, D.C., was not unblemished. He ultimately lost his Senate seat after a jury found him guilty of making false statements related to his financial dealings. That verdict was ultimately tossed and the case vacated after a special investigation by then-Attorney General Eric Holder, who was shocked by the degree of prosecutorial misconduct in the case. In hindsight, it's clear that he shouldn't have been charged, much less convicted. But the damage had been done to Stevens' political prospects, and his

closeness to disgraced oilfield services executive Bill Allen surely lost him votes and colored Alaskans' perceptions of their larger-than-life U.S. senator.

Ultimately, however, it is the work Stevens did in the Capitol that has gone on to define him since his death in a 2010 plane crash. And the through-line of that work was a style of politics that is now almost entirely absent in Washington, D.C., today: A willingness to put partisan differences aside in service of the work being done, for our state and the country. "To hell with politics, just do what's right for Alaska," was Stevens' mantra. If we could return to that way of thinking in Juneau and Washington, D.C., we would all be better for it.

RECESS

Ms. MURKOWSKI. With that, I ask unanimous consent that the Senate stand in recess until 2 p.m.

There being no objection, the Senate, at 1:06 p.m. recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Ms. ROSEN).

FURTHER CONTINUING APPROPRIATIONS AND OTHER EXTENSION ACT, 2024—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

STUDENT LOANS

Mr. CASSIDY. Madam President, the Senate will soon vote on the Congressional Review Act, a resolution of disapproval to overturn President Biden's newest student loan scheme.

Just like President Biden's original student debt cancellation scheme, this IDR does not forgive debt. It transfers the burden of \$559 billion in Federal student loans to the 87 percent of Americans who don't have student loans, who chose not to go to college, or who already responsibly paid off their debts.

I want to emphasize this point. There is much said in this Chamber about those who do less well and the implication that a policy like this would benefit those who do less well. This benefits folks—couples—who make over \$400,000. They went to college precisely to get a degree to earn more money, and many of them are earning more money. And this forgives—no, it doesn't forgive their debt. It transfers their debt to someone who never went; someone—he and his wife, she and her husband who are making \$65,000 a year. They are going to have to pick up the slack for a couple making over \$400,000.

This is not a benefit for those who are less well-off. This is a benefit—a political payout—to folks who have done quite well precisely because they went to college.

Under this rule, a majority of bachelor's degree student loan borrowers will not be expected to pay back even the principal. Ninety-one percent of new student loan debt will be eligible for reduced payments subsidized by the taxpayers. Where is the forgiveness for the guy who didn't go to college but is

working to pay off the loan on a truck he takes to work? What about the woman who paid off her student loans and bought a less expensive home but is now struggling to afford the mortgage that she has? Is the administration providing them relief? No, of course not. Instead, the administration would have them not only pay their bills but the bills of those who decided to go to college in order to make more money or who made a decision not to pay back their student loans so they could buy a bigger house.

This is irresponsible. It is deeply unfair.

Aside from being unfair, this student loan cancellation scheme does not address the root cause that created the debt in the first place. For example, President Biden's policy does not hold colleges or universities accountable for rising costs. In the last 30 years, tuitions and fees have jumped at private nonprofit colleges—nonprofit colleges—by 80 percent. At public 4-year institutions, they jumped 124 percent.

College is one of the largest financial investments many Americans make, but there is little information for the student and her family to know that they are making the right decision for where they are attending or the amount they are borrowing. So my Republican colleagues and I recently introduced the Lowering Education Cost and Debt Act, a package of five bills aimed at directly addressing the issues driving skyrocketing costs of higher education and the increasing amounts of debts students take on to attend school.

By the way, some of these bills are by themselves. It is in a package, but you divide them out. Some of them are bipartisan in support and in sponsorship.

Our legislation puts downward pressure on tuition, empowers students to make the educational decisions that put them on track to succeed both academically and financially. We are providing solutions for students and working to solve the student debt crisis—not a bandaid that merely transfers the debt to someone else, someone who is oftentimes poor, less financially well-off, than the person who no longer has the responsibility to pay back the loan.

President Biden's student loan scheme is not a fix. It appears to be a politically motivated giveaway, forcing taxpayers to shoulder the responsibility of paying off someone else's debt. We need real leadership to address the issue.

I close by encouraging all my colleagues to join me in voting to pass this Congressional Review Act resolution to prevent this unfair student debt cancellation scheme—unfair to the hundreds of millions of Americans who will bear the burden of paying off hundreds of billions of dollars of someone else's student loan, a student loan they took to make more money than almost all of those other people.

I yield the floor.

Mr. CRAPO. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. SANDERS. Madam President, I rise in strong opposition to S. Res. 43 that we will be voting on today.

The reason for that is that we have to be very clear as to what is happening in America right now. Today, while the very wealthiest people in our country are becoming much wealthier, over 60 percent of Americans are living paycheck-to-paycheck, and many are working for starvation wages and under really bad working conditions.

In America today, while CEOs are making nearly 350 times as much as their average workers, tens of millions of our people in every State in this country are struggling to pay the rent, to pay for the childcare they need, to pay for healthcare, to pay for prescription drugs, and to put food on the table.

That is the reality of America today. And while that is true for people of all ages, it is especially true for our younger people, who, by the way, if we don't change the nature of our economy soon, will have, for the first time in the modern history of America, a lower standard of living than their parents.

If we lived in a nation with a rational set of priorities, we would not be giving more tax breaks to billionaires and large corporations, as many of my Republican colleagues want—not at a time when we have more income and wealth inequality than we have ever had; we would not be spending, in my view, \$900 billion on the military while the military-industrial complex makes huge profits and has cost overruns and while the Pentagon is not even audited.

What we would be doing, in fact, if we had a rational set of priorities, like a number of other countries around the world are doing, is to understand that the future of our country rests with the young people in America. That is where our future is.

Once we understand that, we would be doing everything possible to make sure every young person in this country, regardless of income, receives the best quality education our Nation can provide. That is what we would be doing if we wanted this country to succeed.

Our goal must be to make sure that we have the best educated workforce in the world in a highly competitive global economy. I would point out that that is not only important for individuals, for the young people themselves, it is vital for the future of our country.

Everybody understands that if you have a poorly armed and poorly trained military, they don't win battles. Well,