

United States. I strongly urge my colleagues in joining me in support of my motion to instruct.

Ms. LUMMIS. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator CRAMER, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mr. CRAMER, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist upon maintaining the provisions of H.R. 2670 that support the critical development of the future airborne intelligence, surveillance, and reconnaissance (ISR) capability of the Air Force.

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator MORAN, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mr. MORAN, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist upon the provisions contained in section 1049 of the Senate amendment (relating to access to commissary and exchange privileges for remarried spouses).

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator ERNST, I call up her motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Ms. ERNST, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to H.R. 2670 be instructed to insist upon the inclusion of title XI of S. 2226, as passed by the Senate on July 27, 2023 (relating to an authorization for the Secretary of State to en-

gage compact of free association countries on identifying or developing national security councils and advising and providing assistance for developing such councils).

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator HAGERTY, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mr. HAGERTY, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to H.R. 2670 be instructed to insist upon the provisions contained in section 1880 of H.R. 2670 (relating to a prohibition on contracting with certain biotechnology providers).

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator BRAUN, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mr. BRAUN (for himself and Mr. MANCHIN), moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist upon the provisions contained in section 902 of the Senate amendment (relating to reinstatement of position of Chief Management Officer of Department of Defense), which includes planning and processes, business transformations, and performance measurement and management activities across the Armed Forces, combatant commands, and other components of the Department of Defense to address the backsliding of fiscal responsibility within the Department and appoint a dedicated leader in a senior position within the Department whose mission it is to be a good steward of Federal resources.

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

MOTION TO INSTRUCT

Mr. REED. Mr. President, on behalf of Senator MANCHIN, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. MANCHIN, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist that the final conference report include the provision in the concurrent resolution as agreed to by the Senate that directs the Secretary of Energy to establish a nuclear fuel program with the purpose of onshoring uranium conversion and enrichment capacity to ensure a disruption in Russian supply would not impact the development of advanced reactors or the currently operating fleet.

Mr. REED. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

APPOINTMENT OF CONFEREES

The PRESIDING OFFICER. Under the previous order, the Chair appoints the following as conferees on the part of the Senate.

The Presiding Officer appointed Mr. REED, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. WARREN, Mr. PETERS, Mr. MANCHIN, Ms. DUCKWORTH, Ms. ROSEN, Mr. KELLY, Mr. WICKER, Mrs. FISCHER, Mr. COTTON, Mr. ROUNDS, Ms. ERNST, Mr. SULLIVAN, Mr. CRAMER, Mr. SCOTT of Florida, Mr. TUBERVILLE, Mr. MULLIN, Mr. BUDD, and Mr. SCHMITT conferees on the part of the Senate.

The PRESIDING OFFICER. The Senator from Michigan.

ARMENIAN PROTECTION ACT OF 2023

Mr. PETERS. Mr. President, shortly, I will ask unanimous consent for passage of the Armenian Protection Act of 2023.

Section 907 of the Freedom Support Act of 1992 was straightforward. It kept Azerbaijan from receiving military assistance from the United States. In the wake of 9/11, we granted the President the authority to waive the statute and in order to protect American interests, and as a result, we began sending military aid to Azerbaijan.

But we attached a very important condition: The Azerbaijani Government could not engage in offensive attacks or undermine the peace process with Armenia. Their recent actions in Nagorno-Karabakh have clearly failed in meeting this very straightforward standard. Not only did they blockade the Lachin corridor for 10 months, creating significant hardships, they also violently attacked innocent Armenians and forced the dissolution of the Government of Nagorno-Karabakh on September 28.

The Armenian Protection Act of 2023 is simple: It would hold Azerbaijan accountable for these actions. As a result of Azerbaijan's failure to meet the

terms of our agreement with them, it would prevent the United States from sending military aid for a period of 2 years. After that time, the President could once again decide what best serves the American interests in that region. The administration already has the authority to cut off the support, but as this conflict has unfolded, they have not taken public action.

We must send a strong message to show our partners around the world that America will enforce the conditions that we attach to military aid. If we do not take action when countries willfully ignore the terms of our agreements with them, our agreements will become effectively meaningless and toothless.

I urge my colleagues to join me in holding Azerbaijan accountable for their actions, enforce our agreements with them, and stand with the Armenian people in the face of unprovoked aggression.

I urge my colleagues to support the Armenian Protection Act of 2023.

Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. 3000 and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (S. 3000) to repeal Freedom Support Act section 907 waiver authority with respect to assistance to Azerbaijan.

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

Mr. PETERS. I ask unanimous consent that the Peters substitute amendment at the desk be agreed to.

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

The amendment (No. 1367) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute.)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Armenian Protection Act of 2023”.

SEC. 2. FREEDOM SUPPORT ACT SECTION 907 WAIVER REPEAL.

The President may not exercise the waiver authority provided pursuant to title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (Public Law 107-115) (22 U.S.C. 5812 note), under the heading “ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION” under subsection (g), with respect to amounts appropriated or otherwise made available for fiscal years 2024 or 2025.

Mr. PETERS. I ask that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Also without objection, it is so ordered.

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

Mr. PETERS. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there any further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3000), as amended, was passed.

Mr. PETERS. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

The Senator from Georgia.

ISRAEL

Mr. OSSOFF. Mr. President, when Hamas gunmen stormed into towns and kibbutzim in southern Israel and massacred over 1,000 Israeli civilians—killing families, raping women, abducting babies, torturing and beheading Jews—in the very state that was established after the Holocaust to be their sanctuary, the overwhelming majority of Americans were and still are united in our grief, outrage, and solidarity with the Israeli people. For Jews, these events call to mind the Einsatzgruppen SS, the Nazi death squads who hunted and massacred our relatives across Eastern Europe 80 years ago.

The slaughter of Jews at such scale and with such cruelty reopened deep Jewish wounds suffered throughout our history. Salt in those wounds was the minimization and even celebration of this massacre by a few, including a few in the United States who attempted to excuse such atrocities as a righteous comeuppance for Israeli policies or the inevitable consequence of Israel’s very existence.

That moment required moral clarity. No matter one’s objections to Israeli policy or one’s perspective on history, there is no justification and can be no apology for the deliberate massacre and torture and abduction of civilians. There is no excuse, there is no context, historical or political, that mitigates the crime.

It is clear that under such circumstances, Israel has an obligation to protect its citizens and a right to do so with force, and this, too, requires moral clarity. No government could be expected to tolerate such an attack and such a threat without taking decisive action to defend itself and to bring the perpetrators to justice.

Mr. President, now 5 weeks since the October 7 massacre, Israel’s military response, which is substantially armed by the United States, directly impacts the lives of millions of people, the future of the Middle East, and America’s national security, and it is therefore a necessary subject of scrutiny by the U.S. Senate. So the Senate must acknowledge that conditions for civilians in Gaza are catastrophic and that this unfolding humanitarian catastrophe is both an immense tragedy and a threat to our national security.

Hamas imbeds its military capabilities within Gaza’s civilian infrastructure. It hides behind and beneath Gaza’s civilian population. But the depraved tactics of Hamas do not relieve Israeli leaders of their obligations to

protect innocent life, nor should they harden our hearts against the innocent people who live under their rule.

In 5 weeks, relentless airstrikes and the continuous use of massive munitions in dense urban areas have killed thousands of civilians and seriously wounded many thousands more, including many children.

In a territory half the size of DeKalb County, GA, tens of thousands of homes have been destroyed or damaged beyond use, and more than 1½ million people have been displaced. Clean water, food, and medicine are scarce, and the continued obstruction of aid necessary for sanitation and healthcare will worsen suffering, disease, and death. Small children are wasting from malnutrition and falling ill in overcrowded shelters and makeshift camps. Imagine the desperation of families with young children just trying to survive. And this, too, requires moral clarity.

The extent of civilian death and suffering in Gaza is unnecessary, it is a moral failure, and it should be unacceptable to the United States.

There is no doubt that to defeat the threat posed by Hamas, force is required. With the use of force, no matter how judicious, facing an enemy hiding behind civilians, there will be civilian casualties. But restraint and the acceptance of some military risk out of concern for innocent life are demonstrations of strength, even and especially when confronting a brutal enemy like Hamas. Concern for the innocent, especially when fighting an enemy unbound by any morality, demonstrates the values for which the United States should stand and which Israel proclaims—the same values meant to be the bedrock of our alliance.

An unmitigated humanitarian disaster in Gaza is not just a moral failure, it undermines American national security; it heightens the risk that the war might spread and draw American forces further into combat.

It sows the seeds of hate and dims the prospects for a long-term sustainable peace between Israelis and Palestinians. It gives fodder to terrorists who would strike Americans and our allies abroad and at home. It damages the credibility of the United States and our allies as champions of a future defined by humanitarian values—the same values at stake in Ukraine, where Russia would push dictatorship into Europe, and in Asia, where China threatens the future of human freedom.

If, in 6 months, Gaza is rubble, with tens of thousands of civilians dead and millions of desperate refugees, with no viable plan to govern its ruins, that would be a disaster not just for all those killed and wounded and immiserated, but also for Israel, for the region, and for the United States.

The United States has stood with Israel since October 7 and still does. The President powerfully condemned Hamas atrocities. He flew to Israel while Israel was under fire. He rushed

supplies to the IDF and sent powerful military assets to deter Iran and its proxies. Americans are working around the clock to secure the release of hundreds of hostages. Nevertheless, requests by the United States that the Israel leadership conduct a more targeted campaign, that they permit and provide safe passage for aid essential to the sustenance of innocent life, that they clearly define objectives, that they prevent extrajudicial killings by extremists in the West Bank, and that they present a credible plan for Gaza's future governance have mostly been ignored.

I fervently want Israel to succeed, both in defeating the threat posed by Hamas and as a historic effort to secure a safe homeland for Jews. But I do not accept that the total deprivation of millions of innocent civilians is necessary for Israel to secure its objectives or in the national interest of the United States. And where the United States is committing arms, funds, and support for those efforts, we must guard our principles and our interests.

Mr. President, I urge Israel's political leaders to act with wisdom, to listen to Israel's greatest friend and ally, the United States. Just as I pray for the freedom of hostages taken so cruelly from their families, as a pro-Israel Jewish American, I urge mercy for the innocent civilians in Gaza.

I yield the floor.

The PRESIDING OFFICER (Mr. PETERS). The Chair would like to clarify for the information of the Senate that Senator CRAMER is named as a conferee on H.R. 2670.

The majority leader.

LEGISLATIVE SESSION

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 354.

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 senior assistant legislative clerk read the nomination of Jeffrey M. Bryan, of Minnesota, to be United States District Judge for the District of Minnesota.

CLOTURE MOTION

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

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

The 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 nomination of Executive Calendar No. 354, Jeffrey M. Bryan, of Minnesota, to be United States District Judge for the District of Minnesota.

Charles E. Schumer, Richard J. Durbin, Sheldon Whitehouse, Alex Padilla, Richard Blumenthal, Cory A. Booker, Benjamin L. Cardin, Chris Van Hollen, Tammy Duckworth, Brian Schatz, Tammy Baldwin, Margaret Wood Hassan, Tina Smith, Mazie Hirono, Christopher Murphy, Peter Welch, Christopher A. Coons.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 308.

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 senior assistant legislative clerk read the nomination of Margaret M. Garnett, of New York, to be United States District Judge for the Southern District of New York.

CLOTURE MOTION

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

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

The 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 nomination of Executive Calendar No. 308, Margaret M. Garnett, of New York, to be United States District Judge for the Southern District of New York.

Charles E. Schumer, Richard J. Durbin, Tammy Duckworth, Mazie K. Hirono, Richard Blumenthal, Christopher A. Coons, Alex Padilla, Patty Murray, Sheldon Whitehouse, Debbie Stabenow, Tina Smith, Benjamin L. Cardin, Chris Van Hollen, Tim Kaine, Brian Schatz, Christopher Murphy, Peter Welch.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 117.

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 senior assistant legislative clerk read the nomination of Jose Javier Rodriguez, of Florida, to be an Assistant Secretary of Labor.

CLOTURE MOTION

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

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

The 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 nomination of Executive Calendar No. 117, Jose Javier Rodriguez, of Florida, to be an Assistant Secretary of Labor.

Charles E. Schumer, Tina Smith, Tammy Baldwin, Alex Padilla, Michael F. Bennet, Richard J. Durbin, Christopher Murphy, Sheldon Whitehouse, Jeff Merkley, Margaret Wood Hassan, Catherine Cortez Masto, Debbie Stabenow, Jack Reed, Richard Blumenthal, Chris Van Hollen, Tammy Duckworth, Peter Welch.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, November 15, be waived.

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

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 212, Roger F. Nyhus, of Washington, to be Ambassador to Barbados, the Federation of Saint Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Roger F. Nyhus, of Washington, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the