

Sullivan Thune	Tuberville Vance	Wicker Young
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## NOT VOTING—2

Kelly	Sanders
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The nomination was confirmed.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

# SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT—MOTION TO PROCEED—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and resume consideration of the motion to proceed to H.R. 3935, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 211, H.R. 3935, a bill to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m. today.

Thereupon, the Senate, at 1:04 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Ms. ROSEN).

# SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Ohio.

## DR. MARTIN LUTHER KING, JR.'S LETTER FROM BIRMINGHAM JAIL

Mr. BROWN. Madam President, you joined us last year to do the reading we are doing today, so I am glad the Presiding Officer is here presiding today.

It is an honor to join my colleagues of both parties on the floor today to read Dr. King's letter from the Birmingham jail. I thank Senator CASSIDY, who will go first, and Senators CASEY, LANKFORD, KING, BRITT, and BUTLER, who will wrap it up, for joining me today for this annual bipartisan tradition.

Every year, we bring together three Republicans and three Democrats to read one of the greatest pieces of writing of the 20th century and reflect on the mission and the powerful words of Dr. King.

This year, our reading falls right after Workers' Memorial Day, which

we marked on Sunday, a day when we honor all the workers killed on the job over the past year, workers who were injured, and workers who were injured and killed throughout our history.

Every year on that date, I am reminded of Dr. King's final trip—his second trip of the year, his final trip—to Memphis. He went to stand with Black sanitation workers striking for better pay and safer working conditions. They were some of the most exploited workers in the country, with unfair wages and unsafe conditions.

Months earlier, two Black workers had been killed in a tragic accident that surely could have been prevented. Mr. Echol Cole and Mr. Robert Walker had showed up to work in segregated Memphis, working in a segregated neighborhood. During their shift, a storm hit. Mr. Cole and Mr. Walker had to huddle in the back of the truck, surrounded by garbage, to shield themselves from the rain.

Segregated Memphis. Segregated neighborhood. Segregated sanitation truck, I might add.

The truck malfunctioned. These two young men—36 and 30 years old, with wives and families and their whole lives ahead of them—were crushed. The White workers in the front of the cab were not, obviously.

Dr. King knew discrimination killed those men as much as their work conditions had. He understood the deep connections between civil rights and worker rights. He understood that all labor has dignity.

Until we have equal rights for all and dignity for all workers, our work remains unfinished. We have a long road left to travel. It is up to each of us to push our country further along that road. That is the message of Dr. King's words. That is why I ask my colleagues to join us on the floor every year.

He wrote on scraps of paper while in solitary confinement in April 1963 in the Birmingham jail, with only his memory to pull from. He referenced two texts again and again: the Bible and Howard Thurman—who was one of his important spiritual counselors—Howard Thurman's book "Jesus and the Disinherited."

My friend Dr. Otis Moss, who lives in Cleveland, told me Dr. King always carried these two books with him. Before every trip or speech or march, he packed them into his briefcase.

In his letter, Dr. King was responding to White moderate ministers who told him: Slow down. Don't move too fast. Don't demand too much all at once.

They told him wait and things would change, but Dr. King, at that point, knew better. He knew "wait" meant never. He knew progress only happens when you push and when you don't give up.

In the letter, Dr. King made that point more eloquently and persuasively than any of us ever could.

Senator CASSIDY—Dr. CASSIDY—was just standing here with Senator BUTLER and me marveling at the wisdom

and the skill of his words, all inspiring us to write better on our account too.

The reading begins with Senator CASSIDY of Louisiana. Thank you for joining us again this year.

Mr. CASSIDY. Madam President, I thank Senator BROWN, and I thank my colleagues.

APRIL 16, 1963.

## MY DEAR FELLOW CLERGYMEN:

While confined here in the Birmingham city jail, I came across your recent statement calling my present activities "unwise and untimely." Seldom do I pause to answer criticism of my work and ideas. If I sought to answer all the criticisms that cross my desk, my secretaries would have little time for anything other than such correspondence in the course of the day, and I would have no time for constructive work. But since I feel that you are men of genuine good will and that your criticisms are sincerely set forth, I want to try to answer your statement in what I hope will be patient and reasonable terms.

I think I should indicate why I am here in Birmingham, since you have been influenced by the view which argues against "outsiders coming in." I have the honor of serving as president of the Southern Christian Leadership Conference, an organization operating in every southern state, with headquarters in Atlanta, Georgia. We have some eighty five affiliated organizations across the South, and one of them is the Alabama Christian Movement for Human Rights. Frequently we share staff, educational and financial resources with our affiliates. Several months ago the affiliate here in Birmingham asked us to be on call to engage in a non-violent direct action program if such were deemed necessary. We readily consented, and when the hour came we lived up to our promise. So I, along with several members of my staff, am here because I was invited here. I am here because I have organizational ties here.

But more basically, I am in Birmingham because injustice is here. Just as the prophets of the eighth century B.C. left their villages and carried their "thus saith the Lord" far beyond the boundaries of their home towns, and just as the Apostle Paul left his village of Tarsus and carried the gospel of Jesus Christ to the far corners of the Greco Roman world, so am I compelled to carry the gospel of freedom beyond my own home town. Like Paul, I must constantly respond to the Macedonian call for aid.

Moreover, I am cognizant of the interrelatedness of all communities and states. I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Never again can we afford to live with the narrow, provincial "outside agitator" idea. Anyone who lives inside the United States can never be considered an outsider anywhere within its bounds.

You deplore the demonstrations taking place in Birmingham. But your statement, I am sorry to say, fails to express a similar concern for the conditions that brought about the demonstrations. I am sure that none of you would want to rest content with the superficial kind of social analysis that deals merely with effects and does not grapple with underlying causes. It is unfortunate that demonstrations are taking place in Birmingham, but it is even more unfortunate that the city's white power structure left the Negro community with no alternative.

In any nonviolent campaign there are four basic steps: Collection of the facts to determine whether injustices exist; negotiation;

self purification; and direct action. We have gone through all these steps in Birmingham. There can be no gainsaying the fact that racial injustice engulfs this community. Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of brutality is widely known. Negroes have experienced grossly unjust treatment in the courts. There have been more unsolved bombings of Negro homes and churches in Birmingham than in any other city in the nation. These are the hard, brutal facts of the case. On the basis of these conditions, Negro leaders sought to negotiate with the city fathers. But the latter consistently refused to engage in good faith negotiation.

Then, last September, came the opportunity to talk with leaders of Birmingham's economic community. In the course of the negotiations, certain promises were made by the merchants—for example, to remove the stores' humiliating racial signs. On the basis of these promises, the Reverend Fred Shuttlesworth and the leaders of the Alabama Christian Movement for Human Rights agreed to a moratorium on all demonstrations. As the weeks and months went by, we realized that we were the victims of a broken promise. A few signs, briefly removed, returned; the others remained. As in so many past experiences, our hopes had been blasted, and the shadow of deep disappointment settled upon us. We had no alternative except to prepare for direct action, whereby we would present our very bodies as a means of laying our case before the conscience of the local and the national community. Mindful of the difficulties involved, we decided to undertake a process of self purification. We began a series of workshops on nonviolence, and we repeatedly asked ourselves: "Are you able to accept blows without retaliating?" "Are you able to endure the ordeal of jail?" We decided to schedule our direct action program for the Easter season, realizing that except for Christmas, this is the main shopping period of the year. Knowing that a strong economic-withdrawal program would be the by product of direct action, we felt that this would be the best time to bring pressure to bear on the merchants for the needed change.

Then it occurred to us that Birmingham's mayoral election was coming up in March, and we speedily decided to postpone action until after election day. When we discovered that the Commissioner of Public Safety, Eugene "Bull" Connor, had piled up enough votes to be in the run off, we decided again to postpone action until the day after the run off so that the demonstrations could not be used to cloud the issues. Like many others, we waited to see Mr. Connor defeated, and to this end we endured postponement after postponement. Having aided in this community need, we felt that our direct action program could be delayed no longer.

**The PRESIDING OFFICER.** The Senator from Pennsylvania.

Mr. CASEY. Madam President, I will continue with the reading of the letter from the Birmingham jail.

You may well ask: "Why direct action? Why sit ins, marches and so forth? Isn't negotiation a better path?" You are quite right in calling for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. My citing the creation of tension as part of the work of the nonviolent resister may sound rather shocking. But I must confess that I am not afraid of the word "tension." I have earnestly opposed violent ten-

sion, but there is a type of constructive, non-violent tension which is necessary for growth. Just as Socrates felt that it was necessary to create a tension in the mind so that individuals could rise from the bondage of myths and half truths to the unfettered realm of creative analysis and objective appraisal, so must we see the need for non-violent gadflies to create the kind of tension in society that will help men rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood. The purpose of our direct action program is to create a situation so crisis packed that it will inevitably open the door to negotiation. I therefore concur with you in your call for negotiation. Too long has our beloved Southland been bogged down in a tragic effort to live in monologue rather than dialogue.

One of the basic points in your statement is that the action that I and my associates have taken in Birmingham is untimely. Some have asked: "Why didn't you give the new city administration time to act?" The only answer that I can give to this query is that the new Birmingham administration must be prodded about as much as the outgoing one, before it will act. We are sadly mistaken if we feel that the election of Albert Boutwell as mayor will bring the millennium to Birmingham. While Mr. Boutwell is a much more gentle person than Mr. Connor, they are both segregationists, dedicated to maintenance of the status quo. I have hope that Mr. Boutwell will be reasonable enough to see the futility of massive resistance to desegregation. But he will not see this without pressure from devotees of civil rights. My friends, I must say to you that we have not made a single gain in civil rights without determined legal and nonviolent pressure. Lamentably, it is an historical fact that privileged groups seldom give up their privileges voluntarily. Individuals may see the moral light and voluntarily give up their unjust posture; but, as Reinhold Niebuhr has reminded us, groups tend to be more immoral than individuals.

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct action campaign that was "well timed" in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word "Wait!" It rings in the ear of every Negro with piercing familiarity. This "Wait" has almost always meant "Never." We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied."

We have waited for more than 340 years for our constitutional and God given rights. The nations of Asia and Africa are moving with jetlike speed toward gaining political independence, but we still creep at horse and buggy pace toward gaining a cup of coffee at a lunch counter. Perhaps it is easy for those who have never felt the stinging darts of segregation to say, "Wait." But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim; when you have seen hate filled policemen curse, kick and even kill your black brothers and sisters; when you see the vast majority of your twenty million Negro brothers smothering in an airtight cage of poverty in the midst of an affluent society; when you suddenly find your tongue twisted and your speech stammering as you seek to explain to your six year old daughter why she can't go to the public amusement park that has just been advertised on television, and see tears welling up in her eyes when she is told that Funtown is closed to colored children, and see ominous clouds of

inferiority beginning to form in her little mental sky, and see her beginning to distort her personality by developing an unconscious bitterness toward white people; when you have to concoct an answer for a five year old son who is asking: "Daddy, why do white people treat colored people so mean?"; when you take a cross country drive and find it necessary to sleep night after night in the uncomfortable corners of your automobile because no motel will accept you; when you are humiliated day in and day out by nagging signs reading "white" and "colored"; when your first name becomes "nigger," your middle name becomes "boy" (however old you are) and your last name becomes "John," and your wife and mother are never given the respected title "Mrs."; when you are harried by day and haunted by night by the fact that you are a Negro, living constantly at tiptoe stance, never quite knowing what to expect next, and are plagued with inner fears and outer resentments; when you are forever fighting a degenerating sense of "nobodiness"—then you will understand why we find it difficult to wait. There comes a time when the cup of endurance runs over, and men are no longer willing to be plunged into the abyss of despair.

**The PRESIDING OFFICER.** The Senator from Oklahoma.

Mr. LANKFORD. Madam President, I would like to continue the reading of the "Letter from Birmingham Jail."

Dr. King continued:

I hope, sirs, you can understand our legitimate and unavoidable impatience. You express a great deal of anxiety over our willingness to break laws. This is certainly a legitimate concern. Since we so diligently urge people to obey the Supreme Court's decision of 1954 outlawing segregation in the public schools, at first glance it may seem rather paradoxical for us consciously to break laws. One may well ask: "How can you advocate breaking some laws and obeying others?" The answer lies in the fact that there are two types of laws: Just and unjust. I would be the first to advocate obeying just laws. One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. I would agree with St. Augustine that "an unjust law is no law at all."

Now, what is the difference between the two? How does one determine whether a law is just or unjust? A just law is a man made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. Segregation, to use the terminology of the Jewish philosopher Martin Buber, substitutes an "I it" relationship for an "I thou" relationship and ends up relegating persons to the status of things. Hence segregation is not only politically, economically and sociologically unsound, it is morally wrong and sinful. Paul Tillich has said that sin is separation. Is not segregation an existential expression of man's tragic separation, his awful estrangement, his terrible sinfulness? Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong.

Let us consider a more concrete example of just and unjust laws. An unjust law is a code

that a numerical or power majority group compels a minority group to obey but does not make binding on itself. This is difference made legal. By the same token, a just law is a code that a majority compels a minority to follow and that it is willing to follow itself. This is sameness made legal.

Let me give another explanation. A law is unjust if it is inflicted on a minority that, as a result of being denied the right to vote, had no part in enacting or devising the law. Who can say that the legislature of Alabama which set up that state's segregation laws was democratically elected? Throughout Alabama all sorts of devious methods are used to prevent Negroes from becoming registered voters, and there are some counties in which, even though Negroes constitute a majority of the population, not a single Negro is registered. Can any law enacted under such circumstances be considered democratically structured?

Sometimes a law is just on its face and unjust in its application. For instance, I have been arrested on a charge of parading without a permit. Now, there is nothing wrong in having an ordinance which requires a permit for a parade. But such an ordinance becomes unjust when it is used to maintain segregation and to deny citizens the First-Amendment privilege of peaceful assembly and protest.

I hope you are able to see the distinction I am trying to point out. In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. One who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.

Of course, there is nothing new about this kind of civil disobedience. It was evidenced sublimely in the refusal of Shadrach, Meshach and Abednego to obey the laws of Nebuchadnezzar, on the ground that a higher moral law was at stake. It was practiced superbly by the early Christians, who were willing to face hungry lions and the excruciating pain of chopping blocks rather than submit to certain unjust laws of the Roman Empire. To a degree, academic freedom is a reality today because Socrates practiced civil disobedience. In our own nation, the Boston Tea Party represented a massive act of civil disobedience.

We should never forget that everything Adolf Hitler did in Germany was "legal" and everything the Hungarian freedom fighters did in Hungary was "illegal." It was "illegal" to aid and comfort a Jew in Hitler's Germany. Even so, I am sure that, had I lived in Germany at the time, I would have aided and comforted my Jewish brothers. If today I lived in a Communist country where certain principles dear to the Christian faith are suppressed, I would openly advocate disobeying that country's antireligious laws.

Mr. BROWN. Continuing:

I must make two honest confessions to you, my Christian and Jewish brothers. First, I must confess that over the past few years I have been gravely disappointed with the white moderate. I have almost reached the regrettable conclusion that the Negro's great stumbling block in his stride toward freedom is not the White Citizen's Council or the Ku Klux Klanner, but the white moderate, who is more devoted to "order" than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says: "I agree with you in the

goal you seek, but I cannot agree with your methods of direct action"; who paternalistically believes he can set the timetable for another man's freedom; who lives by a mythical concept of time and who constantly advises the Negro to wait for a "more convenient season." Shallow understanding from people of good will is more frustrating than absolute misunderstanding from people of ill will. Lukewarm acceptance is much more bewildering than outright rejection.

I had hoped that the white moderate would understand that law and order exist for the purpose of establishing justice and that when they fail in this purpose they become the dangerously structured dams that block the flow of social progress. I had hoped that the white moderate would understand that the present tension in the South is a necessary phase of the transition from an obnoxious negative peace, in which the Negro passively accepted his unjust plight, to a substantive and positive peace, in which all men will respect the dignity and worth of human personality. Actually, we who engage in nonviolent direct action are not the creators of tension. We merely bring to the surface the hidden tension that is already alive. We bring it out in the open, where it can be seen and dealt with. Like a boil that can never be cured so long as it is covered up but must be opened with all its ugliness to the natural medicines of air and light, injustice must be exposed, with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured.

In your statement you assert that our actions, even though peaceful, must be condemned because they precipitate violence. But is this a logical assertion? Isn't this like condemning a robbed man because his possession of money precipitated the evil act of robbery? Isn't this like condemning Socrates because his unswerving commitment to truth and his philosophical inquiries precipitated the act by the misguided populace in which they made him drink hemlock? Isn't this like condemning Jesus because his unique God consciousness and never ceasing devotion to God's will precipitated the evil act of crucifixion? We must come to see that, as the federal courts have consistently affirmed, it is wrong to urge an individual to cease his efforts to gain his basic constitutional rights because the quest may precipitate violence. Society must protect the robbed and punish the robber. I had also hoped that the white moderate would reject the myth concerning time in relation to the struggle for freedom. I have just received a letter from a white brother in Texas. He writes: "All Christians know that the colored people will receive equal rights eventually, but it is possible that you are in too great a religious hurry. It has taken Christianity almost two thousand years to accomplish what it has. The teachings of Christ take time to come to earth." Such an attitude stems from a tragic misconception of time, from the strangely irrational notion that there is something in the very flow of time that will inevitably cure all ills. Actually, time itself is neutral; it can be used either destructively or constructively. More and more I feel that the people of ill will have used time much more effectively than have the people of good will. We will have to repent in this generation not merely for the hateful words and actions of the bad people but for the appalling silence of the good people. Human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men willing to be co workers with God, and without this hard work, time itself becomes an ally of the forces of social stagnation. We must use time creatively, in

the knowledge that the time is always ripe to do right. Now is the time to make real the promise of democracy and transform our pending national elegy into a creative psalm of brotherhood. Now is the time to lift our national policy from the quicksand of racial injustice to the solid rock of human dignity.

You speak of our activity in Birmingham as extreme. At first I was rather disappointed that fellow clergymen would see my nonviolent efforts as those of an extremist. I began thinking about the fact that I stand in the middle of two opposing forces in the Negro community. One is a force of complacency, made up in part of Negroes who, as a result of long years of oppression, are so drained of self respect and a sense of "somebodiness" that they have adjusted to segregation; and in part of a few middle-class Negroes who, because of a degree of academic and economic security and because in some ways they profit by segregation, have become insensitive to the problems of the masses. The other force is one of bitterness and hatred, and it comes perilously close to advocating violence. It is expressed in the various black nationalist groups that are springing up across the nation, the largest and best known being Elijah Muhammad's Muslim movement. Nourished by the Negro's frustration over the continued existence of racial discrimination, this movement is made up of people who have lost faith in America, who have absolutely repudiated Christianity, and who have concluded that the white man is an incorrigible "devil."

I have tried to stand between these two forces, saying that we need emulate neither the "do nothingism" of the complacent nor the hatred and despair of the black nationalist. For there is the more excellent way of love and nonviolent protest. I am grateful to God that, through the influence of the Negro church, the way of nonviolence became an integral part of our struggle. If this philosophy had not emerged, by now many streets of the South would, I am convinced, be flowing with blood. And I am further convinced that if our white brothers dismiss as "rabble rousers" and "outside agitators" those of us who employ nonviolent direct action, and if they refuse to support our nonviolent efforts, millions of Negroes will, out of frustration and despair, seek solace and security in black nationalist ideologies—a development that would inevitably lead to a frightening racial nightmare.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Madam President, continuing with the words of Dr. Martin Luther King, Jr., and his letter from the Birmingham jail:

Oppressed people cannot remain oppressed forever. The yearning for freedom eventually manifests itself, and that is what has happened to the American Negro. Something within has reminded him of his birthright of freedom, and something without has reminded him that it can be gained. Consciously or unconsciously, he has been caught up by the Zeitgeist, and with his black brothers of Africa and his brown and yellow brothers of Asia, South America and the Caribbean, the United States Negro is moving with a sense of great urgency toward the promised land of racial justice. If one recognizes this vital urge that has engulfed the Negro community, one should readily understand why public demonstrations are taking place. The Negro has many pent up resentments and latent frustrations, and he must release them. So let him march; let him make prayer pilgrimages to the city hall; let him go on freedom rides—and try to understand why he must do so. If his repressed emotions are not released in non-violent ways, they will seek expression

through violence; this is not a threat but a fact of history. So I have not said to my people: "Get rid of your discontent." Rather, I have tried to say that this normal and healthy discontent can be channeled into the creative outlet of nonviolent direct action. And now this approach is being termed extremist. But though I was initially disappointed at being categorized as an extremist, as I continued to think about the matter I gradually gained a measure of satisfaction from the label. Was not Jesus an extremist for love: "Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you." Was not Amos an extremist for justice: "Let justice roll down like waters and righteousness like an ever flowing stream." Was not Paul an extremist for the Christian gospel: "I bear in my body the marks of the Lord Jesus." Was not Martin Luther an extremist: "Here I stand; I cannot do otherwise, so help me God." And John Bunyan: "I will stay in jail to the end of my days before I make a butchery of my conscience." And Abraham Lincoln: "This nation cannot survive half slave and half free." And Thomas Jefferson: "We hold these truths to be self evident, that all men are created equal . . ." So the question is not whether we will be extremists, but what kind of extremists we will be. Will we be extremists for hate or for love? Will we be extremists for the preservation of injustice or for the extension of justice? In that dramatic scene on Calvary's hill three men were crucified. We must never forget that all three were crucified for the same crime—the crime of extremism. Two were extremists for immorality, and thus fell below their environment. The other, Jesus Christ, was an extremist for love, truth and goodness, and thereby rose above his environment. Perhaps the South, the nation and the world are in dire need of creative extremists.

I had hoped that the white moderate would see this need. Perhaps I was too optimistic; perhaps I expected too much. I suppose I should have realized that few members of the oppressor race can understand the deep groans and passionate yearnings of the oppressed race, and still fewer have the vision to see that injustice must be rooted out by strong, persistent and determined action. I am thankful, however, that some of our white brothers in the South have grasped the meaning of this social revolution and committed themselves to it. They are still all too few in quantity, but they are big in quality. Some—such as Ralph McGill, Lillian Smith, Harry Golden, James McBride Dabbs, Ann Braden and Sarah Patton Boyle—have written about our struggle in eloquent and prophetic terms. Others have marched with us down nameless streets of the South. They have languished in filthy, roach infested jails, suffering the abuse and brutality of policemen. . . . Unlike so many of their moderate brothers and sisters, they have recognized the urgency of the moment and sensed the need for powerful "action" antidotes to combat the disease of segregation. Let me take note of my other major disappointment. I have been so greatly disappointed with the white church and its leadership. Of course, there are some notable exceptions. I am not unmindful of the fact that each of you has taken some significant stands on this issue. I commend you, Reverend Stallings, for your Christian stand on this past Sunday, in welcoming Negroes to your worship service on a nonsegregated basis. I commend the Catholic leaders of this state for integrating Spring Hill College several years ago.

But despite these notable exceptions, I must honestly reiterate that I have been disappointed with the church. I do not say this as one of those negative critics who can al-

ways find something wrong with the church. I say this as a minister of the gospel, who loves the church; who was nurtured in its bosom; who has been sustained by its spiritual blessings and who will remain true to it as long as the cord of life shall lengthen.

The PRESIDING OFFICER. The Senator from Alabama.

Mrs. BRITT. Madam President, I will continue reading Dr. Martin Luther King Jr.'s letter from the Birmingham jail:

When I was suddenly catapulted into the leadership of the bus protest in Montgomery, Alabama, a few years ago, I felt we would be supported by the white church. I felt that the white ministers, priests and rabbis of the South would be among our strongest allies. Instead, some have been outright opponents, refusing to understand the freedom movement and misrepresenting its leaders; all too many others have been more cautious than courageous and have remained silent behind the anesthetizing security of stained glass windows.

In spite of my shattered dreams, I came to Birmingham with the hope that the white religious leadership of this community would see the justice of our cause and, with deep moral concern, would serve as the channel through which our just grievances could reach the power structure. I had hoped that each of you would understand. But again I have been disappointed.

I have heard numerous southern religious leaders admonish their worshipers to comply with a desegregation decision because it is the law, but I have longed to hear white ministers declare: "Follow this decree because integration is morally right and because the Negro is your brother." In the midst of blatant injustices inflicted upon the Negro, I have watched white churchmen stand on the sideline and mouth pious irrelevancies and sanctimonious trivialities. In the midst of a mighty struggle to rid our nation of racial and economic injustice, I have heard many ministers say: "Those are social issues, with which the gospel has no real concern." And I have watched many churches commit themselves to a completely other worldly religion which makes a strange, un-Biblical distinction between body and soul, between the sacred and the secular.

I have traveled the length and breadth of Alabama, Mississippi and all the other southern states. On sweltering summer days and crisp autumn mornings I have looked at the South's beautiful churches with their lofty spires pointing heavenward. I have beheld the impressive outlines of her massive religious education buildings. Over and over I have found myself asking: "What kind of people worship here? Who is their God? Where were their voices when the lips of Governor Barnett dripped with words of interposition and nullification? Where were they when Governor Wallace gave a clarion call for defiance and hatred? Where were their voices of support when bruised and weary Negro men and women decided to rise from the dark dungeons of complacency to the bright hills of creative protest?"

Yes, these questions are still in my mind. In deep disappointment I have wept over the laxity of the church. But be assured that my tears have been tears of love. There can be no deep disappointment where there is not deep love. Yes, I love the church. How could I do otherwise? I am in the rather unique position of being the son, the grandson and the great grandson of preachers. Yes, I see the church as the body of Christ. But, oh! How we have blemished and scarred that body through social neglect and through fear of being nonconformists.

There was a time when the church was very powerful—in the time when the early Christians rejoiced at being deemed worthy to suffer for what they believed. In those days the church was not merely a thermometer that recorded the ideas and principles of popular opinion; it was a thermostat that transformed the mores of society. Whenever the early Christians entered a town, the people in power became disturbed and immediately sought to convict the Christians for being "disturbers of the peace" and "outside agitators." But the Christians pressed on, in the conviction that they were "a colony of heaven," called to obey God rather than man. Small in number, they were big in commitment. They were too God-intoxicated to be "astronomically intimidated." By their effort and example they brought an end to such ancient evils as infanticide and gladiatorial contests. Things are different now. So often the contemporary church is a weak, ineffectual voice with an uncertain sound. So often it is an archdefender of the status quo. Far from being disturbed by the presence of the church, the power structure of the average community is consoled by the church's silent—and often even vocal—sanction of things as they are.

But the judgment of God is upon the church as never before. If today's church does not recapture the sacrificial spirit of the early church, it will lose its authenticity, forfeit the loyalty of millions, and be dismissed as an irrelevant social club with no meaning for the twentieth century. Every day I meet young people whose disappointment with the church has turned into outright disgust.

Perhaps I have once again been too optimistic. Is organized religion too inextricably bound to the status quo to save our nation and the world? Perhaps I must turn my faith to the inner spiritual church, the church within the church, as the true ekklesia and the hope of the world. But again I am thankful to God that some noble souls from the ranks of organized religion have broken loose from the paralyzing chains of conformity and joined us as active partners in the struggle for freedom. They have left their secure congregations and walked the streets of Albany, Georgia, with us. They have gone down the highways of the South on tortuous rides for freedom. Yes, they have gone to jail with us. Some have been dismissed from their churches, have lost the support of their bishops and fellow ministers. But they have acted in the faith that right defeated is stronger than evil triumphant. Their witness has been the spiritual salt that has preserved the true meaning of the gospel in these troubled times. They have carved a tunnel of hope through the dark mountain of disappointment. I hope the church as a whole will meet the challenge of this decisive hour. But even if the church does not come to the aid of justice, I have no despair about the future. I have no fear about the outcome of our struggle in Birmingham, even if our motives are at present misunderstood. We will reach the goal of freedom in Birmingham and all over the nation, because the goal of America is freedom.

I yield the floor.

The PRESIDING OFFICER. The Senator from the great State of California.

Ms. BUTLER. Madam President, in conclusion of the letter from a Birmingham jail:

Abused and scorned though we may be, our destiny is tied up with America's destiny. Before the pilgrims landed at Plymouth, we were here. Before the pen of Jefferson etched the majestic words of the Declaration of Independence across the pages of history, we

were here. For more than two centuries our forebears labored in this country without wages; they made cotton king; they built the homes of their masters while suffering gross injustice and shameful humiliation—and yet out of a bottomless vitality they continued to thrive and develop. If the inexpressible cruelties of slavery could not stop us, the opposition we now face will surely fail. We will win our freedom because the sacred heritage of our nation and the eternal will of God are embodied in our echoing demands. Before closing I feel impelled to mention one other point in your statement that has troubled me profoundly. You warmly commended the Birmingham police force for keeping “order” and “preventing violence.” I doubt that you would have so warmly commended the police force if you had seen its dogs sinking their teeth into unarmed, nonviolent Negroes. I doubt that you would so quickly commend the policemen if you were to observe their ugly and inhumane treatment of Negroes here in the city jail; if you were to watch them push and curse old Negro women and young Negro girls; if you were to see them slap and kick old Negro men and young boys; if you were to observe them, as they did on two occasions, refuse to give us food because we wanted to sing our grace together. I cannot join you in your praise of the Birmingham police department.

It is true that the police have exercised a degree of discipline in handling the demonstrators. In this sense they have conducted themselves rather “nonviolently” in public. But for what purpose? To preserve the evil system of segregation. Over the past few years I have consistently preached that nonviolence demands that the means we use must be as pure as the ends we seek. I have tried to make clear that it is wrong to use immoral means to attain moral ends. But now I must affirm that it is just as wrong, or perhaps even more so, to use moral means to preserve immoral ends. Perhaps Mr. Connor and his policemen have been rather nonviolent in public, as was Chief Pritchett in Albany, Georgia, but they have used the moral means of nonviolence to maintain the immoral end of racial injustice. As T. S. Eliot has said: “The last temptation is the greatest treason: To do the right deed for the wrong reason.”

I wish you had commended the Negro sit inners and demonstrators of Birmingham for their sublime courage, their willingness to suffer and their amazing discipline in the midst of great provocation. One day the South will recognize its real heroes. They will be the James Merediths, with the noble sense of purpose that enables them to face jeering and hostile mobs, and with the agonizing loneliness that characterizes the life of the pioneer. They will be old, oppressed, battered Negro women, symbolized in a seventy-two year old woman in Montgomery, Alabama, who rose up with a sense of dignity and with her people decided not to ride segregated buses, and who responded with ungrammatical profundity to one who inquired about her weariness: “My feet is tired, but my soul is at rest.” They will be the young high school and college students, the young ministers of the gospel and a host of their elders, courageously and nonviolently sitting in at lunch counters and willingly going to jail for conscience’ sake. One day the South will know that when these disinherited children of God sat down at lunch counters, they were in reality standing up for what is best in the American dream and for the most sacred values in our Judeo-Christian heritage, thereby bringing our nation back to those great wells of democracy which were dug deep by the founding fathers in their formulation of the Constitution and the Declaration of Independence.

Never before have I written so long a letter. I’m afraid it is much too long to take your precious time. I can assure you that it would have been much shorter if I had been writing from a comfortable desk, but what else can one do when he is alone in a narrow jail cell, other than write long letters, think long thoughts and pray long prayers?

If I have said anything in this letter that overstates the truth and indicates an unreasonable impatience, I beg you to forgive me. If I have said anything that understates the truth and indicates my having a patience that allows me to settle for anything less than brotherhood, I beg God to forgive me.

I hope this letter finds you strong in the faith. I also hope that circumstances will soon make it possible for me to meet each of you, not as an integrationist or a civil-rights leader but as a fellow clergyman and a Christian brother. Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear drenched communities, and in some not too distant tomorrow the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty.

Yours for the cause of Peace and Brotherhood, Martin Luther King, Jr.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I thank my colleagues from California and Alabama, Louisiana and Maine, from Pennsylvania and Oklahoma.

I urge my colleagues who weren’t listening today to read the letter, Dr. King’s letter from Birmingham jail. It inspires us today as it helped to move a nation almost 61 years ago.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER (Ms. BALDWIN). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 211, H.R. 3935, a bill to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

Charles E. Schumer, Maria Cantwell, Peter Welch, Brian Schatz, Edward J. Markey, Thomas R. Carper, Patty Murray, Sheldon Whitehouse, Amy Klobuchar, Richard Blumenthal, Mark Kelly, Richard J. Durbin, Tina Smith, Debbie Stabenow, Margaret Wood Hassan, Catherine Cortez Masto, Michael F. Bennet.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 3935, a bill to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) is necessarily absent.

The yeas and nays resulted—yeas 89, nays 10, as follows:

[Rollcall Vote No. 157 Leg.]

#### YEAS—89

Baldwin	Fischer	Paul
Barrasso	Gillibrand	Peters
Bennet	Graham	Reed
Blackburn	Grassley	Ricketts
Blumenthal	Hagerty	Risch
Booker	Hassan	Romney
Boozman	Heinrich	Rosen
Braun	Hickenlooper	Rounds
Britt	Hirono	Rubio
Brown	Hoeben	Schatz
Budd	Hyde-Smith	Schmitt
Butler	Johnson	Schumer
Cantwell	King	Scott (FL)
Capito	Klobuchar	Scott (SC)
Carper	Lankford	Shaheen
Casey	Lujan	Sinema
Cassidy	Lummis	Smith
Collins	Manchin	Stabenow
Coons	Markey	Sullivan
Cornyn	Marshall	Tester
Cortez Masto	McConnell	Thune
Cotton	Menendez	Tillis
Cramer	Merkley	Tuberville
Crapo	Moran	Wainwright
Cruz	Mullin	Warren
Daines	Murkowski	Welch
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wicker
Ernst	Ossoff	Wyden
Fetterman	Padiella	Young

#### NAYS—10

Cardin	Lee	Warner
Hawley	Sanders	Warren
Kaine	Van Hollen	
Kennedy	Vance	

#### NOT VOTING—1

Kelly

The PRESIDING OFFICER (Ms. BUTLER). On this vote, the yeas are 89, the nays are 10.

Three-fifths of the Senators, duly chosen and sworn, having voted in the affirmative, the motion is agreed to.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Virginia.

H.R. 3935

Mr. KAINE. Madam President, I rise to talk about the FAA reauthorization bill that is pending before the Senate now. And I want to begin by thanking the chair of Commerce, Senator CANTWELL, and her ranking member, Senator CRUZ, for doing something very important. It is critical that this FAA reauthorization bill happen. And as I look at the bill, I see many provisions that I strongly support, and I applaud the committee for their work. In particular, the committee has addressed the critical shortage in air traffic control, which is incredibly important to the safety of our skies; and, second, the committee dealt with a challenging issue surrounding pilot training hours, and, I think, came up with a solution that is going to be the right solution. So I begin with: This is a big bill with a lot of provisions, and I find much to like in almost all of it.

But I rise to address the one piece of it where I am not supportive, and that is the mandate that the Senate committee version contains to add five

slots—or ten flights—to one of the most delay-prone and congested airports in the United States, Reagan National Airport, otherwise known as DCA. And I want to spend a little bit of time going into this issue, as the Senator representing Virginia. But I stand together with the support of colleagues—the Senators from Maryland, Senator VAN HOLLEN and Senator CARDIN; the Senator from Virginia, Senator WARNER. We are filing an amendment to remove the additional slots at DCA in this provision, and I want to just explain why to my colleagues.

First, just a word about DCA. Most of us know it, but maybe not all know it and can put it in the context with other airports in this country.

DCA is a postage stamp of an airport. It is 860 acres. By comparison, Dulles is built on 12,000 acres. The Denver airport is nearly 30,000 acres. The Dallas airport is, I think, 18,000 acres.

The DCA airport was built at a time when air traffic was not so intense, wasn't so normal, wasn't so critical to the Nation's economy; and it was built on this small footprint. And everyone who has flown into DCA knows there is no way to expand it. You are essentially kind of wrapped around on nearly three sides by water, and then, on the fourth side, it is U.S. 1 and a rail line. There is no way to make it bigger.

DCA has three runways. There is a primary runway—the long runway—and then there are two commuter runways on these 860 acres. When DCA was built and, more recently, as studies have been done, the estimate has been that DCA should, on that footprint with those 3 runways, accommodate 15 million passengers a year in and out of that airport.

Where is DCA today? Today, DCA is pressed to the gills and 25½ million passengers a year are coming into or out of DCA.

And it is pressed in another way. The airport was built so that the 15 million passengers would be spread across the 3 runways: larger planes from farther away on the main runway and then commuter planes from near distances on the 2 commuter runways. But there have been significant advances in the configuration of airlines, and commuter airplanes that used to be turboprops are now jets. And so what has happened at DCA is that 90 percent of the flights that come into DCA have to use the primary runway, and that number is increasing as the commuter planes change in their configurations.

So to just kind of summarize that, a very small airport that was designed for 15½ million passengers spread across 3 runways is now dealing with a passenger load of 25½ million passengers, with 90 percent of those having to land on the main runway.

How does that make DCA rank with other airports in the United States? Well, again, because of its small size, there are a number of airports that have more passengers in and out. DCA

is the 19th busiest airport in the United States, if you look at the entire airport. But if you look at the main runway at DCA, that main runway is the single busiest runway in the whole United States. LaGuardia doesn't beat it. Kennedy doesn't beat it. Newark doesn't beat it. LAX doesn't beat it. Atlanta Hartsfield doesn't beat it. This runway that we use in this region is the busiest runway in the United States.

What does that mean? What does it mean to have these 25½ million passengers mostly on 1 runway at DCA? Well, the first thing it means is very significant delay. Remember, I mentioned that DCA is the 19th busiest airport in the United States. But if you look at the average delay per day, it is No. 8. In other words, it punches really far above its weight when it comes to delay.

And what kind of delay? You know, a delay of 2 or 3 minutes, I mean, hey, that wouldn't be a problem. But the average delay at DCA—and more than 20 percent of flights in and out of DCA experience delay—the average delay of those that do is not 10 minutes. It is not 30 minutes. It is not 45 minutes. It is 67 minutes. That is the average delay on these more than 20 percent of the flights that come into and out of DCA.

How about beyond delay? What other measures? Well, again, I told you that DCA was the 19th busiest airport in the United States. But it is No. 3 in canceled flights.

Now, some jurisdictions have canceled flights because the weather is horrible. You know, you might expect a lot of cancellations in an Alaska or maybe in a Minneapolis or maybe in a Chicago, the Windy City. With so many flights coming in, you might expect that they would have a lot of cancellations.

The problem at DCA isn't weather. The problem is congestion, and it is No. 3 in the country in terms of cancellations.

There is another measure that is a combination of both, a kind of a delay and safety measure: the number of times—and I think we have all experienced this—if you are flying into DCA, that you are put into a routing circle or loop before you can land. Now, that is part of what contributes to the 67 minutes of delay that is experienced by these more than 21 percent of the planes that have delay, but it also poses some additional challenges.

When you are looping a plane over a very restricted DC airspace as other planes are taking off—one per minute from 7 a.m. until 11 p.m., taking off or landing; one per minute—you raise the risk of accident, and you also subject neighborhoods with loop patterns to noise. And that was one of the original controversies that led Congress to decide to take these airports out of the Federal control and put them into the control of the Metropolitan Washington Airports Authority—the idea that we can manage this better for

safety, for convenience, but also to reduce noise in the neighborhoods in the DMV.

So delay, cancellation, and looping patterns that are both a delay factor and a convenience factor and a neighborhood amenity factor, and that is DCA today.

There is another challenge with DCA, and that is, with congestion, you run into risks of safety. As we were considering this matter just in the last few weeks, before the FAA bill was pending before Congress—but work had been done in the committees and work had been done in the House—there was a near miss on the runways at DCA. A plane was getting ready to take off on the main runway, a flight to Boston—a JetBlue flight to Boston—and another plane was trying to cross over to one of those shorter commuter runways, and they came within 300 feet of a collision.

If you listen to the audiotape—and I can't play the tape in the Chambers; I wish I could, but I played it for colleagues outside the Chamber—you hear this conversation of the air traffic controllers. And, I will tell you, they are the most even-keeled, monotone people on the planet Earth. It is "just the facts, ma'am," and you never hear emotions in their voice. But in this particular instance, you hear the tension ratcheting up, as these two planes are getting closer and closer, until you hear, in a frantic and worried way, one of the air traffic controllers just yelling, "Stop! Stop!" to these two planes because they are about to collide with one another. Three hundred feet isn't very much. It is not very much, and yet you raise the risk of accident with congestion.

I mean, it stands to reason. Auto accidents don't happen as often on roads that aren't congested. But when roads are congested, you run the risk of greater accidents. And that is what is happening at DCA right now, before we talk about adding slots.

Now, I do appreciate the fact that, in this bill, as I said, one of the things I like is the focus on air traffic controllers, because that is a key part of this. But it just stands to reason that, if it is already the busiest runway in the United States, and it is already one of the most delayed airports in the United States, and it is already near the lead in cancellations and needs for flights to loop around, it is a problem waiting to happen. And I have described this accident in the last few weeks as a flashing red warning signal to Congress: Please, do not add more flights. Don't jam more flights into this busiest runway in the United States.

The proposal before the body is to add 10 more flights, what we call 5 slots. It doesn't sound like a lot. I will admit that "five slots" doesn't sound like a lot. And maybe in an airport where there wasn't already a severe congestion problem, it wouldn't be a lot. And maybe in an airport that wasn't so small and whose size is already creating safety challenges, it



wouldn't be a lot. But at DCA, it is a lot.

And so we have asked the FAA, charged with air traffic safety and experts in this—and I am definitely not an expert: What would 10 more flights mean?

And, again, in the five slots, each slot is a flight in and a flight out. So 5 slots are 10 flights.

What would 10 flights a day mean to DCA?

And what the FAA said was, OK, even one flight would increase delay in operations at DCA. Even one would increase delay in this top-10 most delayed airport in the United States. But 10 flights would add an extra 751 minutes, more than 12 hours, of delay at DCA every day—751 minutes of delay at DCA every day—and it would likely affect 183 flights.

Now, this airport, as I have said, is already one of the most delayed in the United States, and if you add that 751 minutes to the average daily delay at DCA, you are now over 12,000 minutes of delay every day at DCA. So DCA would be climbing a ladder. They wouldn't be the eighth most delayed airport. They would be climbing the ladder and really cement their place in the top 10 or bottom 10, depending on how you would want to look at it.

You all know that delay is bad. You don't want to arrive at a location late. Already, 67 minutes is the average that it would increase. It doesn't increase by average. Some would increase by a lot, some by a little. But remember that delay also has a compounding effect. If you are late leaving, delayed by 67 minutes and then some, then you might miss a connection or two. Or you might cause planes to wait for you, which then delays a whole lot of other people. So in our air traffic system, delay builds on delay, and it is kind of a geometric progression that creates massive inconvenience.

The argument that we are making, those of us who are in this region—we are not on the Commerce Committee. We weren't involved in the negotiation. We made our intentions known. We made them known for a very long time. And the intentions we have made known are that this is already an overburdened airport with the busiest runway in the United States, and there are both passenger convenience and safety reasons to not do this.

But it is not just us. It is not just us. The FAA has not said: Do this or don't do it. But the FAA has said: If you add even one plane, you are going to increase delay at this very delay-prone airport.

But there is also another body that is offering us advice. Congress created an authority called the Metropolitan Washington Airports Authority during the Reagan administration.

I have a personal connection to this story. My father-in-law had been the Governor of Virginia and was somewhat of an expert in transportation, and President Reagan's Secretary of

Transportation, Liddy Dole, asked him to come and lobby Congress to let go of control of these airports and instead create an authority. My father-in-law, Linwood, died about 2 years ago, at age 98, but it was one of his proud moments. And it was hard to convince Congress to give up control of these airports. It was very hard. It was a tough battle, but he eventually did it. And Congress agreed that DCA and Dulles would be operated by the Metropolitan Washington Airports Authority.

And Congress appoints that board. Certain members have to be from DC, certain from Virginia, certain from Maryland, and certain are Federal appointees who can be from anywhere. But we appoint that board, and we exercise oversight over that board, and they have responsibility for the safety of these two airports.

What are they saying about this proposal? Well, those who are charged with operating these airports every day are saying: Don't do this.

They are essentially saying the same thing that this air traffic controller is saying: Stop! Stop!

The way to manage this extra congestion and delay and safety danger at DCA is not putting more flights in here; it is taking advantage of more capacity at Dulles and more capacity at BWI.

So my colleagues and I are offering this amendment, recognizing the good work that the committee has done to promote safety throughout this reauthorization bill but pointing out that in this one instance, the proposal in the bill is directly contrary to the safety of 25 million people who use this airport, is directly contrary to the safety of neighborhoods surrounding this airport, and will take an already overburdened, delay- and cancellation-prone airport and make matters much worse.

We will do all we can to press for a vote on this amendment, to hopefully convince our colleagues to vote with us.

The last thing I will say before I sit down is this: The near miss 2 weeks ago is a warning light. We have all been warned. It is rare—it is rare—to have legislation where there is no downside to it. There is always going to be potential downside, and sometimes we can assess what the downside is, and sometimes the downside—we may not be able to assess what it is. There is nothing we do here that doesn't have a downside. But I have been here for about 12 years now, and I will say that this is a piece of legislation—unlike any other that I have considered—where the downside has been placed on the table right before us in such a stark way as we are coming up to consider this bill.

I just hope my colleagues will see the warning for what it is, will heed the advice of the FAA, and will listen to those we have empowered to operate this airport. If they are telling us that this should not be done and that if it is

done, you can increase the risk of something bad happening, we should listen to them. We should listen to them.

The one last thing I will mention because it is often relevant in bills like this is, if we were to make this change and accept the amendment and strip away these 10 additional flights, are we going to cause problems over on the House side? You know, we had this debate about the FISA reauthorization. We have this debate on appropriations bills all the time.

We know the FAA bill reauthorization needs to be done by the end of next week. If we were to strip out the 10 flights, are we going to have problems over on the House side? The answer to that is no because the additional slots were only included in the Senate bill. The House considered the same proposal and rejected it in committee—no extra slots jammed into the busiest runway in the United States. None.

Now, some didn't like that, so on the floor of the House, they offered an amendment to add these 5 slots, 10 flights, and the amendment failed. So we know what the will of the body is on the House side already, and that was a vote that took place before this near miss. My surmise is, if they were against it before the near miss, they are going to be even more against it after the near miss. So we needn't worry that if we adjust the bill before us to take this out, there is going to be a danger on the House side of compromising the bill and causing us to miss the deadline on the reauthorization.

With that, I appreciate the attention of the body and yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

FAFSA

Mr. CORNYN. Madam President, today is May 1, which traditionally serves as college decision day—the deadline for prospective college students to confirm their enrollment and secure their spot for the upcoming semester.

Each of us knows that college decisions are not made lightly. Students consider various majors. They look at long-term job prospects and earning potential for their careers. At least we hope they are looking at that before they decide to pursue their studies.

As they look at schools, they also evaluate admission requirements, student resources, and the campus culture. But far and away, the most important factor for the majority of students is, how much will it cost? How much will it cost to receive a degree? As any student or parent who has been through this process will attest, it is not a cut-and-dry answer. I have been through it with both of my daughters and still have flashbacks occasionally from the experience.

Between scholarships and grants, the advertised sticker price versus the out-of-pocket cost can vary significantly. To cover the remaining balance, students have the option to take out

loans, participate in work-study programs, or take on a part-time job. Those decisions require even more consideration and planning.

For most students to understand or even begin to evaluate the true cost of college, they rely on something called the Free Application for Federal Student Aid, or FAFSA, as you have heard it called. Now, the Free Application for Federal Student Aid, or FAFSA, determines how much financial aid students can receive through loans, grants, scholarships, and work-study programs. For millions of students, this information unlocked by the FAFSA is a deciding factor, so it is a critical factor in determining students' ability to be able to go to school. It is not just deciding which school is right for them; it is understanding whether college education is even feasible from a financial point of view.

But despite today being college decision day, many Texas students and other students all across the country are still waiting for their financial aid packages. They should have had this information weeks ago, even months ago, giving them the time to look at the range of their options and make an informed decision by May 1. Instead, enough students are still in limbo that many colleges and universities have been forced to postpone their admission decisions. But the fault doesn't lie with the students or the colleges but with, rather, the administration, which completely bungled the FAFSA process this year.

The Biden administration rolled out a new FAFSA application that promised to simplify the notoriously complicated form. They claimed that the new-and-improved FAFSA would make it as easy as possible for families to get the help they need in order to plan for their education. As countless families in Texas and across the country can attest, that hasn't happened—not in the slightest.

The FAFSA is typically available on October 1. This cycle, it wasn't available until the end of December—nearly 3 months behind schedule. Once it went live, the problems had just begun. Applicants reported website crashes, system errors, and lengthy processing times. Many of Texas's mixed-status families have had trouble completing the FAFSA at all due to a technical glitch. Across the board, applicants have struggled to get anyone on the phone to help troubleshoot the issues they were facing—even more so if they needed somebody who spoke Spanish. Instead of a simplified and streamlined process, families have been introduced to a convoluted maze of confusing questions, unclear instructions, and lengthy delays. The FAFSA problems have been so severe that many students have decided not to even complete the FAFSA at all this year. This is having dramatic and negative consequences.

The Biden Education Department says that FAFSA submissions by Texas

students alone are down by more than 40 percent—40 percent—over last year. This is a scandal. This is a precipitous drop, and it is sure to have a negative impact on those students, the colleges and universities, and eventually on employers.

Starting with students, it is impossible to make an informed financial decision about college without a financial aid package. As we know, costs can vary significantly from one school to another, so without a financial aid offer, it is impossible to understand how to put the puzzle together to figure out whether it is even feasible for you to attend a particular university. A student who thinks they are making the more economical choice may need to take out a larger than expected loan because they don't have a clear understanding of their financial obligations.

And for students who are weighing whether or not to attend college at all or whether to go to a 4-year college or perhaps a community college or a technical school, this could be the deciding factor that forces them to forego higher education and simply enter the workforce—or to accept something short of what they have aspired to in terms of their educational opportunities.

This is especially true for students from low-income families who rely more on financial aid to make their dream of higher education come true. Without timely access to this critical information, students risk being locked out of a lifetime of opportunities for success.

High school students, though, aren't the only ones impacted by the Biden administration's FAFSA fiasco. Current college students who are receiving aid have to complete this same document every year. For example, a student by the name of Alexis is a junior at the University of Texas at Austin, and she says she is very concerned about what she described as a "waiting game."

As I noted, the Biden administration made the new FAFSA application available at the end of December, 3 months late. Alexis, though, completed the form and submitted it in January. But she still hasn't received an update since that time—May 1. She is worried—and I can understand why—that her FAFSA won't be processed before next semester, forcing her to get a third job or to take out additional loans.

Now, this is a scandal, as I said, and it should be a huge embarrassment to the Biden administration, which said this new and improved FAFSA process was going to streamline it and make it easier to comply with. But what they didn't figure out is the bureaucratic bungling of administering this new process.

The ripple effects of the FAFSA fiasco are felt not only by individual students but by colleges and universities across the Nation. Last month, I met with a number of leaders from Texas

colleges and universities, and I am sure they are not unique in this regard, but they are absolutely outraged by the Biden administration's mishandling of the FAFSA. Without complete FAFSA data, they aren't able to send financial aid packages to prospective students. Without that information, students are unlikely to confirm enrollment. And without enrollment data, universities aren't able to set even a budget for their operations for the upcoming year.

Institutions rely on timely access to students' financial aid information to manage their admissions process and allocate resources. The delays caused by the botched rollout of the new FAFSA have disrupted these operations, created unnecessary headaches and anxiety and logistical challenges that make it impossible to plan for the future. Eventually, reduced enrollment will have a negative impact on the workforce.

Most of the meetings I have been having this week are with chambers of commerce from all across the State of Texas, and one of the first things they mention to me is workforce development. Fortunately, in our State, we are attracting a lot of new, well-paying jobs, particularly in things like advanced semiconductors and the like, and we are depending on these colleges and universities to train the workforce to be able to fill these well-paying jobs.

It is no question that our country is already dealing with a skills gap. Again, I have spoken with countless employers and job creators that have told me they are still struggling to find qualified candidates to fill available jobs. This includes high-tech manufacturing jobs like those in the semiconductor area that I mentioned but also nurses, electricians, mental health providers, school counselors, cyber security experts—and the list goes on and on. We need people trained in these various disciplines and skills in order to fill these jobs and to keep our economy growing.

The primary goal of the new FAFSA was to simplify the application process, making it easier for students and their families to navigate. Instead, the Biden administration's lack of preparation has created a bureaucratic nightmare for families, for students, and for schools. It undoubtedly will lead to countless numbers of students who will abandon their dreams of furthering their education because they simply can't plan for the future. They don't know which schools they are going to be able to apply to because they simply don't know how they fit their own financial picture together.

Obviously, this is going to create a lot of anxiety and headaches and uncertainty for colleges and universities, as I mentioned. And in a few years, I am afraid we will still be dealing with the ripple effect, the trickle-down consequences of reduced enrollment and workforce training.

There is simply no excuse for this sort of bureaucratic bungling. The Education Department has had plenty of



time and more than ample resources to roll out a simplified FAFSA by October 2 of last year. But, unfortunately, it appears the Biden administration has been so busy looking for ways to forgive or erase existing student debt that they failed to help future and current college students make informed decisions about their future.

Again, this should be a national scandal. My friend, Ranking Member Senator CASSIDY, has pushed the Government Accountability Office to examine the Biden administration's Education Department about their mishandling of the situation, and I am glad the Government Accountability Office has formally launched that investigation.

Texas students and students across the country and the American people at large deserve a full explanation about how we ended up with this mess, and we will keep fighting for answers and accountability until we get those answers.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### NET NEUTRALITY

Mrs. BLACKBURN. Madam President, last week, the Democrat majority on the Federal Communications Commission voted to classify broadband internet service as a "telecommunications service" under title II of the Communications Act. This is an effort that is known as net neutrality.

Now, the internet has been under title I, an information service, but our Democratic colleagues at the FCC and the Democrat administrations have sought to put this under title II and regulate it like they do the telephone line.

This action is nothing less than a Big Government takeover of the internet, which will decrease investment in broadband and hurt the American people's access to high-speed internet.

Now, how do we know this? Here is how: Under President Obama, the FCC enforced the failed regulation on the American people between 2015 and 2017, with harmful consequences. So we have done this before.

Now, back then, Democrats claimed that net neutrality was desperately needed to prevent internet service providers from blocking content, throttling speeds, and creating fast lanes that favored users who can pay for access. One Democrat Senator argued during this debate back in 2015 that without the heavy-handed regulation, the internet would "cease to exist." And another from their official Senate Democrat Twitter account claimed that without net neutrality, internet users would only "get the internet one word at a time."

Now, of course, we all know this never happened. Internet service providers never lived up to the Democrats' doomsday predictions, even after the FCC, under President Trump, repealed the net neutrality regulation.

In fact, the internet has seen more development, faster speeds, and lower prices since President Trump's administration repealed that Obama-era net neutrality order. While the order was in effect, from 2015 to 2017, investment in broadband fell. It actually fell. It decreased for the first time in a nonrecession period. For the first time ever, it decreased. Why was that? Government regulation. By comparison, the industry spent \$102 billion on capital expenditures in 2022, up from \$76 billion in 2016.

At the same time, without so-called net neutrality, Americans have enjoyed faster broadband speeds with a freer internet—free of net neutrality regulations. By the end of 2019, 94 percent of Americans had access to high-speed broadband. In 2015, just three-fourths of Americans had that access. Between 2016 and 2019, the share of rural Americans without high-speed internet was actually cut in half. With greater investment and competition, the repeal of net neutrality also made internet access more affordable.

Between 2016 and 2021—this is a period of time without net neutrality rules—during that period of time, broadband prices decreased in the range of 14 to 42 percent. Think about that. The price of access went down. It shows you that free markets work.

Tennesseans and Americans are probably wondering why is the FCC trying to go back and put a policy in place that limited access, that gave you government control, that increased prices, that slowed investment? Why would the Democrats want to do that?

Today, Democrats have abandoned all the arguments they had during the Obama years about internet service providers blocking content and throttling speeds. Instead, the Biden-appointed FCC chairwoman claims that net neutrality is needed to address loopholes in the Agency's oversight of national security threats. I thought: How novel. So now it is all about loopholes and about national security.

Well, when you look at the 1996 Telecommunications Act, it does not grant broad national security authority to the FCC. It does not give them the responsibility to do that, and it doesn't say that they have to have net neutrality in order to grab that. The Biden administration even admitted that U.S. security and law enforcement Agencies already—and I am quoting the Biden administration here—"exercise substantial authorities with respect to the information and communication sectors."

They made up a story now that they need to do this because of national security. They do not have the authority; it does not fit their mission; and the authority actually belongs to other

Agencies. So what you have is today's justification is different from the Obama era.

The real motivation for net neutrality remains the same. It is simply this: Democrats want the Federal Government to completely control the internet. It should come as no surprise that Big Tech companies who block and censor conservative speech every day are the biggest supporters of net neutrality. They would enjoy the opportunity to work right alongside the Federal Government and control your access, your speed, your content that you are choosing on the internet.

So Senate Republicans are going to fight against this Big Government takeover, and we are going to ensure that the internet does remain free and accessible and open to all Americans.

#### IRAN

Madam President, America can only achieve peace through strength. We know that. Yet since his first day in office, President Biden has ignored this time-tested truth and our servicemembers and allies are suffering the consequences.

Last week, militants in Iraq fired five rockets toward U.S. forces stationed in northeastern Syria. Less than 24 hours later, U.S. forces in western Iraq were targeted by explosive drones. Thankfully, no servicemembers were injured in these attacks. But it marked the first time American troops were targeted in the region since February. In their attacks earlier this year, Iranian militias injured dozens of U.S. troops and killed three brave servicemembers in Jordan. By all appearances, Iran-backed terror groups, including Hezbollah, were behind the latest attacks. Shortly after the attack on U.S. forces in Syria, the group issued a statement claiming that it will resume attacks on American troops, adding that "What happened a short while ago is the beginning."

This aggression isn't happening by accident. It is a direct result of President Biden's pro-Iran policy of appeasement. For more than 3 years, the Biden administration has rolled back the Trump administration's successful maximum-pressure campaign against the ayatollahs. Instead, President Biden has emboldened the Iranian regime, the world's largest state sponsor of terrorism, which killed more than 600 American troops during the Iraq war.

Within weeks of taking office, President Biden announced a return to diplomacy with Iran with the goal of restoring President Obama's failed nuclear deal. Then the administration revoked the Foreign Terrorist Organization designation for the Iran-backed Houthis. Those are the rebels in Yemen.

Right before Russia invaded Ukraine in 2022, the White House approved a \$10 billion nuclear deal between Tehran and Moscow. At the same time, the White House allowed Iran to secretly export oil to communist China, filling

the regime's coffers with billions to fund their terror proxies, including Hamas and the Houthis and Hezbollah. And in September 2023, the Biden administration engaged in a \$6 billion deal with Iran, the largest hostage payment in history.

It is quite a record. It is quite a record of appeasing Iran. It is quite a record of pushing forward, making certain there is money into a regime which is the globe's largest state sponsor of terrorism. Now, you would think that after the October 7 attacks when Iran-funded Hamas terrorists murdered 1,200 Israelis in the deadliest attack on the Jewish people since the holocaust, the Biden administration would abandon its policy of appeasement. But, no, that is not what this administration has done. What they did do is to double down on their policy of appeasement.

So are we to assume that they are OK with all of this? Just 11 days after the attacks, the President let the international embargo on Iran's missile and drone program lapse—11 days; and 11 days after Iran had moved forward—they trained Hamas, they prepped them, they funded them—Hamas carries out the October 7 attack, and 11 days later the Biden administration let the international embargo on Iran's missile and drone program lapse.

In November, the administration reapproved the sanctions waiver that gives Iran access to around \$10 billion in frozen assets. Last month, after Iran directly attacked Israel from its territory for the first time ever, launching more than 300 drones and missiles toward the Jewish State, President Biden told Israel that the United States opposed any counteroffensive to restore deterrence, telling Israel to look at Iran's failed attack as a win.

Madam President, can you even imagine what the American people would have thought following 9/11 if countries were telling us: Cool it; back off. They didn't take you totally down. Imagine that.

Just weeks ago, the Biden administration refused to commit to enforcing sanctions on the \$10 billion Iran-Russia nuclear deal. And to top it off, President Biden is now reportedly looking to revive the failed Iran nuclear deal in this latest attempt to appease the ayatollahs. You cannot make this stuff up. You absolutely cannot.

When I do visits in each of Tennessee's 95 counties, when I do a telephone townhall like I did last night with thousands of Tennesseans, people say: What are they thinking? And, you know, the sad thing about this is, it makes you wonder what they are thinking. It makes you wonder what they are doing to secure this country, to secure our people, to secure the homeland. It makes you wonder what are they doing intentionally, especially when it comes to that southern border. Thousands of people from countries of interest—about 25,000 Chinese nationals so far this fiscal year—are coming into our country. By the way, they are

mainly young single men. What are they doing?

Why does this administration not put our Nation's safety and security first? Why do they not put the safety and security of our troops who are deployed first? Why do they not have the backbone to stand up to thugs and put an end to this appeasement?

I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from West Virginia.

FAFSA

Mrs. CAPITO. Madam President, well, today is May 1, which is National College Decision Day. This is normally such an exciting occasion for students in my home State of West Virginia—and your home States—would be finalizing those really fun and hard decisions about which college or university to attend in the fall. There is much to look forward to.

This year, the customary hopefulness has been replaced by anxiety, fear, and apprehension as confusions and questions take hold regarding the availability of support that has long accompanied one of the most important decisions of our young students' lives.

When it comes to the 2024 FAFSA applications, the data from the West Virginia Higher Education Policy Commission paints a very bleak picture.

Compared to the same time last year, freshmen—these are national statistics—freshmen FAFSA completion rates are down 35.3 percent. For Pell-eligible students, FAFSA completion rates are down 32 percent. For non-traditional students 25 and older, FAFSA completion rates are down 35 percent. These are national figures. The total number of high school students who completed FAFSA is down 39.6 percent, and the total number of high school students who submitted a FAFSA is down 31.6 percent.

These percentages ring true in my home State of West Virginia. Back home, because of President Biden's FAFSA fiasco, 3,643 West Virginia students are left hanging in the balance, severely jeopardizing college access and affordability for students in West Virginia, many of whom are that first-time college goer in their family.

This is just another way that President Biden and his administration are threatening a form of the American dream and destroying the vision to implement a simplified FAFSA process that was intended by Congress.

So how did we get here? Well, this is an interesting statistic here, too. FAFSA completion rates among West Virginia students age 25 or up—so those are students maybe who took a couple years in the military, in the workforce, and they want to go back to school—are down 35 percent.

So how did we get here? In December of 2020, when I was here, Congress passed the FAFSA Simplification Act to simplify and improve the process of applying for Federal student aid.

Federal student aid and the FAFSA were first authorized in 1992 as a way

to provide a critical lifeline for our students.

In 2020, Congress made this simplification effort a bipartisan priority championed by my friend, whom we miss dearly, Senator Lamar Alexander, a former Cabinet Secretary of the Department of Education. But unfortunately the administration's implementation of this law has not made things better for students. Instead, it has created an unmitigated disaster caused by an inexcusable failure of leadership from the White House and the Department of Education.

The deadline to update the FAFSA should have come as no surprise. Congress gave the administration an extra year. They had 3 years, and we gave them an extra year to complete it—4 years. Implementation of this law should have been a top priority for the Biden administration. Instead, what happened? The political leadership of the Department of Ed chose to take time, resources, and personnel to advance the administration's priorities around canceling student debt. This is proof of the administration blatantly putting politics before our students, and that is simply indefensible.

I have spoken with so many West Virginians in every part of this process in the past several months who are very angry about the Department of Education's misplaced priorities. They feel discouraged about their futures because of the bungled implementation.

This is obviously a huge issue for students and their families, but it is a tremendous challenge for our colleges and universities at the same time.

The Department of Education claims that there is nothing more important right now—well, it is college decision day; I guess maybe that is correct—than fixing the issues around the FAFSA process, but those words have yet to be backed up by much action.

While there is no guarantee that the administration will get their act together, there are two things that are certain: No. 1, students deserve better, and their families; No. 2, Senate Republicans will remain committed to holding the administration accountable and pushing for a fix to this issue.

Back in January, I joined a bicameral group of congressional Republicans requesting that the Government Accountability Office investigate the administration's botched FAFSA. That was in January. This investigation is now underway, and it is my hope it will yield answers as to what the failure could be and how similar mistakes would be avoided in the future.

Additionally, I helped author a formula fix to the FAFSA Simplification Act that passed the Senate and became law earlier this year. This fix intends to make financial aid more accessible for students by streamlining the process, and it corrected actions taken by the Department of Education in February that would have jeopardized future Pell grant awards for students.

Then, just yesterday, I questioned Secretary Cardona of the Department

of Ed during our Labor, Health and Human Services Subcommittee hearing. I demanded answers, as did many, and accountability regarding the fiasco with the FAFSA that his Department has overseen. To say I was underwhelmed by his responses would be an understatement. Literally, he said: Well, we kind of are changing—we are kind of redoing—we think we are there.

Why did you make mistakes?

Well, we had missed deadlines.

Did you not see that coming for 4 years?

I mean just very, very nonspecific answers.

With the lack of action from the Biden administration, West Virginia's Governor, Jim Justice, declared a state of emergency on the matter just yesterday. This order will temporarily suspend the requirement for students to complete their FAFSA in order to qualify for our State's largest financial aid programs, providing needed relief and certainty for our students that they are not now receiving from the Department of Ed. At least they will get some certainty from the West Virginia Department of Ed.

I hope that in the future the Biden administration and their Department of Ed will be singularly focused on addressing outstanding issues and ensure that these problems are not present in the 2025 to 2026 FAFSA cycle. I can assure you that my Senate Republican colleagues and I will not stop putting pressure on the Biden administration to do the job they are supposed to do, as they have received ample resources from this Congress to do so.

I remain in constant contact with the West Virginia Higher Education Policy Commission to further understand what they are seeing and ways that we can help as they work to mitigate the fallout from the crisis the Biden administration has manufactured.

I commend the efforts from my Republican colleagues in the Senate on these issues as well—in particular, Senator JONI ERNST, who is going to speak next, and BILL CASSIDY of Louisiana—who have been outspoken on this issue with me, as well as many of our other colleagues, like the ones who are joining me on the floor to speak.

We have to remain focused on these issues surrounding the FAFSA application process and make sure that vital resources remain available for our students during the moments when they need them the most, delivering on what our students deserve, which should not be a partisan issue.

I am going to go off my formal remarks and say quickly, when they calculated in January and February what the parameters would be for the aid for the students, they determined that some students would be getting more than they should and that some students would be getting less than they should—totally unfair. But the Department's first response was, well, we will

let the people who are getting more than they should—they can just keep this, and we will fix it next year. What does that say to the taxpayer who is paying for this? I mean, finally, public pressure came to bear, and they rescinded and recalculated everything.

So, with that, I encourage everybody to recognize this as a real problem across our country, particularly for our lower income, first-time college-going students—first time ever filling these forms out. It is not an easy thing anyway, and it is a daunting challenge to think about how to afford a higher education.

So, with that, I welcome my friend from Iowa and her good hard work on this, and I am glad to see she is on the floor to speak about this.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Madam President, I want to thank the Senator from West Virginia for arranging today's floor speeches focused on FAFSA.

Today is May 1, and it is national college decision day. Typically, this day is cause for celebration for students and families all across the United States.

Finalizing the next step after high school represents a huge milestone for young men and women and one that is earned by that late-night studying, participating in different extracurricular activities, and meticulously filling out applications, and oftentimes determined by a good old college road trip. Together, families will hop on the highway to find their future college or university, hopefully of that student's choosing.

This year, as folks embarked on this journey, little did they know that the Biden administration would be putting up roadblocks. So, today, instead of celebrating college decision day, there are millions of young people waiting anxiously to hear from the Department of Education on whether they will be able to afford college.

The best way for college hopefuls to know what support they may receive comes from the free application for Federal student aid, which we call the FAFSA.

Due to incomplete planning measures and likely yielding to progressives' priorities, Biden's Department of Education released this year's FAFSA form 3 months late, drastically condensing the timeline for families to submit it. To this day, they still haven't fixed their fiasco, and the negative implications are like a five-car pileup.

Since the delayed January release of the new FAFSA form, I have been driving river to river across Iowa, hearing from students, from their parents, and from aid administrators and counselors on the impact of this disastrous rollout.

I recently met with Jennifer Holliday. Jennifer is a fellow farm kid and the current student body president of Iowa State University.

So go, Jennifer, and "Go Clones!"

She and her younger sister eagerly submitted their FAFSA forms as early as possible, but as of last week, Jennifer had still not received her estimated aid even though her sister received it months ago. Folks, we are talking about two kids from the same family. It doesn't make any sense.

During our conversation, Jennifer told me that she is scared to see how much her aid offer will decrease due to the Department penalizing farm families. Even though the new FAFSA formula was supposed to improve eligibility for aid, it has instead caused some farm families' expected contributions to skyrocket more than five times.

Sadly, these FAFSA fumbles are far too common under the Biden administration. An exceptionally bright high schooler from Des Moines shared with me that while he hoped to have a traditional college experience living in a dorm at a 4-year university in Iowa, he still wasn't sure what his aid package would look like. Since he wasn't willing to sign up for debt without knowing exactly what he would have to pay—that is a smart kid—he plans to live at home and attend community college for now, hoping the FAFSA fiasco is fixed in time to try again next year.

But this wreck isn't just punishing high school seniors. I recently spoke to a mom of four from Sioux City, and she told me that she went back to school after more than a decade. Again, she was a young mother, a mother of four, and she really wanted to finish her degree, so she went to school after more than a decade to complete her teaching degree. Her goal is to teach high school history and equip our next generation. And like so many other hopefuls, she still has not received a clear estimate of her aid, and it remains to be seen if she will be able to pay for her fall semester classes.

As the Biden administration refuses to provide a clear path for students or school administrators, we continue to see the Department detour its attention to Democrat priorities. After more than 3 months of requests from my office, this administration has failed to provide Congress with a transparent response on how they are adequately making corrections to the FAFSA, even as we are rapidly approaching next year's rollout.

Meanwhile, just 2 weeks ago, right before college decision day, the Biden administration announced an additional \$7.4 billion in loan cancellation and \$6 billion more today, bringing the grand total to \$160 billion.

Biden's Ed Department has also prioritized radical gender ideology over the most fundamental statutory protections of women in schools. It is clear, folks, the left lane to higher learning has been paved with the President's political pet projects, and Iowans are in for a bumpy ride.

When Congress passed the FAFSA Simplification Act, it was done so with

the understanding that the Department of Education would prioritize a thorough and well-tested model for the student aid form. Well, that clearly has not happened.

While the administration has had FAFSA under construction for 3 years—yes, 3 years to get this rollout right—traffic is still at a screeching halt. But rest assured, folks, I am fighting back—first, to ensure not a cent allocated for the FAFSA simplification was spent on Biden's student loan bailout; second, to allow students like whose stories I have shared, those farm kids from rural Iowa, our non-traditional students, mothers who are looking for a second opportunity, and everyone who is forced to miss out on pursuing the college of their choice this year because of the administration's incompetence to get access to the potentially life-changing aid they deserve.

There is significant roadwork ahead, but I am not pumping the brakes until the Biden administration removes these roadblocks and fixes its FAFSA fiasco.

I yield back.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Madam President, we have been hearing from my colleagues about the FAFSA fiasco, and I join them in expressing concern about it; telling you about some of the complaints that we have heard from Nebraskans; and, hopefully, draw more attention to this so that we can see it fixed.

This failed FAFSA launch: It was late. It was chock-full of glitches and complications. It threw a wrench in the plans of both students and universities. I know this not just because I have read the news but because my office has heard from these students and these schools. Both public and private universities in Nebraska, as well as local education nonprofits—they have reached out with their frustrations over this rollout and the chaos that it has caused.

High school seniors have a hard enough time making weighty decisions about their futures, but the FAFSA fiasco is multiplying the stress and the complications of that decision process.

One high school guidance counselor in Lexington, NE, said the FAFSA delay is creating barriers and curveballs for students who need those scholarships.

A counselor in North Platte said it is causing serious problems for her students as well.

Students don't get the different scholarships they would like to have, and they're not getting enough money to pay for college.

Almost 18 million students across the country usually complete FAFSA in a typical year. This year, the number is only closer to 5 million. Millions less will get the financial aid they need to attend school because of the Department of Education's failed rollout.

So this is a national crisis, and it is not just affecting college applicants. It

is affecting colleges themselves. The director of financial aid at Nebraska Wesleyan said the FAFSA problem is forcing them to condense what would normally be a 7-month financial aid process down to only 3 months.

The chancellor who oversees financial assistance at the University of Nebraska in Omaha said they are "way behind."

Each additional blunder by the Department of Education puts them even further behind. He said they are going to have to adjust their decision, orientation, and onboarding processes all because of FAFSA.

So how did we get to this point? I would say, in short, it is due to political pandering. The Department of Education put FAFSA on the back burner because they wanted to prop up President Biden's splashy student loan cancellation scheme.

And we know all about that scheme in my State of Nebraska. Nebraska Attorney General Mike Hilgers spearheaded the Biden v. Nebraska Supreme Court challenge to the President's \$400 billion student loan giveaway. The proposal was nonsensical, and it was deeply, deeply unfair. It forced American taxpayers to bear the burden of loans that they never took out.

Sources told the publication Inside Higher Ed that the Education Department neglected FAFSA overhaul in favor of plans that were more politically high profile—primarily, that student loan scheme.

The administration bulldozed millions of students. Why? To pander for votes. My colleagues and I are here today to call out this catastrophe, but we are also urging the administration to fix it.

In January, I joined Senator CASSIDY in sending a letter to the Government Accountability Office asking them to investigate the negative impact the FAFSA rollout is having on students. We pushed the administration on what they plan to change for the next cycle.

President Biden's Department of Education is accountable to the American people for this failure, and they are responsible for fixing it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Madam President, today should be a day of celebration. National college decision day marks a pivotal moment in the lives of millions of students across the country, a day that many of us still remember ourselves. It is meant to be a day of excitement and anticipation of young men's and women's bright futures ahead.

But, instead, I rise today frustrated and disappointed. As we stand here today, 17 million hopeful students are victims of the Biden administration's bureaucratic nightmare. Students' futures are in limbo, and their decisions for higher education are stalled as they continue their monthslong wait for answers on the Federal financial assistance that will be available to them.

Millions of families nationwide rely on the FAFSA process to unlock the doors to higher education. Still, the Department of Education has left 82 percent of them unable to even submit their FAFSA applications for consideration—82 percent of them can't complete the form.

In Kansas, over 11,000 students have been affected by this botched FAFSA rollout, and this number represents the nearly 30-percent decline in completed FAFSA applications. I wholeheartedly believe this drop stems from the application process being so dysfunctional and filled with glitches, that many Kansas students and families have simply given up.

This is certainly unacceptable. These repeated months of delays by the Department of Education in rolling out the new FAFSA application have left millions of students and schools in limbo with no clear path forward for the upcoming school year.

Think about the uncertainty these delays breed. The dysfunction within this Education Department has sent shock waves across the country. For 3 years, we have watched the Biden administration spend all the Department of Education's energy on finding a way to fulfill the President's unconstitutional campaign promise to forgive millions in student loan debts, meanwhile leaving new students out of luck.

Now, due to their tunnel vision, colleges lack the vital data needed to formulate financial aid offers, scholarships, and grants, leaving students and their families in the dark about how they will afford tuition, books, and other college essentials.

And who suffers the most? Well, it is first-generation and low-income college students—middle income students as well. Very few students are able to afford college on their own. They need this FAFSA application. Whether you are waiting for a State scholarship or for a military scholarship, we rely on this assistance to help fulfill and pursue our own American dreams.

I stand here today as a very lucky person, a first-generation college student myself who went to a community college, and I certainly understand the struggles of those who are waiting to get into college, wondering if they can afford and where they can afford to go to.

The help that students and colleges are waiting for from the Department of Education isn't just on loans; it is also on scholarships and grants. Take, for example, the Promise Scholarship in Kansas. This award is a lifeline for many students bridging the gap between financial aid and the cost of education in critical fields; however, this highly sought-after scholarship relies on—guess what. It relies on a fully processed FAFSA to accurately award students that funding.

For months, my colleagues and I have called on this administration to allocate the resources they are using to concoct their student loan forgiveness

scheme to help our FAFSA applicants and address the FAFSA delays to help deliver certainty to our students and families.

We have written letters; we have hosted hearings; we have sponsored legislation. Still, here we are, as college campuses are now being terrorized by far-left, pro-Hamas protestors threatening the safety and security of Jewish students, and we are no closer to an answer on FAFSA today than we were when we started.

This is why we need changes this November, not only in the White House but in the Department of Education. They need to reassess their priorities and their propaganda and their politics. Our students deserve better, and it is time to reset and focus on the real priorities at the Department of Education. The futures of our young men and women are at stake. Time is of the essence. The clock is ticking on millions of students' futures with graduating day fastly approaching.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Madam President, if there was a theme of this colloquy, it is that students and families are bearing the brunt, the consequences of this administration's botched FAFSA rollout. So let me just speak to that more broadly.

First, state of play: May 1 is national college decision day, which should be just like an exciting day for the kids and the families.

In my day, they used to go to the mailbox and pop open the mailbox. There is an envelope. Show it to Mom. Show it to Dad. Whoa, isn't that exciting? But that is not going to happen this time by email or by snail mail.

The issue here is clearly because of the administration's botched rollout. Now, what do I mean by that? First, let's explain what FAFSA is. FAFSA is the information that a prospective student receives as to the amount of financial aid they will receive if they go to this college or that college.

So they open it up, and they say "Oh, this is how much I get to offset tuition if I go to my local State school" or "No, I want to go out of State. How much do I get to go there?" They can compare those financial offer sheets and make a decision as to what is the best place for them to go financially. But that is not going to happen or if it happens, it is going to happen in a poor way.

So the timeline is, last October is when FAFSA should have been ready, but the system wasn't ready, and we were told it would be ready in January. It was for about 3 or 4 days, and then it was delayed until March. Now we learn that about 30 percent of those FAFSA forms have processing data errors and have to be reprocessed, and they won't be reprocessed until after the May 1 deadline. So instead of opening up that email and learning what your financial package could be, it will be "You will hear at a later date."

So what are the consequences? Colleges cannot offer these students their financial package because of the processing errors. Some students will decide not to go to school because they don't know if they can afford it. Some universities will have a cash-flow problem because the students who might have gone there for enrollment will not, and so the cash-flow problem will be very real.

Now, what is doubly frustrating is that the administration has been doing things they shouldn't have been doing instead of doing that which they should have done. Remember, they were supposed to have this ready in October, then in January, and then it goes down again. When it finally comes up in May, we are told that 30 percent of them will be in error, when it was supposed to be ready in October.

What have they been doing in the meantime? They have been working on student loan "forgiveness," which really means student loan transfer of debt from those who willingly took that student debt on—transferring it to someone who either paid back their loan or never went to college. That is what they have been doing.

By the way, we have this hotline here: Trouble with FAFSA? Go to [help.senate.gov/FAFSA](https://help.senate.gov/FAFSA). We have had this up, and we have gotten some responses. Let's see. Not receiving clear instructions when able to reach a person, and the total thing was about anger about the long wait times on the phone. This is when they call the Department of Education or FAFSA, trying to get an understanding. Another person: frustration about the continued delays and the lack of communication, and then there are additional delays, which seem to be frequent. Uncertainty due to the lack of communication from the Department, and when there is information, it is not helpful. Parents are expressing concerns and anxiety about choosing the best school for their child due to the compressed decision timeline. For those who have been through the process in the past, they describe this year as "being significantly worse."

It is up to Congress—and this colloquy is Republicans, but I invite my Democratic colleagues to come on board and hold the administration accountable. This should not be partisan. It is about the students. It is about the parents. It is about the integrity of a process that the Department of Education is totally failing.

For those watching, if you have an experience with FAFSA that you wish to report, please go there—[help.senate.gov/FAFSA](https://help.senate.gov/FAFSA).

I invite all my Senate colleagues to join me and the HELP Committee in terms of holding this administration accountable.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. SCHMITT. Madam President, like my colleagues before me, I rise to

bring attention to an issue that is affecting high school students and their families all across the country, including in my home State of Missouri.

It is national college decision day, and millions of students who have worked hard are deciding where they will continue their education. Unfortunately, a lot of those students' experiences today will be marred by the Department of Education's complete inability to do the basics of their jobs.

There are major issues in the new Free Application for Federal Student Aid—the FAFSA application. Colleges, including Missouri State University, pushed back deadlines for financial aid, and students are left with more questions now than answers. Additionally, on March 22, the Department of Education announced that roughly 200,000 student financial aid records sent to schools included errors in the data.

The bipartisan FAFSA Simplification Act eased the bureaucratic burden of students by streamlining the questionnaire from 108 questions down to just 38. For nearly every student in the country, especially first-generation college students, a simplified FAFSA experience would ease the college application experience.

Despite plenty of time and adequate funding, the Department of Education failed to properly implement the new FAFSA. Although the FAFSA Simplification Act passed in 2020, the form was not available for prospective students until December of 2023, delaying the financial aid process. Colleges and universities did not begin to receive student data from completed applications until the end of March of 2024, delaying the process even further.

My office sent a letter to Secretary Cardona demanding answers on behalf of Missourians impacted by this bureaucratic nightmare, and we still have not received any answers. In the meantime, my office has been working with counselors across the State to assist students and families as they navigate this fiasco.

The Department of Education has pushed unnecessary and legally dubious loan-bailout initiatives, while also failing to prioritize existing obligations with established student aid programs. Even more concerning, the Department has prioritized the applications of families with illegal aliens, devising workarounds and loopholes to allow these applications to be submitted.

Based on all accounts, working families depending on FAFSA determinations are in the back of the queue for the Department of Education. The Department of Education and Secretary Cardona should prioritize working families and fix this mess now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

NEBRASKA

Mr. RICKETTS. Madam President, I live in the best place in the world—Nebraska. One of the reasons it is the best

place in the world is because of the people and the community that pull together in times of disaster.

We just experienced one of those disasters on Friday. According to the National Weather Service, we had 14 tornadoes. Five of them measured as an EF3. They impacted much of the eastern part of our State. We had 450 homes that were destroyed and many more damaged, millions of dollars in damaged public infrastructure, but thanks to a number of people, Nebraska was able to avoid any fatalities—in fact, had no serious injuries.

I want to thank the people at the National Weather Service and our broadcasters, who helped make sure we got the message out. These occurred on a Friday afternoon. Educators kept kids in schools and kept them sheltered. People got the advanced warning, thanks to our broadcasters, and sought shelter. That is one of the reasons we were able to avoid any serious injuries—Nebraskans knew what to do.

I want all Nebraskans who have been impacted by this to know that my wife Susanne and I continue to keep you in our thoughts and prayers.

Then came the reaction, all of the groups who worked to protect Nebraskans. I want to thank our first responders, especially those in Douglas and Washington Counties, for the work they did. I want to thank the Nebraska State Patrol, the Nebraska National Guard, and the Nebraska Emergency Management Agency. All of those organizations did a fantastic job of responding, as they always do in these disasters.

As Nebraskans always do, when their neighbor needs help, they step up, and we saw it time and time again—neighbors helping neighbors, the lines of people showing up at churches and other points of collection to drop off packages of bottled water, Gatorade, food.

I had a chance to tour some of the neighborhoods that were impacted on Saturday morning and saw all the volunteers who had shown up—the wood chippers out there chipping up the wood, people cleaning up, volunteering, showing up with saws and hammers to be able to help out their neighbors.

There was one house that I went by in particular that the roof had been torn off, and already people were on that roof fixing that damage, and an American flag was flying high at that house. It is the Nebraska way.

We live in such a great place because of the people who respond, and this disaster, like the other disasters we have, is just another shining example of Nebraska's spirit and how we come together to help our neighbors.

My office has been in touch with Governor Pillen's office, and he has declared an emergency, a disaster area. As the Federal delegation pulls together here, we will support Governor Pillen's request and stand by to make sure that any Federal resource that is available goes to help us recover in Ne-

braska. We will make sure those resources get to the people who need them, and we will recover. That is an example of how communities work, of how government works.

FAFSA

Madam President, I now want to talk about an example where government is not working, and it is the FAFSA fiasco. FAFSA stands for the Free Application for Federal Student Aid.

Now, this is what students go through to be able to get student aid to be able to apply to college and then know what that college is going to cost them so they can budget and afford it out. It is an incredibly important program for millions of students across this country every single year.

What I want to do is just talk about how that has become such a disaster because today is national college decision day, and because of the Biden administration's incompetence, it has become national college indecision day, as so many students are left in limbo by the incompetence of the Biden administration, which could not roll out a new FAFSA form for students to use and get the information to colleges so colleges can make decisions, get the information back to students, and then students could decide where they want to go to school.

Let's just walk through the timeline a little bit. Back in March of last year, the Department of Education said that they were going to have the new form out in December of 2023. Now, normally, this form comes out in October—October 1—so that students can get working on it right away, get the information in, get the information back, apply for school, all that sort of thing. But we knew it was going to be delayed.

Well, then, on November 15, they said: Well, it will be December 31 before we have this form available. So it pushed back to the very end of December. Now, they did get that new form launched—it was a soft launch—on December 30, but immediately students started experiencing problems.

Then what they said is: Well, we are not going to get the information back to universities until we get some information, and it won't be until January. And they did launch the form—full on—January 8. But, of course, they had already experienced glitches on December 30, so they were still experiencing glitches and problems in January.

Well, then, in January, the Department of Education, realizing they had a problem, said: Well, we are not actually going to get the information out and back to be able to process this until the first half of March. And then, in March, they said: Well, students won't really be able to start making corrections to these forms until the second half of April—or the first half of April.

And so, time and time again, the Biden Department of Education kept pushing back their changes because they had an incompetent process to be

able to manage this and get this done for students in a timely manner. And that problem is still going on right now. Millions of aid forms had errors and had to be reprocessed.

I have had parents talk to me, and we have had a number of people call in to my office talking about all the problems we have heard from Nebraskans struggling with this. One of my constituents from Ord called us, frustrated, after they tried to apply online several days in a row, only to find the FAFSA website was down.

Another Nebraskan called because there was a deadline for corrections in their FAFSA form, but when they went to make those corrections and went to the form, they saw there was no place on the online form to make those corrections.

And parents told me that there was no one they could contact to be able to ask questions. One parent told me they have two students who are already in college. They had applied, put the forms in again, got rejected twice, but nobody could tell them why. They couldn't get through to anybody to tell them what was going on.

We had another example in Nebraska. This constituent from Geneva contacted us in February because they had questions about the process of a particular State and local branch. They had called FAFSA repeatedly. They rarely got someone in the FAFSA office to answer, and even when they did, the FAFSA staff never had the answer to their questions. This is terrible customer service. It is exactly what is wrong with a massive, unaccountable Federal bureaucracy.

The Federal Government always needs to put the taxpayers first. These are our customers. As a result of these delays, colleges and universities have been forced to consider pushing back their admission deadlines for accepting students to commit. For example, the University of Nebraska-Lincoln has extended their enrollment deposit deadline for incoming undergraduates until May 15.

However, not every college and university was able to make that choice. The Biden administration's incompetence has forced some students to make their college decisions and pay a deposit without knowing exactly how much college will cost them. Think about how crazy that is. Would we ever say to somebody: Yeah, why don't you go out and buy that mutual fund, without knowing how much it is going to cost, or: Go out and buy that car, without knowing how much it was going to cost, or: Go out and buy a house, without knowing how much it was going to cost? We wouldn't do that anywhere else. Why are we asking our college students to make that decision about where they are going to go to college without knowing how much financial aid they are going to be able to get to know whether or not it is affordable?

It is absolutely crazy, and it is terrible customer service and another example of the incompetence of the Biden



administration to be able to actually do the basic functions of government that we all rely on.

We should do everything we can to make it easier for taxpayers to access and navigate government services. Instead of doing their job on FAFSA, the Biden administration's Education Department has wasted time on unconstitutional student loan bailouts. So their priorities are completely misplaced. Instead of focusing on things that they have to do for millions of students—to deliver good service, to help them get into college—we are talking about forgiving the very loans that they can't deliver in the first place. That is how they are spending their time. This is just unbelievably incompetent.

I support my colleagues' efforts to get to the answers about this FAFSA fiasco and stand by ready to, yet again, force the Biden administration to do its job.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from North Carolina.

HONORING JOSHUA EYER, SAMUEL POLOCHE, ALDEN ELLIOTT, AND THOMAS WEEKS, JR.

Mr. TILLIS. Mr. President, I rise today to honor the lives of four brave law enforcement officers who lost their lives in the line of duty on Monday, this week, in North Carolina—actually, in a community that is only about 20, 30 minutes from my home. It is the community of Charlotte, and the entire State of North Carolina is shocked and devastated by the deadly assault on law enforcement.

They were just showing up to do their job. It was the deadliest attack on law enforcement our Nation has seen in nearly a decade, and it is profoundly tragic that it happened in a city and a State that I love.

Young families are grieving; their lives are forever changed; and their fellow law enforcement officers are grieving. Charlotte-Mecklenburg Police lost a beloved officer, the U.S. Marshals Service lost a dedicated colleague, and the North Carolina Department of Adult Correction lost two of their long-time colleagues.

This tragedy was the result of one of the most important, yet very dangerous, responsibilities of our law enforcement officers: executing an arrest warrant. Early Monday afternoon, a task force of Federal, State, and local law enforcement, led by the U.S. Marshals Service, attempted to serve an arrest warrant for a fugitive at a residence in Charlotte. The fugitive had a long criminal record and was wanted for possession of a firearm by a felon and two counts of felony fleeing to elude law enforcement.

Instead of surrendering to law enforcement, the fugitive opened fire, and he shot eight law enforcement officers at the scene. Four officers were tragically killed, and four more were injured and had to be transported to the hospital, one in critical condition.

Police Officer Joshua Eyer served 6 years with CMPD. Before that, he

served more than a decade in the Army National Guard. As a CMPD officer, he was already making his mark. The chief down in the Charlotte-Mecklenburg Police Department, Johnny Jennings, remembered that it was just recently that he was in the very room he did the press conference to announce the tragic events Monday that he was congratulating Officer Eyer for becoming Officer of the Month in April.

He certainly dedicated his life, and he gave his life on Monday, serving the people of Charlotte. Officer Eyer is survived by his wife and his 3-year-old son.

Another officer—two, actually—Sam Poloché and Alden Elliott were 14-year veterans of the North Carolina Department of Adult Correction. Poloché joined the department's Special Operations and Intelligence Unit in 2013. He was a husband and father to two boys: one who is about to graduate high school, another one about to graduate from college. Officer Poloché's father said "his main purpose in life was his family." He was a man who showed extraordinary kindness, even to perfect strangers.

Alden Elliott joined the Special Operations and Intelligence Unit in 2016. His colleagues remember him as a serious and dedicated law enforcement officer who had a great sense of humor. One of his friends in Charlotte honored his sacrifice by writing:

My best friend was killed in the line of duty while serving a warrant to a felon with multiple convictions. He was a marine, father, and hero to me. He was protecting Charlotte.

Elliott is survived by his wife and child.

U.S. Marshals Service Deputy Thomas Weeks, Jr., age 48, was a husband and father of four children. He was a 13-year veteran of the Marshals Service and an 8-year veteran of Customs and Border Patrol.

Deputy Weeks led the team that executed the warrant of the suspect. A district judge who Weeks protected said:

The thing that comes to mind with him is not only his competence at what he did, but his demeanor. Everybody remembers [Weeks] and his smile. He enjoyed his job, and he was good at it.

Mr. President, these four officers were all heroes who protected and served the public. They were loving family men who tragically left behind wives and children.

Susan and I are praying for these four families, and I cannot imagine what they are going through. I want them to know that all of Charlotte, the whole of North Carolina, and our Nation is proud of them for their service, and we regret their loss. We will be forever grateful for their courage, their service, and their ultimate sacrifice.

May God bless the families, friends, and colleagues of these fallen officers and give them the strength they need during this difficult time.

Mr. President, may God bless and protect the brave men and women who serve in law enforcement.

The PRESIDING OFFICER (Mr. OSSOFF). The Senator from Vermont.

#### FIRST AMENDMENT

Mr. SANDERS. Mr. President, some of us have been out of school for a while, and we may have forgotten our American history. But I did want to take a moment to remind some of my colleagues about a document called the U.S. Constitution and, specifically, the First Amendment of that Constitution.

So for those who may have forgotten, here is what the First Amendment says:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

First Amendment to the Constitution of the United States.

Let me also take this opportunity to remember our late colleague, the former Congressman John Lewis, for his heroic role in the civil rights movement. Now, I know it is very easy to heap praise on Congressman Lewis and many others decades after they did what they did, but I would remind my colleagues that Mr. Lewis—later Congressman Lewis—was arrested 45 times for participating in sit-ins, occupations, and protests—45 times for protesting segregation and racism.

I would also remind my colleagues that the lunch counter protest at Woolworth's and elsewhere which helped lead to the desegregation of the South and the ending of apartheid in the United States were, in fact, sit-ins and occupations where young Black and White Americans bravely took up space in private businesses, demanding an end to the racism and segregation that existed at that time.

Further, as I hope everybody knows, we have also seen, in recent decades, protests—some of them massive protests—against sexism, against homophobia, and the need to transform our energy system away from fossil fuel in order to save this planet. In other words, protesting injustice and expressing our opinions is part of our American tradition. And when you talk about America being a free country, well, you know what? Whether you like it or not, the right to protest is what American freedom is all about. That is the U.S. Constitution.

And let me also remind you that exactly 60 years ago—ironically, exactly 60 years ago—student demonstrators occupied the exact same building on Columbia University's campus as is taking place right now—ironically, the same building 60 years ago.

Across the country, students and others—including myself, I would say—joined peaceful demonstrations in opposition to the war in Vietnam. Those demonstrators were demanding an end to that war; and maybe, just maybe, tens of thousands of American lives and countless Vietnamese lives might have been saved if the government, at

that time, listened to the demonstrators. And I might also add that the President at that time—a very great President, Lyndon Johnson—chose not to run for reelection because of the opposition to him that occurred as a result of his support for that Vietnam war.

And, further, let us not forget those who demonstrated, went to the streets, and protested against the failed wars in Iraq and Afghanistan. Maybe those protestors should have been listened to as well. Shock of all shocks, government policy is not always right.

I noted recently that a number of my colleagues in both parties—not just the Republican Party but the Democratic Party as well—as well as many news reporters—TV, newspapers—they are very concerned—very, very concerned—about the protests and violence we are seeing on campuses across the country. So let me be very clear: I share those concerns about violence on campus or, for that matter, anyplace else. And I condemn those who threw a brick through a window at Columbia University. That kind of violence should not be taking place on college campuses.

I also am concerned and condemn the group of individuals at UCLA in California who violently attacked the peaceful encampment of anti-war demonstrators on the campus of UCLA.

So let me be clear: I condemn all forms of violence on campus, whether they are committed by people who support Israel's war policies or by people who oppose those policies.

Further, I would hope that all of us can agree that, in the United States of America, all forms of bigotry must be condemned and eliminated. We are seeing a growth of anti-Semitism in this country, which we must all condemn and work to stop. We are also seeing a growth of Islamophobia in this country, which we must all condemn and stop.

And in that regard, I would mention that in my very own city of Burlington, VT, three wonderful young Palestinian students were shot at close range on November 25 of last year. They were visiting a family member to celebrate Thanksgiving, walking down the street, and they were shot.

And let me make an additional point. I have noted that there is an increasing tendency in the media and on the part of some of my colleagues here in the Senate to use the word, the phrase, "pro-Palestinian" to suggest that that means that people who are pro-Palestinian are pro-Hamas. And, to my mind, that is unacceptable, and it is factually inaccurate.

The overwhelming majority of American people and protestors understand that Hamas is a terrorist organization that started this war by attacking Israel in an incredibly brutal and horrific way on October 7. To stand up for Palestinian rights and the dignity of the Palestinian people does not make one a supporter of terrorism.

And let me also mention something that I found rather extraordinary—and

I have been in politics for a while, but I did find this one particularly extraordinary and outrageous—and that is, just a few days ago, Israeli Prime Minister Benjamin Netanyahu, the leader of the rightwing, extremist government in Israel—a government which contains out-and-out anti-Palestinian racists—Netanyahu issued a statement in which he equated criticism of his government's illegal and immoral war against the Palestinian people with anti-Semitism. In other words, if you are protesting or disagree with what Netanyahu and his extremist government are doing in Gaza, you are an anti-Semite. Well, that is an outrageous statement from a leader who is clearly trying to do something—and I have to tell you, I guess he is succeeding with the American media—and that is, to deflect attention away from the horrific policies that his government is pursuing in Gaza, which have created an unprecedented humanitarian disaster.

So let me be as clear as I can be: It is not anti-Semitic or pro-Hamas to point out that in almost 7 months, the last 7 months, Netanyahu's extremist government has killed 34,000 Palestinians and wounded more than 77,000—70 percent of whom are women and children; 5 percent of the 2.2 million people in Gaza have been killed or injured, 70 percent of whom are women and children. And to protest that or to point that out is not anti-Semitic. It is simply factual.

It is not anti-Semitic to point out that Netanyahu's government's bombing campaign has completely destroyed more than 221,000 housing units in Gaza; that is, over 60 percent of the housing units in Gaza have been damaged or destroyed, leaving more than 1 million people homeless—about half the population. No, Mr. Netanyahu, it is not anti-Semitic to point out what you have done in terms of the destruction of housing in Gaza.

It is not anti-Semitic to understand that Netanyahu's government has annihilated Gaza's healthcare system, knocking 26 hospitals out of service and killing more than 400 healthcare workers. At a time when 77,000 people have been wounded and desperately need medical care, Netanyahu's government has systematically destroyed the healthcare system in Gaza.

It is not anti-Semitic to condemn Netanyahu's government for the destruction of all of Gaza's 12 universities. They had 12 universities; they are all destroyed. It is not anti-Semitic to make that point, nor is it anti-Semitic to make the point that 56 other schools have been destroyed; hundreds more have been damaged; and, today, 625,000 children in Gaza have no opportunity for an education. Not anti-Semitic to make that point.

It is not anti-Semitic to note that Netanyahu's government has obliterated Gaza's civilian infrastructure. There is virtually no electricity in Gaza right now, virtually no clean

water in Gaza right now, and sewage is seeping out onto the streets. Not anti-Semitic to make that point.

It is not anti-Semitic to agree with virtually every humanitarian organization that functions in the Gaza area in saying that Netanyahu's government, in violation of American law, has unreasonably blocked humanitarian aid coming into Gaza, and they have created the conditions under which hundreds of thousands of children in Gaza face malnutrition and famine.

It is not anti-Semitic to look at photographs of skeletal children who are starving to death because they have not been able to get the food they need.

It is not anti-Semitic to agree with American officials and U.N. officials that parts of Gaza could become famine districts in the not very distant future—famine.

Anti-Semitism is a vile and disgusting form of bigotry that has done unspeakable harm to many millions of people for hundreds of years—including my own family, I might add—but it is outrageous and it is disgraceful to use the charge of anti-Semitism to distract us from the immoral and illegal war policies that Netanyahu's extremist and racist government is pursuing. Furthermore, it is really cheap politics for Netanyahu to use the charge of anti-Semitism to deflect attention from the criminal indictment he is facing in Israeli courts.

Bottom line: It is not anti-Semitic to hold Netanyahu and his government accountable for their actions. That is not anti-Semitic. That is precisely what we should be doing because, among other things, we are the government in the world that has supplied over a period of years and most recently billions and billions of dollars to Netanyahu in order for him to continue this horrific war against the Palestinian people.

I would also point out that while there has been wall-to-wall TV coverage of student protests—I think that is about all CNN does right now—I should mention that it is not just young people on college campuses who are extremely upset about our government's support and funding for this illegal and immoral war. And I would point out that just last week—just last week—this Senate voted to give Netanyahu another \$10 billion of unfettered military aid to continue his war. But it is not just the protestors on college campuses who disagree with that decision; it is the American people.

Let me just quote from a few polls that have recently been taken.

April 14, a poll from POLITICO/Morning Consult: 67 percent support the United States calling for a cease-fire.

This is at a time when Netanyahu is threatening now to expand the war into Rafah.

April 12, CBS poll: 60 percent of the American people think the United States should not send weapons and supplies to Israel, as opposed to 40 percent who think the United States should.

For my Democratic colleagues, as you well know, those numbers are disproportionately higher among the Democratic community.

April 10, the Economist/YouGov poll: 37 percent support decreasing military aid to Israel, and just 18 support an increase. Overall, 63 percent support a cease-fire, and 15 percent oppose.

It is not just protesters on college campuses who are upset about U.S. Government policy regarding Israel and Gaza. Increasingly, the American people want an end to U.S. complicity in the humanitarian disaster which is taking place in Gaza right now. The people of the United States—Democrats, Republicans, Independents—in large numbers, do not want to be complicit in the starvation of hundreds of thousands of children.

Now, maybe this is a very radical idea. Here is a really, really, really radical idea: Maybe it is time for the U.S. Congress to listen to the American people. Maybe it is time to rethink the decision that the U.S. Senate recently made to provide Netanyahu with another \$10 billion in unfettered military aid. Maybe it is time to not simply worry about the violence we are seeing on American college campuses but to focus on the unprecedented violence we are seeing in Gaza, which has killed 34,000 Palestinians and wounded more than 77,000, 70 percent of whom are women and children.

So I suggest to CNN and maybe some of my colleagues here: Maybe take your cameras, just for a moment, off of Columbia and off of UCLA. Maybe go to Gaza and take your camera and show us the emaciated children who are dying of malnutrition because of Netanyahu's policies. Show us the kids who have lost their arms and their legs. Show us the suffering that is going on over there.

Let me conclude by saying this: I must admit that I find it incomprehensible that many Members of Congress are spending their time attacking the protesters rather than the Netanyahu government, which has caused and brought about these protests and has created this horrific situation.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 575 and 606; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

The question is, Will the Senate advise and consent to the nominations of Clinton J. Fuchs, of Maryland, to be United States Marshal for the District of Maryland for the term of four years, and Gary D. Grimes, Sr., of Arkansas, to be United States Marshal for the Western District of Arkansas for the term of four years, en bloc?

The nominations were confirmed en bloc.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### MORNING BUSINESS

#### TRIBUTE TO MAJOR GENERAL RICHARD R. NEELY

Mr. DURBIN. Mr. President, there are few things more American than serving our Nation. It is a special privilege of mine when I am able to honor some of our Nation's women and men in uniform. And it is even more special when I am able to recognize the dedicated service of those who have served in Illinois. After a decorated career, Maj. Gen. Richard R. Neely—the Adjutant General of Illinois, Commander of the Illinois National Guard, and Director of the Illinois Department of Military Affairs—is retiring after nearly 40 years of service to our State and Nation.

It is no coincidence that many extraordinary Americans have been from Illinois. General Neely is certainly one of them. While he began his tenure as the Adjutant General for Illinois in 2019, his military career in our State began several decades prior. General Neely hails from the South Side of Chicago. The summer before his senior year of high school, he joined the Army Reserves and later the Air National Guard as an airman. After graduating from Illinois State University, he joined the 183rd Wing in my hometown of Springfield, where General Neely spent more than two decades of his career serving in various positions.

General Neely's military career also took him well beyond the Prairie State. Over the course of his service, he was sent on two combat deployments in Iraq in support of Operations Enduring Freedom and Iraqi Freedom. His bravery helped safeguard American national security during a critical time in our history.

Because of his exceptional service, General Neely was appointed as Illinois's Adjutant General in 2019. He served in this role during a period of historic challenges for our State and Nation, and in every instance, he rose to the occasion.

Not even 4 months into the job, following major flooding in our State in the spring of 2019, General Neely activated 830 soldiers over 9 weeks to help

support the State's recovery. The Illinois National Guard's task forces completed 62 requests for assistance along more than 362 miles of riverbank as part of an overall response effort led by the Illinois Emergency Management Agency.

In response to the health and safety challenges of the COVID-19 pandemic, General Neely directed the largest and longest domestic operations activation in the history of the Illinois National Guard. During this time, Illinois National Guard soldiers and airmen provided 250,000 COVID-19 tests, delivered millions of masks, and administered nearly 2 million vaccines throughout the State. General Neely's leadership helped save millions of lives.

And following the insurrection at the U.S. Capitol on January 6, 2021, one of the darkest days in our Nation's history, General Neely directed five Illinois National Guard activations in response to the civil unrest.

In all of these examples, I hesitate to imagine where we would be if not for General Neely's innovative, dedicated, and selfless leadership. But perhaps most impactful was General Neely's care for our daughters, sons, and friends who made the brave decision to serve our country. As commander of the Illinois National Guard, General Neely oversaw approximately 13,000 military members, 2,200 full-time military employees, and 230 civilian State employees. And he managed the deployment of thousands of servicemembers to 21 countries around the world. We all owe him a debt of gratitude for ensuring the safety and well-being of the Illinoisans in uniform.

General Neely's work has gone above and beyond what one thinks of when they imagine "military service." As technology continues to advance and the cyber realm becomes our newest battlefield, General Neely is a national leader in the area of cyber security. Prior to his appointment as the Adjutant General, General Neely served in the Pentagon as the Chief of Current Operations, then as the Deputy Director for Cyber, Communications, and Space Operations, and finally as the Principal Deputy Director for Air Operations, Intelligence, Cyber, and Space Operations. He was the nation's first Cyberspace Officer to serve as an Adjutant General, and he has become a trusted voice on all things cyber.

But he did not do this alone. Of special note, I want to recognize Maj. Gen. William D. Cobetto, who has known and served with General Neely since the late 1980s. Like General Neely, General Cobetto spent much of his military career based out of Springfield, and he went on to serve as Illinois's Assistant Adjutant General—Air. Although General Cobetto retired from the military in 2015, he returned to the Department of Military Affairs in 2019 in a civilian capacity, where he supported General Neely as a legislative liaison and now as the chief of staff. General Cobetto, thank you for your