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## Senate

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

### PRAYER

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

Let us pray.

Eternal Lord God, we are reminded of Your mercies that have been of old. You have been our dwelling place in all generations. Because of Your mercies, we are not consumed. Great is Your faithfulness.

Today, guard and guide our Senators. Lord, provide them with a sense of purposeful direction as they strive to unite their best efforts for the health, strength, and safety of this Nation. May they also work for peace and justice in our world. Cleanse anything in our lawmakers that would block the flow of Your blessings and joy. May gratitude to You be the motive for everything they think, say, and do.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 8, 2024.

To the Senate:

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

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

PATTY MURRAY,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### LEGISLATIVE SESSION

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

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3935, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3935) to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

#### Pending:

Schumer (for Cantwell) modified amendment No. 1911, in the nature of a substitute. Schumer amendment No. 2026 (to amendment No. 1911), to add an effective date.

Schumer motion to commit the bill to the Committee on Commerce, Science, and Transportation, with instructions, Schumer amendment No. 2027, to add an effective date.

Schumer amendment No. 2028 (to the instructions) amendment No. 2027), to add an effective date.

Schumer amendment No. 2029 (to amendment No. 2028), to add an effective date.

#### RECOGNITION OF THE MAJORITY LEADER

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

#### BORDER SECURITY

Mr. SCHUMER. Mr. President, let me read a few quotes from the last 6 months, about securing our southern border, from some of my Republican Senate colleagues:

This crisis requires swift, serious, and substantive action.

It makes no sense to me for us to do nothing when we might be able to make things better.

This moment will pass. Do not let it pass.

Yes, indeed, these are words of our Republican Senate colleagues, uttered at press conferences and floor speeches and interviews from just the last few months. There are many, many, many more quotes like these, going back years, from Republican Senators, from Republican Congress Members, from the Republican Speaker, and from the former Republican President.

We kept hearing the same thing again and again and again: “We need to do something about the border now,” they shouted. “The border is an emergency,” they screamed. “We cannot put this off until tomorrow”—and on and on and on.

So 3 months ago, here on the floor, Republicans got a chance to back up their angry words with real action by voting on the strongest bipartisan border bill Congress has seen in decades. And practically every Republican voted no, including my Republican colleague who said: “It makes no sense to do nothing.” Then he voted no. Including my Republican colleague who said: “This crisis requires swift . . . action”—he voted no. And the Republican Speaker, JOHNSON, who said: “The time to act” on the border “is yesterday,” and then told the whole world that our bipartisan border bill would die in the House if we sent it over to them.

Donald Trump has spent years belly-aching and bemoaning the problems at

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



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the border. But when Congress finally reached a breakthrough on a strong and bipartisan border bill, he told his MAGA acolytes to kill it so that he could exploit the chaos at the border for political gain. He was bold and open about that. He wanted to exploit the chaos at the border for his own political gain.

That is cynical even for Republicans—even, maybe, for Donald Trump, whose cynicism knows no bounds. For Democrats, the situation at the border is utterly unacceptable. That is why we worked with our Republican colleagues for months to write the strongest border security bill Congress has seen in generations—a bill that had the support of the Border Patrol union and the Chamber of Commerce and the extremely conservative Wall Street Journal editorial board.

But Donald Trump, desperate to exploit the border for the campaign trail, torpedoed this bill right in its tracks. He knew it would take real action to secure our border. That is why he didn't want it to happen.

Republicans will go on and on about the border this year, but their rhetoric, their political ads, everything else, will ring hollow because the border bill they killed in Congress will linger over them like stink on garbage.

#### ARTIFICIAL INTELLIGENCE

Mr. President, now, on AI, I just returned from the Special Competitive Studies Project's first ever expo on artificial intelligence, where I spoke about the Senate's ongoing efforts to tackle AI. As I have said before, tackling AI must be an all-hands-on-deck approach. AI is so complex, so rapidly evolving, so broad in its impact that it will take all of us working together to maximize its potential and minimize its harms.

That is why I was pleased to see President Biden will announce a \$3.3 billion investment from Microsoft, later today, for a new AI center in Wisconsin. This investment from Microsoft will create thousands of new, good-paying jobs and help America keep a competitive edge on AI.

AI will remain a top priority for this U.S. Senate. We just finished our bipartisan AI Insight Forums, where we learned so much about AI's promises and challenges. Very soon, our bipartisan AI working group will release our policy roadmap highlighting the findings and the areas of consensus from our forums, which will help our committees fine-tune their work on AI legislation. We look forward to moving forward on AI.

H.R. 3935

Mr. President, now on FAA, last night, I filed cloture on the underlying bill and the Cantwell substitute amendment, with the next procedural vote scheduled for tomorrow. All of us need to work constructively and with urgency to finish the job on FAA.

Nobody—absolutely nobody—should want us to slip past the deadline. That would needlessly increase risks for so

many travelers and so many Federal workers.

To get FAA done, we need three things: cooperation, haste, and a common desire to get to yes. Any single Member who insists on extraneous change will only increase the likelihood that we miss the deadline. God forbid something should happen when we do.

I hope that we will finish this job very soon so we can send a bill to the House in time for them to act. I thank Chair CANTWELL, the ranking member of the committee, CRUZ, and all my colleagues who have worked assiduously to get FAA done.

#### ABORTION

Mr. President, now, on abortion, just when we thought Republicans' anti-choice rhetoric couldn't get any more extreme, Republicans keep stooping to new lows. In an interview yesterday, Donald Trump, the presumptive Republican nominee for President, was asked about claims that he "would support certain states with bans monitoring a woman's pregnancy." Donald Trump's response? "Well, that would be up to the States."

That would be up to the States?

Let me say that again so the American people hear how extreme this is. Donald Trump was asked yesterday if he would support States that want to monitor women's pregnancies—monitor women's pregnancies. Instead of condemning this grotesque invasion of women's privacy, Donald Trump thinks that if the States decide to do so, that is apparently A-OK with him. It is revolting.

In just the last few months, we have seen States like Florida enact some of the most extreme and cruel abortion bans in decades. So if Donald Trump and hard-right Republicans get back into power, should there be any surprise if some States pass laws allowing for women's pregnancies to be monitored?

I ask my Senate colleagues: Do you agree, Senate colleagues—Republican Senate colleagues—do you agree with Donald Trump's extreme, intrusive, crazy view that States should be able to monitor pregnant women if they want? Do my Senate Republican colleagues, who say they are the party of individual freedom, believe States should have the power to track movements of millions of women if they so choose?

Make no mistake, Senate Republicans created the mess we are in right now, where the presumptive Republican nominee is seemingly open to States monitoring pregnant women. Senate Republicans owe the American people an answer on where they stand on this absurd invasion to Americans' privacy.

#### CHIPS AND SCIENCE ACT

Mr. President, finally, on the Chips and Science bill. Yesterday, the New York Times reported a remarkable statistic from a recent study on the semiconductor industry. Thanks to funding

provided by the Chips and Science Act, "the United States will triple its domestic Chips manufacturing capacity by 2032, the largest increase in the world."

The report goes on: Had Congress not passed Chips and Science, American share of global chip production would have kept slipping, but, instead, it is expected to triple—to triple—in less than a decade.

This report is great news for American jobs and America's economy and is precisely what we envisioned in the Senate as we worked on the bipartisan Chips and Science bill. With help from the Federal Government, communities in New York and Arizona and Ohio and Texas and Montana will become the next hubs of tech innovation.

We are seeing growth happen right now, in front of our eyes: Micron is expanding, Samsung is expanding, Intel is expanding, BAE Systems is expanding, and more. All of these companies are expanding in the United States thanks to the CHIPS Act.

When I began working on the Endless Frontier Act years ago, this was the hope: a new wave of tech jobs, a new wave of scientific research, and a revival of Federal investment in these areas. This report on the impact of Chips and Science shows America is on the right track, and our confidence in passing this legislation is vindicated.

I yield the floor.

#### RECOGNITION OF THE MINORITY LEADER

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

#### ISRAEL

Mr. McCONNELL. Mr. President, the attacks of October 7 brought the world face-to-face with the savage terrorists who have tried to destroy the Jewish State for decades. They forced us all to take a sober look at what our ally Israel has to defend against every single day.

In the months since, I have insisted repeatedly that America should provide Israel the time, the space, and the support it needs to defeat Iran-backed terrorists and restore its security, and I have made it clear that the consensus of Israel's national unity war cabinet—that lasting security can only come after Hamas is defeated—ought to be our position here in America as well.

Early on, there was reason to believe that President Biden shared this view. I was encouraged by his initial willingness to move quickly to transfer needed munitions to Israel, by his request for an emergency national security supplemental, including urgent security assistance to Israel, and by what he called his administration's "iron-clad" commitment to Israel's security.

Unfortunately, we have since seen that iron bend under the heat of domestic political pressure from his party's anti-Israel base and the campus communists who decided to wrap themselves in the flags of Hamas and Hezbollah. We have seen his administration cave in to growing demands to

condition and limit assistance to our democratic ally. We have seen public attempts to micromanage Israel's self-defense, to constrain Israel's freedom of action. A few days ago, we saw reports that the President was delaying weapons shipments to Israel, creating daylight between America and a close ally.

As it turns out, these reports were true, and the decision to pause these shipments was withheld from Congress. We still don't know the key facts.

I speak with some experience in the difficulties of standing up to extreme elements in one's own political party, but the President's apparent inability to keep the most radical voices on his left flank out of the Situation Room isn't just a shameful abdication of leadership; it is actually dangerous.

Failing to pass the emergency national security supplemental would have been devastating to Ukraine's defense and America's credibility. For the administration to withhold assistance from Israel is devastating in its own right. At home, it will only whet the appetite of the anti-Israel left, and abroad, it will embolden Iran and its terrorist proxies.

There is no secret shortcut to restoring peace and security. A return to the status quo ante doesn't solve the challenge at hand. The status quo before October 7 was what allowed Iran the latitude to export terror across the Middle East and allowed Hamas to exploit a cease-fire to launch the attacks.

For those who care about the humanitarian situation in Gaza—and I would count myself among those who do—the most enduring way to help the Palestinian people is to help Israel defeat Hamas. A return to the status quo ante will only perpetuate the conditions that have long plagued the people of Gaza and threatened the people of Israel. In the last week, their terrorist oppressors have struck the main humanitarian entrance to Gaza twice with mortars.

It is time for the President to stop letting domestic political demands of the far left determine his foreign policy, and it is time to stop doubting the will of Israel's unity government and the overwhelming view of the Israeli people. A future of peace for Israelis and Palestinians is one in which Iran-backed terrorists play no part.

#### NATIONAL SECURITY

Now, Mr. President, on a related matter, Israel knows it cannot blink in the face of savages who seek to destroy it. The same cannot be said of the Biden administration—the disastrous retreat from Afghanistan; the delusion that over-the-horizon counterterrorism could fill in for on-the-ground operations; and, of course, an abiding fixation on releasing hardened killers from the terrorist detention facility at Guantanamo Bay so they can symbolically end the War on Terror.

Negotiations between Federal prosecutors and representatives of the masterminds of the September 11 massacre

have been ongoing for years. The terrorists' defense has tried every trick in the book to dodge justice—from bids for transfer to U.S. soil for medical treatment to plea deals that would take a capital sentence off the table. Many of our colleagues have followed these proceedings with great interest. Many of us feel strongly that a terrorist mass murderer ought to get his just desserts.

The way this story is sometimes covered in the press, you might think there is something wrong about a U.S. Senator insisting on it. So let's clear up a couple of things.

First, Khalid Shaikh Mohammed deserves nothing less than the death penalty, and the fact that he hasn't yet received it is a disgrace.

Second, on President Biden's watch, the terrorist threat has grown significantly while our ability to combat it has actually shrunk. Law enforcement and intelligence officials confirm the urgency of the threat to our homeland. We have been kicked out of the Sahel, and we are blind in Afghanistan. The President's precipitous withdrawal from Bagram Air Base led to the emptying of the terrorist detention facility there and fueled ISIS-K terrorist plots against America.

Finally, if the President and his Attorney General let the perpetrators of the deadliest terrorist attack on American soil plead out or cut a secret deal for better healthcare and living conditions, the Biden administration will pay a steep political price.

#### PRESCRIPTION DRUG COSTS

Mr. President, on one final matter, last week, the Biden administration rolled out the second wave of guidance in the price-fixing scheme he calls the Medicare Drug Price Negotiation Program, but, as I said the first time around, the word "negotiation" is doing a lot of work in that name. Calling administration bureaucrats' strong-arm tactic a negotiation is like calling jury duty a paid vacation.

What we are really talking about here is prescription drug socialism. The administration is dictating to America's world-leading medical innovators the maximum fair price for their products. In response, producers have three choices: Eat the fixed price, pay an exorbitant excise tax, or stop participating in Medicare and Medicaid drug programs altogether.

Of course, we know it is not that neat and tidy. The underlying problem with price-fixing is that it simply doesn't work. When the Federal Government predetermines outcomes, it kills the incentives that prompt innovators to bet big on cutting-edge research and development.

Artificially fixing the price for a life-saving cure doesn't make it cheaper; it makes it less likely to exist in the first place. By one estimate, over the next 10 years, the sort of prescription drug socialism the Biden administration is driving at could snuff out development on nearly 140—140—new treatments be-

fore they begin. Needless to say, the people who stand to lose the most from state meddling in the market for medical treatments are the people who rely on them—American patients, especially seniors.

There is a reason the United States leads the world in pharmaceutical development. It is precisely because we encourage innovation and welcome risk-taking, and it is because, until now, we have kept Washington from pouring cold water on the most prolific engine of lifesaving cures in our history.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

H.R. 3935

Mr. THUNE. Mr. President, this week, the Senate is finally considering the Federal Aviation Administration Reauthorization Act, and I am glad we are here—even if belatedly.

Our Nation depends on a safe, efficient, and robust national aviation system. The bill before us today will help strengthen aviation safety, address the pilot shortage, and improve airport infrastructure—all of which will contribute to a better experience for the traveling public.

I am particularly pleased that my proposal to create an enhanced qualification program for prospective airline pilots was included in the bill. The United States is facing a serious pilot shortage, which has resulted in reduced air service at airports around the country. This has real impacts on the flying public, particularly for those in rural States like South Dakota since smaller, regional airports have tended to see the greatest reduction in flights.

To help address this shortage and improve the quality of pilot training, Senator SINEMA and I introduced a proposal to create an enhanced qualification proposal for prospective airline pilots. Our proposal was a direct response to a recommendation from the Air Carrier Training Aviation Rulemaking Committee—a body of industry, labor, and safety representatives who meet regularly under the auspices of the FAA's Office of Aviation Safety—which recommended the implementation of such a program to create a structured pathway for pilots to obtain intensive training.

While the United States has stringent requirements for the number of flight hours prospective airline pilots must complete before obtaining their pilot's license, the quality of that cockpit time is often less than optimal preparation for flying commercial jets. So, to better prepare pilots for airline jobs, our proposal will implement an

enhanced qualification program—designed and audited by the FAA and administered by air carriers—that will give aspiring airline pilots intensive training with experienced air carrier pilots and other experts.

Intensive training in the kind of air carrier environment where prospective airline pilots will be flying is something that is largely missing from current training, and getting the chance to work closely with seasoned pilots will help turn out highly qualified pilots who are better prepared for flying commercial jets.

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

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

Our proposal is a win-win. It will turn out better prepared pilots, and it will help address the pilot shortage by making training more accessible. I am very pleased it was included in the bill that is before us today.

I am also very pleased that Senator KLOBUCHAR's Aviation Workforce Development and Recruitment Act, which I cosponsored, was included in the bill. This measure will help address workforce challenges across the aviation industry by expanding resources to help recruit and train pilots, aviation manufacturing workers, and mechanics.

Finally, with rural air service once again in mind, I am very pleased that my provision to allow communities to receive multiple Small Community Air Service Development Program grants for the same project was included in the legislation before us today. This will help make it easier to expand sorely needed air service for rural communities.

The bill also includes language providing small airports with more flexibility to use AIP funding for terminal improvements, which will be crucial for enabling rural airports to expand access as construction costs continue to rise.

On another topic, the legislation before us today includes my bipartisan Increasing Competitiveness for American Drones Act with Senator WARNER, which will streamline the approval process for beyond visual line of sight drone flights and clear the way for drones to be used for commercial transport of goods across the country. The wider deployment of drones has potential to transform the economy with in-

novative opportunities for transportation and agriculture that would benefit rural States like South Dakota.

And my bill will help ensure that the United States remains competitive in a growing industry increasingly dominated by countries like China.

I am also pleased that legislation I cosponsored with Senator DUCKWORTH to help improve the flying experience for individuals who use mobility aids was included in the final legislation that we are considering.

No bill is perfect, but I believe that the legislation before us today will make real progress toward a safer and more reliable aviation system and an improved flying experience for the American public.

I am grateful to all those who contributed to getting this bill to the floor today. As a former chairman of the Commerce Committee, I know how much work goes into the process of drafting and moving an FAA reauthorization bill, and I want to thank the chair and ranking member and all of their staff.

I particularly want to thank Ranking Member TED CRUZ for his tireless efforts, both in getting this bill to the finish line and ensuring that we ended up with a strong piece of legislation. His work to ensure that we have strong staffing mandates for air traffic controllers, as well as his efforts to reduce backlogs and improve the FAA's efficiency, deserves particular recognition.

I also want to thank Senators MORAN and DUCKWORTH for their leadership at the Subcommittee on Aviation Safety, Operations, and Innovation.

As I said, final passage of the FAA Reauthorization Act has been a long time coming, but the day is finally here. I look forward to seeing this bill enacted into law in the very near future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

Mr. GRASSLEY. Mr. President, today, I come to the Senate floor to talk about my ongoing Bureau of Alcohol, Tobacco, Firearms and Explosives oversight regarding the intentional misclassification of law enforcement positions—all of this costing the taxpayers tens of millions of dollars.

As my colleagues know, I have done a lot of ATF oversight work, dating back more than a decade. The Obama-Biden administration coverup in "Fast and Furious" is just one example. But, today, we don't need to go back to 2011. Today, we will start in January 2018.

According to emails provided to me by ATF whistleblowers, ATF leader-

ship was notified in January 2018 that some non-law enforcement positions were misclassified as law enforcement. That misclassification cost taxpayers tens of millions of dollars because law enforcement gets paid more than non-law enforcement positions.

Specifically, in these ATF emails from January and June of 2018, whistleblowers alerted ATF officials that positions in the human resources division were misclassified. The positions were classified as law enforcement, but they performed no law enforcement duties. This is an example that I keep telling my colleagues we need to pay more attention to, information that comes from these patriotic people we call whistleblowers.

Accordingly, these positions were misclassified in violation of law. That is what oversight by Congress is all about: to make sure that the executive branch faithfully executes the laws according to the Constitution.

Emails from July 2019 show that whistleblowers contacted the Justice Management Division at the Department of Justice headquarters about these very problems. The whistleblowers informed the Justice Management Division that they notified ATF management of the misclassified positions and that ATF hadn't corrected this illegal conduct. Based on what whistleblowers have told my office, the Justice Department didn't even bother to get back to the whistleblowers.

Then, in July 2019, one whistleblower reported the matter to the Office of Special Counsel, and the other whistleblowers made their report to that same office April of 2020.

After the second whistleblower reported ATF's misconduct to the Office of Special Counsel, that office opened the claim for investigation in May of 2020.

On June 9, 2020, the Office of Special Counsel determined there was a substantial likelihood both whistleblowers' allegations disclosed violations of law, of rule, or regulation; a gross waste of funds; and gross mismanagement—once again, emphasizing tens of millions of dollars wasted here. The Office of Special Counsel referred the matter to the Attorney General for investigation.

Then, on November 2, 2020, the Office of Personnel Management partially suspended ATF's position classification authority. That office did so after preliminary findings from their investigation revealed that certain ATF non-law enforcement positions were misclassified in violation of statute and regulations.

On March 1, 2021, the Office of Personnel Management issued their final report substantiating the whistleblowers' claims and found that "ATF leadership had acted outside of merit system principles and demonstrated disregard for the rule of law and regulations."

This illegal scheme came to light because of brave whistleblowers. The

ATF whistleblowers, we now know, were right. All those government bureaucrats should have listened to the whistleblowers from the beginning. Instead, ATF rudely ignored their evidence and, obviously, ignored whistleblowers doing what they thought was right for our country.

I wrote Attorney General Garland and then-Acting ATF Director Richardson concerning these findings on October 6, 2021. I asked for copies of the final Office of Personnel Management report and an accounting of how much taxpayer dollars were wasted due to ATF's illegal misconduct. I also asked how long ATF unlawfully misclassified positions and the total number of misclassified positions within all of the ATF.

On December 15, 2021, the Justice Department responded that it couldn't provide answers because of various ongoing investigations. How tired I am of hearing from our law enforcement Agencies in the Federal Government that they can't comment to oversight investigations by Congress because of "ongoing investigations." It is an excuse to avoid what they promise us every time they come before Congress: that they will answer our questions.

Going on now to April 7—6 months later—in 2022, the Justice Department provided me with a redacted copy of their investigative report, which they submitted to the Office of Special Counsel on March 29 of 2022. But they still failed to fully answer all of my questions.

Let me remind the executive branch yet again: The U.S. Congress maintains independent constitutional authority to investigate the Federal Government, irrespective of any ongoing investigation.

After the conclusion of the investigations, which was May 2, 2023, the Office of Special Counsel notified President Biden that "whistleblowers' allegations were wholly substantiated."

That investigation found "substantial waste, mismanagement, unlawful employment practices at the ATF." It also found "for years, the agency intentionally misclassified jobs as law enforcement and paid those employees benefits to which they were not entitled." The Office of Special Counsel also found that ATF's illegal scheme wasted at least 20 million taxpayer dollars.

When is the government going to learn that it needs to listen to whistleblowers instead of treating these patriotic whistleblowers like skunks at a picnic? ATF could have saved the taxpayers at least \$20 million if they would have listened to these brave whistleblowers.

Then, on November 6, 2023, the Office of Personnel Management wrote to ATF and the Justice Department. Incredibly, if you can believe this, that letter restored ATF's position classification authority effective immediately even though ATF was unable to provide the necessary evidence to sup-

port that its updated position classifications were proper and within the law. This restoration doesn't bring this matter to a close.

On January 30 this year, my colleague from Iowa, Senator ERNST, and I wrote to the Justice Department and to the ATF. In that letter, we noted that ATF Internal Affairs Division had been investigating the illegal scheme. We asked for answers and for findings relating to that investigation. Those government employees who were notified of the illegal misconduct and did nothing to investigate or stop it must be held accountable because in this town, if heads don't roll, nothing changes. And that applies the same, of course, to those who participated in that scheme of misclassification.

No one is above the law. But as of right now because of ATF's failure to give any update on the internal investigation, all Congress knows is that nobody has been held accountable.

It is very clearly hypocritical of the Biden administration's ATF to revoke the licenses of firearm sellers for innocent clerical errors but at the same time refuses to hold its own employees accountable for an illegal misclassification scheme.

Finally, in our January 2024 letter, we also noted that whistleblowers alleged to us that the ATF had been illegally misclassifying positions for more than the 5-year period reviewed by the Office of Personnel Management. The Office of Special Counsel noted in their letter to President Biden that the evidence suggests that ATF engaged in this illegal activity since at least 2003–2004.

The whistleblowers also alleged to us that hundreds of employees across all ATF field divisions and offices occupied positions that were identified as "misclassified." Accordingly, if true, the cost to taxpayers for these misclassifications is likely significantly higher than \$20 million. And if true, the review done by the Office of Personnel Management was really, really narrow.

Clearly, the Justice Department and the ATF have a lot of explaining to do. The taxpayers deserve to know how much of their money ATF wasted. The taxpayers deserve to know who was held accountable and how they were held accountable, why not?

The entire matter is an example of the important role whistleblowers play in shining light on government waste, fraud, and abuse. Without the continued persistence of these brave whistleblowers to report wrongdoing that they know about and maybe the people in the head of the departments don't know about, ATF's illegal misclassification scheme, substantial waste of taxpayers' funds, and gross mismanagement would have likely continued.

I commend the grit of these whistleblowers. Senator ERNST's and my oversight on this issue will continue.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Louisiana.

TRANSGENDER ATHLETICS

Mr. KENNEDY. Mr. President, with me today are two of my valuable colleagues from my office, Ms. Maddy Dibble and Mr. Christian Amy, and I am glad to have them today and thank them for their good work.

From afar, being an NFL football player looks like a lot of fun, but if you have ever been down on the field when those guys are playing, it is brutal. I mean, it is brutal.

Some NFL linemen weigh over 300 pounds, and it is all muscle. A lot of NFL quarterbacks, they are pretty big themselves, but they are not 300 pounds. They probably miss their high school days when they only had a chubby 16-year-old lineman trying to tackle them under those Friday night lights.

We have a player on the New Orleans Saints that we are all proud of in Louisiana, Mr. Cam Jordan. I will bet even Mr. Jordan, who is a starting defensive end for the Saints, one of the best in the NFL, has days when he wishes his competitors were only half as big as the ones he faces every Sunday and every day in practice.

But think about this, if Mr. Jordan were to announce tomorrow that he identifies as a 16-year-old and if Mr. Jordan then tried to join the football team at Zachary High School, my alma mater, no one in America would pretend that Mr. Jordan is actually a student athlete with the right to take the field along with teenage boys.

I mean, most Americans would think you are from outer space. They would be thinking, What planet did he just parachute in from?

I mean, every sane person in Louisiana and on planet Earth would understand that a 34-year-old NFL player has no place attacking kids who haven't even been to the prom yet, for God's sake.

Not only would it be unfair to allow Mr. Jordan on the Zachary High School football team, he would probably send a few kids to the hospital in the first quarter, in the first minute.

Men and women don't take the field against one another for the same reasons. It is fundamentally unfair, and women could get hurt.

Yet there are activists in our country today—I wish I didn't have to say this—and there is a President in our White House who think the laws of physics and biology don't apply to transgender athletes.

And these activists and President Biden are happy to destroy athletic opportunities for every woman in America to prove their point. These activists

and President Biden are working throughout the country—you have read about it in the media—to force biological women and girls to compete against biological men and boys.

The ACLU is one of those supporters. The ACLU, for example, says it is a “fact” that “trans girls are girls.”

Now, these activists and President Biden say that it is “a myth”—they call it a myth—that transgender female athletes have a physical advantage over biological girls.

As an aside, if that is the case, if this is a myth and not a fact, then you have to wonder why so few transgender men who are actually biological women are anxious to play on male sports teams, but I digress.

The fact is, you don’t need a graduate degree in anatomy to know that these claims are specious. They just are. Both medical and the physical science and the data show that men have obvious and significant advantages over female athletes.

I mean, unless you are the reason that your parents drink, you know that. It is just a fact. That is how our Creator made us. Even before birth, baby boys begin developing different hormones and skeletal structures that help them outperform women athletically.

Testosterone exposure in the womb, before the baby is born, alters brain development in boys. This improves their motor skills, increases their aggression, two traits that benefit competitive athletes.

Boys also experience what doctors and scientists call a “mini puberty.” They call it a mini puberty in the womb, so that shortly after birth baby boys will gain weight faster than baby girls.

That is biology. That is not political ideology; that is biology. And that ultimately contributes to boys being taller than girls, on average, later in life.

The differences between boys and girls, as I think most of us know, explode during puberty. They explode during puberty. Girls develop hearts that are 14 percent smaller than boys. Girls develop lungs, smaller lungs, that are 12 percent smaller than men, on average.

That helps boys take in more oxygen—duh. It helps them pump blood more efficiently than girls can. That is biology, and that gives boys a clear edge in endurance sports, sports like running, cycling, swimming, rowing.

Girls, also during puberty—again, a biological fact—develop a wider pelvis, on average, and this decreases the amount of force their legs can exert when they are lifting or kicking or pedaling. That is another relative disadvantage when you compare female athletes to male athletes.

Boys develop broader shoulders. I think most of us know that. Common sense is illegal in Washington, DC, but it is not in the rest of America, and I think Americans know that. Boys develop broader shoulders to make space

for more upper body muscle mass—again, a biological fact.

It is hard to think of a sport—I can’t think of one—in which a higher muscle-to-fat ratio isn’t helpful.

The average boy will also grow 5 inches taller than the average girl during this time. Even when women and men are the same height, men have higher levels of bone density, which helps them move more forcefully and escape more injuries in athletics—a biological fact.

Women are at a competitive physical disadvantage against men from birth, and this is especially clear at the very elite levels of athletics. Top-ranked high school boys, for example, regularly outstrip female Olympians. Many high school boys—now, we are talking the elites in high school, I wasn’t one of those, but the really, fine male athletes in high school, they could run faster than female Olympians, and they are in high school.

In 2016, for example, American female sprinter Allyson Felix, Ms. Felix earned an Olympic Gold Medal in the women’s 400-meter race. Ms. Felix is a wonderful athlete. A year later, after she won a gold medal, more than 285 American teenage boys logged a faster 400-meter time than Ms. Felix.

Don’t take my word for it, it came from a study done at Duke University. More than 4,300 adult male athletes across America clocked faster 400-meter times than Ms. Felix, and she was an Olympian.

In many Olympic track or swimming events, the female world record holder wouldn’t even qualify—wouldn’t even qualify—to compete against men. In strength-based sports, such as weight lifting, men outperform elite women in the same weight class by as much as 30 percent.

Activists try to distract from biological reality by claiming that men lose their advantages over women when the men begin taking cross-sex hormones. That is not true. The differences between men and women begin in the womb, and no number, no amount of hormone treatments or surgeries can undo those.

Estrogen shots don’t shrink a man’s heart or his lungs, nor do they change the structure of the pelvis or the size of a skeleton, nor do they change your height.

One study revealed that men who have been taking cross-sex hormone treatments for 2 years can still run 12 percent faster and do 10 percent more pushups, on average, than women. That is just a biological fact. If you think that is misogynistic, curse our Creator, if you have the courage. It is just a biological fact.

Perhaps that is why the University of Pennsylvania swimmer—you have heard of her. When she first competed, her name was William Thomas. She was a male. She is now a transgender female, very prominent athlete. She now goes by Lia Thomas. She went from being the 554th ranked man in

swimming to a top-ranked woman in the 200-yard freestyle when she was allowed to compete with biological women as a transgender female.

Now, at least in swimming, each athlete gets their own lane. A mediocre male athlete’s transition into a top-tier female athlete kills the dreams, and it steals the scholarships of biological women. I will talk more about that later. But at least the female swimmers aren’t usually in physical danger because everybody has got their lane. Contact sports are a whole different—a whole different—thing.

Transgender athletes have seriously injured female competitors on several occasions, as President Biden’s and these activists’ movement have been forced on many of our schools. In May 2023, for example, about a year ago, a high school volleyball player in North Carolina sued her State’s high school athletics association after a transgender player—transgender female, born a biological male—spiked the ball in her face. Boom, hit her, right in the face. She got a concussion. She is suffering from long-term physical and mental injuries—not just physical injuries but mental injuries.

Last October, a high school senior in California suffered a season-ending concussion after a transgender—born biological male, now a transgender female—after a transgender volleyball player spiked the ball and hit this young woman in the face during a game. She couldn’t play high school volleyball anymore.

This February, a girls’ basketball team in Massachusetts forfeited a game. They said “no mas”; we quit; we can’t go on. They forfeited a game after a transgender athlete—biological male, transgender female—injured three female players. The other team was going to run out of players, so they had to quit, and the coaches were worried that more of their players were going to be hurt.

Now how many women and girls are going to be rushed to the hospital while activists and President Biden create safe places in which transgender athletes can hurt female athletes as a matter of course? Shouldn’t we be asking that question?

Some activists say that a biological man—as I indicated, some activists may say that a biological man has the same physicality as a biological woman. Put down the ball if you believe that, but some—this is America. You are entitled to say what you want. And some say that a biological man doesn’t have any advantage physically over a biological female, but that doesn’t change the laws of nature. That doesn’t change the laws of science. That doesn’t change the laws of anatomy. The truth is that a woman’s bone doesn’t care that the person who snapped it identifies as a woman or a man or whatever. They just know their bone is broken.

American female athletes are not lab rats. They are not lab rats we can subject to a social experiment. They have

goals and dreams, too, and they have worked hard, too, to develop their skills, to earn scholarships, to win championships. No girl, no woman, no female in America should end up on the bench with her arm in a sling because the Biden administration wanted a biological man to feel included.

Broken bones will heal in most cases, but transgender athletes have also inflicted a different kind of pain on female athletes, a pain that is a lot harder to mend. I am thinking of the pain felt by athletes like the swimmer from the University of Florida who missed out on the chance to swim as an All American because Ms. Lia Thomas, formerly Mr. William Thomas, who ranked 554 as a man in swimming took her place and dominated the women's race. We should all worry about the swimmer from Virginia Tech who didn't get to compete in the final race of her collegiate career. That is a race she will never get back because Ms. Thomas stole her spot in the pool.

How discouraging. How discouraging it must be to dedicate your life to a goal, only to have these activists and President Biden rip them away because institutions are unwilling to accept the immutable facts of anatomy.

I reject the proposition. I do. I reject the proposition that it is OK that some young athlete is losing out—spends hours in the pool or in the gym each night—has to have her college championship taken away by a biological boy because the Biden administration says so. I reject that.

Transgender athletes are not just undermining the game for female athletes, they are also stealing opportunities for women athletes to earn scholarships to get an education. This isn't just about competitive competition; this is about getting an education. That is why we call them scholar athletes. The NCAA, for example—not exactly a model of courage, by the way. You ever seen a catfish once you catch it and bring it up on the bank? It flips and flops, and it flips and it flops. That is the NCAA. They just go with the political winds. Their attitude is: We have standards. If you don't like our standards, we have others.

The NCAA sets limits on the number of scholarships available for every sport, men and women. By definition, giving a transgender athlete a scholarship means a nontransgender girl will not get one. Duh. Yet the University of Washington recently offered the first Division I women's volleyball scholarship in the country to a biological male. It won't be the last. This is the first Division I scholarship taken away from a female athlete, but it won't be the last.

Now, that makes President Biden happy. I am happy he is happy. But that makes most fairminded Americans sad. It makes me sad.

Additionally, we have only just begun to see how much money is at stake for female athletes who could earn private sponsorships. Have you

followed the career of Angel Reese, our star—former star at LSU now playing in professional basketball? Have you followed the career of Ms. Caitlin Clark? They make a lot more money from their sponsorships than they do from their salary playing their sport.

Now, regardless of how you feel about paying college athletes, it is here. Name, image, and likeness sponsorships—they are here, and they present an enormous financial opportunity to athletes. From July of 2021 to June of 2022, about a year, college athletes earned nearly \$1 billion in sponsorship deals. We are talking a lot of money here.

We don't know yet how much sponsorship money female athletes can earn. We are sort of in the infancy of this. But we know for certain that they won't earn a penny if a biological male takes their spot on the team. I know that.

A lot of girls are already suffering the consequences of this reality. Chelsea Mitchell—Ms. Chelsea Mitchell—for example, she missed out on several track and field championships because the State of Connecticut forced her to compete against biological boys. She sued her State high school athletic association—good for her—because she believes she could have earned a better scholarship if she had finished first. This is what she told reporters.

When colleges looked at me, they didn't see a winner. They saw a second or a third place. I wasn't a first place finisher, and I think that is what really hurt me.

The playing field—I have talked a lot about it—the playing field is not the only place where young women worry about facing transgender females. The locker room has become a nightmare. Ms. Riley Gaines, a female swimmer, she has been very outspoken to protect female athletics. You have probably seen her interview. She said: I felt and feel “extreme discomfort”—her words, not mine—sharing a locker room with a nude biological man. She added:

We were not forewarned. We were not asked for our consent. And we did not give our consent.

Ms. Gaines and more than a dozen other female athletes recently sued the NCAA—good for them—for forcing them to share a locker room with Ms. Lia Thomas, formerly Mr. William Thomas. The plaintiffs say that what the NCAA did violated their 14th Amendment right to bodily privacy, and it is hard not to believe them.

If Ms. Gaines—who is a tremendous athlete, and she is very well-educated—felt disturbed and violated by having a biological man in her locker room, think how horrifying it is for a teenage junior high school girl—a teenage junior high school girl—in her locker room after soccer or volleyball practice with a biological male.

Imagine how helpless parents feel when they can't shield their teenage daughter from naked men and boys without killing their daughter's chances to play and win the sports they

love. It is the choice parents face. You can either play the sport—their daughter can either play the sport they love, or they can be forced to look at a young boy's penis in the locker room. Are you kidding me?

The discomfort that adults and President Biden are subjecting female athletes to should be enough for us to say that biological males should not be in the girl's locker room, let alone exposing their penises in front of those girls.

Only fools would ignore the reality that some—not all, now—but some men would abuse misguided gender policies for their own sexual advantage. We have already seen some horrific instances of this. You have probably read about the disturbing assault in Loudoun County, VA, sexual abuse in girls restrooms by biological males.

I will happily send you the media articles, President Biden, if your staff has not shown them to you.

Now, look, I have great empathy. I have genuine empathy for the small percentage of Americans who struggle with gender dysphoria. I do. And I hope they can somehow find peace in their lives. But I do not think that we need to sacrifice the physical safety of women. I do not think that we need to or should sacrifice women's athletic, educational, or professional opportunities just because some activists and President Biden claim that injecting biological men into women's sports is the only way to make transgender Americans feel included.

And don't let activists and President Biden try to tell you that protecting women is a controversial opinion. They are going to try. And 70 percent—70 percent—of Americans polled—you will see this every time—70 percent of Americans think only girls should compete in women's sports. In fact, many transgender Americans are part of that 70 percent. They don't believe biological men should compete in women's sports because it is going to destroy women's sports. Yet their stories by some members of the media have been co-opted by people determined to force boys onto girls teams and into their locker rooms.

Now, Louisiana has already put a stop to this. In 2022, the Louisiana State Legislature passed a bill—it is now an act—called the Fairness in Women's Sports Act. It prohibits biological boys from competing against girls in elementary or high school sports. It sailed through our State legislature. It was bipartisan. Republicans voted for it, and a whole bunch of Democrats voted for it.

It is just common sense that biological girls should take the field against biological girls and biological boys should compete only against biological boys. That is how we in Louisiana see it. We need a whole lot more of Louisiana's common sense in Washington, DC.

Congress has done a lot. I am proud of this body. Congress has done a lot to protect women's sports in the 50 years



since title IX became law. I am very proud of title IX.

I think President Biden is trying to turn it into something that we don't recognize, and I don't think he has the authority to do it. But I am very proud of the original title IX, and it would be a great disgrace to allow activists and President Biden to erase all the progress that we have made in elevating women and women athletes in order to conduct a social experiment, in order to demand inclusion.

Let me give you the bottom line. Activists and President Biden want to force young female athletes to change clothes in front of biological boys in their locker rooms. They accept the biological man's slide tackle on the football field with a smile. That is what they want women to do—just grin and bear it. And President Biden and activists want young women to hide their tears when a biological male walks away with a trophy that those women have spent their entire lives working for. And it is wrong.

Pass me the sick bucket. Pass me the sick bucket. That is what most fair-minded Americans are thinking.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### PROHIBITING RUSSIAN URANIUM IMPORTS ACT

Mr. BARRASSO. Mr. President, I rise today to talk about a great win for the American people and for America's energy future. I want to start by saying something that I know Vladimir Putin is going hate to hear, and that is that Russia's choke hold on America's uranium supply is coming to an end. Putin's war machine has now lost one of its cash cows. America is finally starting to take back our nuclear energy security as well as our energy future.

Last week, this body unanimously passed legislation that I sponsored—bipartisan legislation—to ban the import of Russian uranium. It will soon become law. This victory is tremendous and transformative, and it is truly bipartisan.

I am very grateful for Senator MANCHIN, Senator RISCH, Senator LUMMIS, Senator HEINRICH, Senator COONS, and Senator MARSHALL for their critical work in helping get this bill into law. I also want to thank House Energy and Commerce Chairman CATHY MC MORRIS RODGERS. Together, we all worked to make America safer as well as more prosperous.

I am especially pleased because my home State of Wyoming has world-class uranium resources.

For years, Russia has used its nuclear monopoly to flood the market with uranium. Russia's monopoly could do so only because it owned, ran, and

manipulated the entire situation and had it done by the Russian Government. Putin tried to corner the global market. He used enriched uranium to enrich himself and to further his dangerous ambitions.

Russia has been undermining America's nuclear industry for decades. As a result, Putin now controls 50 percent of the world's enrichment capacity.

Today, he supplies 24 percent of America's enriched uranium. Putin's control is so vast that currently, today, the equivalent of 1 out of 20 homes in America is powered by uranium enriched by Russia. My legislation ensures that Americans will no longer count on Russia to turn on our lights.

Even worse, Putin uses the money from selling uranium to pay for his war efforts in Ukraine. For 2 years, America has unintentionally helped fund Russia's invasion of Ukraine. That is not how we stand up for democracy. America can't talk about stopping Vladimir Putin's march through Europe while also helping fund it.

When it comes to national security, actions matter more than words, and our allies want to see consistency. Banning the sale of Russian uranium in the United States shows Putin that the world is united against him.

With our legislation, Putin will lose \$1 billion in revenue each and every year. By banning Russian uranium, we are striking a serious blow to Putin's war machine.

Perhaps what is most important about this legislation is what it does to boost America's energy. We are helping America become the global leader once again in nuclear energy.

I have spoken to leaders of many American nuclear utilities. What I hear constantly is that they are ready to transition away from Russian uranium. They point out that expanding our enrichment capacity here at home can be expensive. It takes time, it takes money, and it takes certainty. This legislation provides American uranium producers with the support they need. The bill also dedicates dollars for strategic investments to help jump-start America's nuclear supply chain.

Of course, we are not starting over from scratch. No, we are not. Wyoming is ready to power American reactors with Wyoming nuclear fuel. My home State of Wyoming is America's energy breadbasket. We are America's leading uranium producer. We have large uranium resources, and we will keep building upon them. We have Crook County, Campbell County, Converse County, and Sweetwater County. They are ground zero for making sure America has the uranium our Nation needs. Wyoming has the uranium to free America from dependence on Russia, and we are ready to deploy it.

I have great confidence in Wyoming's energy resources and, of course, in Wyoming's energy workers—remarkable individuals. Through their hard work, America will once again be a world

leader in uranium production, conversion, and enrichment.

America's nuclear supply chain must begin with American-mined uranium and end with American-made fuel.

Russia's control of the world's nuclear fuel supply is coming to an end. It is good news for Wyoming, it is good news for America, and it is good news for the world.

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.

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

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

H.R. 3935

Ms. LUMMIS. Mr. President, every 5 years, Congress has the responsibility to fully fund the Federal Aviation Administration and National Transportation Safety Board to ensure airports across the country have the resources they need to bolster security measures and fulfill costs associated with meeting the demands of both national and global travel.

As the Cowboy State continues growing, making sure the people of Wyoming have reliable, safe, and affordable access to travel is critical to maintaining our State's economy. The FAA Reauthorization Act of 2024 stands to not only further boost our thriving tourism industry but eliminates burdensome regulations that challenge small airports across Wyoming and across the Nation.

For more than a year, I have fought to ensure that millions of Wyoming's tax dollars sent to Washington will be put to work to improve air travel across Wyoming. Wyoming is home to many small airports that serve what would otherwise be isolated parts of our State. This bill reauthorizes the Essential Air Service that supports flights for Cody and Laramie and increases funding for the program that multiple Wyoming airports use for capital projects.

As the Presiding Officer knows, Cody is the east entrance to Yellowstone National Park. It is home to the Buffalo Bill historical center, which is a world-class museum, and it is an important tourism and art destination. Laramie is the home of the University of Wyoming and many activities that improve our Nation, including efforts at carbon sequestration technologies. These are communities that need air transportation.

The bill counters Federal overreach that has threatened to burden airports by slapping them with multi-million-dollar expenses following arbitrary changes to Federal funding criteria for airport runways and taxiways or plunge essential renovations into sort of a regulatory purgatory. But thanks to critical improvements in this FAA reauthorization, not only will the Rock



Springs Airport be spared from arbitrary, new FAA requirements to pay for the upkeep of runways and taxiways, but Wyoming airports can now move forward with projects costing less than \$6 million in Federal funds without being subject to unnecessary redtape.

These are the sizes of airports that we have in Wyoming, and to have these regulatory burdens and shackles taken off so these airports can improve runways and taxiways, which are essential to having an operational airport, is a true benefit of this bill.

I want to thank the full committee, and I want to thank the chair and the ranking member for understanding the importance of our small airports.

For too long, Congress has delivered FAA reauthorization bills that prioritize big aviation and overlook the needs of our rural airports, but this bill takes many of those rural airports into consideration. States like Wyoming rely on small airports to support entire regions of our State, and previous versions of this bill have reflected that misunderstanding. The bill we have in front of us fixes that misunderstanding. I am very, very pleased with how the treatment of small airports in this bill considers the needs of those small airports.

While we work to meet the needs of the Nation's largest airports, we cannot forget the smallest ones that work hard to serve rural America, and we have a responsibility to make sure this bill creates an environment where they can thrive and not just struggle to survive. My provisions included in this legislation help airports like Casper/Natrona County International address air traffic control staffing shortages and waive unrealistic rules that require EMTs to be on site at every airport when rural areas are already grappling with medical personnel shortages.

Unfortunately, these aren't the only challenges Wyoming airports face. My western colleagues and I know better than anyone how critical these small airports are, not only for serving our rural communities but also in fighting wildfires.

Wildfires continue to devastate our western habitats, and we need every tool readily available to mitigate the damage. Yet current regulatory hurdles dramatically slow response times. Every minute wasted trying to gain access to restricted airspace results in irreparable damage to wildlife, homes, and may even cost lives. My provision to this legislation eliminates costly hurdles to fighting wildfires, and establishes a reimbursement program for airport sponsors to replace firefighting agents and equipment that meet military specifications.

This legislation is a win for the State of Wyoming that will offer much needed support for our small airports and bolster our economy. Together, we have created a bipartisan and workable reauthorization that improves access

to our Nation's Capital for all Americans, eliminates onerous regulations, and creates an environment where smaller airports can do more than just survive.

I want to thank the members of the Commerce Committee, including the Presiding Officer. I want to thank Chair CANTWELL and Ranking Member CRUZ, who worked together to create a bipartisan work product of which the committee can be proud, and they have prepared this FAA reauthorization for bipartisan passage.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. ROSEN).

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

The PRESIDING OFFICER. The Senator from Kansas.

##### UNANIMOUS CONSENT REQUEST

Mr. MARSHALL. Madam President, I rise today to ask this body for unanimous consent to call up and make pending our amendment to add the Credit Card Competition Act to the substitute amendment for the FAA reauthorization bill.

Kansans elected me to fight for them in Washington, to give them a voice at the highest levels of government. I humbly took this job and that responsibility seriously. For that reason, I stand here today to say that I will not fall in line and cower to the standard operating procedures up here that puts U.S. Senators in the backseat and blocks us from bringing our priorities—the priorities of the people—to the floor.

Kansans want their voices to be heard and not sidelined by DC lobbyists and special interest groups who are blocking and tackling our priorities behind the scenes. Every Senator in this Chamber should have the right to hear and vote on their amendments. Many of my colleagues and I welcome this debate. It is healthy. Let's have the debates. Let's take the hard votes. What is the harm? I ask everybody: What is the harm of these discussions of these debates and then letting the cards fall as they may with each vote? Each Senator deserves the opportunity to bring their amendments to the floor and make their case.

Back home, I crisscross Kansas, meeting with small businesses and owners across the State. And at every meeting, they look me in the eyes and they say they need some type of relief. The price of business is simply too high and unfair. Outrageous swipe fees from Wall Street and the Visa-Mastercard

duopoly are pulling the rug out from under them, making it unaffordable to do business. Americans pay seven times more than our friends in the European Union do for the same swipe fee, four times more than our friends in Canada.

So we took these concerns to Washington, and we got to work. But I never could have imagined the uphill battle we would face up here to do the right thing, for doing what is best for hard-working Americans who are living paycheck to paycheck.

As a physician, once we diagnose a problem, we think the treatment should be quick. Our patients demand that quick turnaround. Once we figure out what is wrong: "Here is the solution. Let's do it." I don't want our patients to wait any more longer than they have to.

But in Washington, I have learned and realized that, too often, we see the problem, but we sit on the solutions if they are not popular with the people who cut the biggest checks up here. For too long, the Visa-Mastercard duopolies use money and influence in Washington to turn politicians' eyes away from predatory swipe fees. Right now the Visa-Mastercard duopoly and four mega banks are robbing our American small businesses at the highest rate in the world with credit card swipe fees totaling over 90 billion—that is 90 with a "b," billion—dollars each year.

These swipe fees are inflation multipliers on businesses and the consumers. Often, credit card swipe fees are one of business's highest costs, often topping utilities, rent, or even the employees' healthcare costs.

Mom-and-pop shops across Kansas, hotels across Kansas, franchise owners across Kansas, consumers are all asking for relief to be able to sell their goods at a lower price and hire more employees, which I know this Chamber all agrees with is a good thing. If only they could get Wall Street out of the way of Main Street's success.

The National Federation of Independent Businesses, the voice of small businesses, said 92 percent of their members are asking for this—92 percent. So 92 percent of small businesses are telling Congress how we can help them, yet this body refuses to vote on it. It is not going to cost taxpayers a dime. And 92 percent of businesses want this.

It has been 2 long years since Senator DURBIN and I introduced this bill—2 years of fighting, asking, begging for a vote. For 2 years, we have gotten nothing but excuses and empty promises and assurances. We begged for committee hearings, with no results. Crickets. Why are they so afraid to have a committee hearing up here even on this? It is because they are afraid of the truth. We jumped through every hoop asked of us by leadership to try to advance this legislation for a vote. Enough posturing.

Kansan legend and Statesman Bob Dole once said.