

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 42, and the motion is agreed to.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Judith E. Pipe, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

The PRESIDING OFFICER. The Senator from Kansas.

UNANIMOUS CONSENT REQUEST—S. RES. 718

Mr. MARSHALL. Mr. President, I rise today to discuss a very serious problem: viral gain-of-function research. I am calling on this body to place a pause on all viral gain-of-function research, just like President Obama did in 2014.

Maybe I will start with an analogy. Could you imagine the United States participating in nuclear research and sending our scientists, sending our money to foreign adversaries to help them with their nuclear weapons research right now—say, a country like Iran or a country like North Korea? Of course, no one in this body would suggest that is a smart thing to do. But people can't see what viral gain-of-function is, so they are not afraid of it, but they should be.

Think about this: Nuclear bombs have killed 2-, 3-, maybe 400,000 people at the max—2-, 3-, maybe 400,000 people—but viral gain-of-function research, through COVID, has killed over 1 million Americans, and worldwide, it is at least 10 times that, maybe 20 times that. And we still have 15 million long COVID sufferers, but we continue to fund and we continue to participate in viral gain-of-function research. I would stop and ask this body, what do we have to show for it? Thirty years of viral gain-of-function research and what are the benefits? What have we benefited from this?

Just like in January of 2020 when I was the first Member of Congress to sound the alarm on the COVID virus and the consequences and the pandemic that was coming, I am here once again to sound this alarm.

Think about this: Why is this a concern to anybody? First of all, I want to talk about the risk of lab leaks. No matter what virus security level this research is done in, there is going to be risk of a lab leak. There is human error, there is mechanical error, people not following protocols. We have seen it over and over again, and that is actually what led to the pause in 2014 by President Obama.

Laboratories, regardless of their biosafety levels, are not infallible. Human error, equipment failure, unforeseen accidents can lead to the escape of enhanced pathogens into the general population. The consequences of such an event have proven to be catastrophic.

We witnessed this firsthand through the COVID-19 pandemic, just how fast a virus could spread throughout the world. A virus that is engineered to be more contagious or more deadly can cause an even more severe global death crisis, even worse than what we saw with COVID-19.

Something people seldom talk about is the threat of bioresearch, of biosecurity when it comes to our food supply. Just like the Chinese developed a COVID virus to attack human lungs, they could develop new viruses that could attack our beef cattle, our pigs, our dairy. They could find new viruses to attack the wheat in Kansas. All these things are very feasible by viral gain-of-function research.

I am very concerned about the risk of weaponization of these viruses, that all of these have a military potential, what we would call bioterrorism. Everything has a dual purpose. In America, we don't think about that. We always think about science being research for the good, but what we have found over and over is that rogue nations can use this type of research for the very, very worse.

I just want to dive a little bit deeper into this subject and this threat of bioterrorism. Knowledge and techniques developed through gain-of-function research can be potentially misused by malicious actors. If detailed methodologies for enhancing pathogens are published or otherwise become accessible, they could be easily exploited to create biological weapons. These could be created by people with minimal means. They are called terrorists. They wouldn't have to go through the hassle, the time and expense of developing a nuclear weapon; they could more easily develop biological weapons that are even more deadly. The potential for such misuse makes the dissemination of research findings in this bill particularly perilous, and it lowers the barrier for entry for those who might wish to cause us harm.

Ethically, gain-of-function research raises significant questions. Is it morally acceptable to create pathogens with pandemic potential, knowing the immense suffering they could cause if accidentally or, heaven forbid, deliberately released?

The scientific pursuit of knowledge must be balanced with responsibility and awareness of their broader consequences. The principles that I swore an oath to as a physician—do no harm; above all, do no harm—should guide every one of our actions when we are funding science. Yet, gain-of-function research walks a tightrope between potential benefits and catastrophic risks.

Public trust in science and research institutes is another critical aspect. Higher profile accidents or ethical breaches have eroded public confidence, making it even more difficult to garner support for necessary scientific endeavors. Transparency, accountability, and stringent regulatory frameworks are essential to maintaining this trust.

That is why we are here today calling for this body to pass our Viral Gain-of-Function Research Moratorium Act. Our bill will prohibit the funding of this research, allowing time for an honest conversation about the pros and cons of gain-of-function research, setting up guardrails that ensure a system of checks and balances.

Getting transparency for the American people for what happened during the pandemic shouldn't be controversial. I hope my colleagues will join me in agreeing that if we can't measure it, we can't manage it—especially when we are discussing the creation of lethal viruses at the taxpayers' expense.

The Federal Government should not provide another dime in funding for viral gain-of-function research in the deceptive name of global health and national security.

For these reasons, I am proud to be back here on the Senate floor to sound the alarm again and call for the immediate passage of our bill, the Viral Gain-of-Function Research Moratorium Act.

I want to conclude by thanking Senators BRAUN and LEE for their support of this resolution, and we look forward to continuing the discussion on this issue with their colleagues.

As if in legislative session and notwithstanding rule XXII, I ask unanimous consent the Senate proceed to the consideration of S. Res. 718, which is at the desk; further, that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

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

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, this resolution threatens fundamental life sciences research. Research is medicine's field of dreams from which we harvest the findings that give hope to families.

Over 1 million people died from COVID-19, and tens of thousands of Americans die annually from the seasonal flu. It is scientific research that develops the vaccines and treatments that save lives.

It is clear that we need every tool at our disposal to combat viral illnesses and pandemics, and labs across the country are developing research that will create the vaccines and the therapeutics of tomorrow. But what this resolution does is create overbroad restrictions on scientific research in order to accomplish a goal which unfortunately is unrelated to what should be our highest goals.

Bans like those envisioned by this resolution would tie the hands of researchers who are doing lifesaving work. This resolution would send a dangerous signal that the U.S. Senate does not value lifesaving research

being conducted by our Federal research Agencies and at our world-class research universities.

We must be prepared for future pandemics, especially as climate change accelerates the transmission of deadly diseases.

In the last few months, we have seen H5N1 bird flu transmitted from dairy cattle to humans. This resolution could block researchers from understanding the mutations that allow bird flu to infect humans, effectively banning us from preventing outbreaks and protecting farm workers.

Medical research is an issue of national security. Stronger research means stronger security. This resolution would not prepare us for emerging disease threats, and it would not make our Nation safer. Bowing to political pressure to promote a research ban without understanding the implications on research, biosecurity, biosafety, or public health is dangerous, and it is reckless.

Investments in biomedical research are investments in hope and health and safety that serve our country today and into the future. For those reasons, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Kansas.

Mr. MARSHALL. Mr. President, certainly I understand the Senator from Massachusetts' comments and his concerns. I would still continue to argue that the benefits have not outweighed the risk. We have not seen any benefits from this type of research.

The whole concept, just going back to what the definition of "viral gain-of-function research" is—we wouldn't do it if it is causing potential for harm, but we can still continue to research flu vaccines. We can continue to research avian influenza. There are all sorts of things we could do. But let's not make avian influenza worse. Let's not put a protein spike on it that is going to make it stick to human lung cells like they did with SARS-CoV-1.

The justification of gain-of-function research hinges on its purported benefits, as you described, such as improved preparedness for pandemics; however, it is important to scrutinize whether these benefits are indeed reliable and they outweigh the risks.

Critics argue that the knowledge gained from such research can often be obtained through safer means, such as computational models or studying natural outbreaks. Moreover, these resources invested in high-risk research can be redirected toward strengthening public health infrastructure, improving our surveillance system, and developing broad-spectrum antivirals and vaccines.

Let's quit throwing good money after bad money. Let's take good care of the American taxpayer dollars and actually do things that are going to protect them from future pandemics.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

UNANIMOUS CONSENT REQUEST—H.R. 2494

Mr. BUDD. Mr. President, under President Biden, nearly 10 million illegal immigrants have entered our country. Now, among those 10 million are an unknown number of dangerous individuals.

We know that hundreds of individuals appear on the Terrorism Watchlist. We know that a significant number of transnational cartel members are in this population. Other categories include drug smugglers, human traffickers, and many more.

It is a laundry list of bad actors who have no business stepping foot in our country. And, sadly, it is not a surprise, when we allow over half a million illegal immigrants with criminal records into the homeland, that they commit crimes against American citizens.

Even members of law enforcement—the very people entrusted with keeping us safe—are now on the frontlines of the border crisis. And, no, I am not talking about police in border States like Texas or Arizona; I am talking about North Carolina—my State. I am talking about New York City.

Two years ago, in my home State of North Carolina, Wake County Deputy Sheriff Ned Byrd was killed in the line of duty by an illegal alien gang member who crossed the border under President Biden. And just this week, in Queens, NY, NYPD officers were shot while trying to apprehend a suspect in a string of robberies. One was shot in the stomach, and the other was shot in the leg.

Now, thankfully, they are going to survive. Our prayers are with them and their families, and we are grateful for their service to our country. But the suspect was identified as a 19-year-old from Venezuela who crossed the border illegally through Eagle Pass, TX, in July of last year. Worse yet, he was caught, and then he was released with a court date that he, predictably, ignored.

So enough is enough. I am back here on the Senate floor to, once again, try and pass a bill called the POLICE Act. It is a straightforward bill. The POLICE Act simply states that an alien can be deported for assaulting a police officer, a firefighter, or another first responder. This bill has already passed the House, and it can be sent to the President's desk by passing it right here today. Pretty simple.

But now the last time I tried to pass this bill, the Senator from Connecticut blocked it, and he called it nothing. That is 100 percent wrong. Specifically, the POLICE Act amends the Immigration and Nationality Act to explicitly state that an illegal immigrant may be deported for assaulting a police officer.

Now, it is important to point out that the current law does not cover all assaults against law enforcement. That means that some immigrants can remain in the country even after committing assaults against cops.

And we know that under the Biden administration, that is a very real pos-

sibility, unfortunately. But the truth is that we cannot trust this administration to do the right thing or enforce the law and to keep our communities safe. That is why we need to pass the POLICE Act today.

Any Senator who claims to "back the blue" should have no problem at all supporting this bill. So I sincerely hope that in the face of yet another attack on police officers, that we can pass this bill today.

Mr. President, as in legislative session, notwithstanding rule XXII, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 2494 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. MURPHY. Mr. President, reserving the right to object, the Border Patrol union—our law enforcement officers who patrol the southern and northern border who serve this country and protect this country—endorsed the bipartisan border security bill that my friend from North Carolina opposed, as did almost all of his colleagues.

The Border Patrol union—the organization that represents law enforcement officers—supported that bill for a number of reasons. It would have surged resources to the southern border to make sure that we properly administered our border and made sure that the only people who are coming to this country have legitimate asylum claims. It would invest in technology to make those Border Patrol officers' jobs easier. It would have granted new hiring authorities to make sure that we can get people down to the border faster rather than just redeploying agents from the northern border to the southern border.

But it is likely that they supported that bill for an additional reason. Under current law, if you are coming to this country to apply for asylum, if you have a criminal history in the United States during a prior visit or in your home country, that question is not relevant under existing law until you go before an asylum judge, before you go before an immigration judge to make your asylum claim.

Senator LANKFORD, myself, and Senator SINEMA thought that didn't make sense. We thought that that question of your prior criminal history should be relevant the minute that you show up at the border; that you don't get into the United States to make your claim of asylum if you have a criminal history.

That was part of the bipartisan border bill. That would have protected the country. That would have protected our law enforcement officers. But my Republican colleagues turned down the opportunity to pass bipartisan legislation that would prevent individuals