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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Savior, lead us today as a shepherd guides sheep. Direct our lives. Inspire our hearts. May the talents here on Capitol Hill help bring unity and healing to our Nation and world.

Lord, strengthen our lawmakers as they deal with unsolved problems and urgent global needs. Prepare them for the challenges yet to come. Make our Senators eager to lift burdens and ready to respond in service to humanity.

Help us all to feel a bit of the responsibility for the challenges that hang heavy over our Nation and world.

We pray in Your powerful 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 (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 10, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WARNOCK 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.

RECOGNITION OF THE MAJORITY LEADER

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

MEASURE PLACED ON THE CALENDAR—S. 4164

Mr. SCHUMER. Mr. President, I understand that there is a bill at the desk that is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 4164) to prohibit the expenditure of Federal funds for the establishment or operation of the Disinformation Governance Board in the Department of Homeland Security.

Mr. SCHUMER. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceeding.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will now be placed on the calendar.

ABORTION

Mr. SCHUMER. So, Mr. President, tomorrow, the U.S. Senate will vote to protect one of the most fundamental freedoms that women have in this country: the freedom to choose whether or not to have an abortion. Few decisions are more personal and few decisions are more private than decisions women make regarding their own pregnancies. Few should be more out of bounds to elected politicians and to the whims of government. But, sadly, few rights are in as much peril right now as the fundamental right to choose.

If this abominable decision becomes law, women will lose their freedom in so many ways—a giant step backward in the United States, where expanding freedom has always been our goal and our aspiration.

Tomorrow's vote will be one of the most important votes we take in this Chamber in decades because, for the first time in 50 years, a conservative majority—an extreme conservative majority—on the Supreme Court is on the brink of declaring that women do not have a right to an abortion, they do not have the right to control their own bodies, and they do not have the right to healthcare in the ways that they believe they need.

If that happens, tens of millions of women will see their freedoms contract in the blink of an eye. Our children will grow up in a world where they have fewer rights than their parents and grandparents had. America will take a painful and damaging step backward.

The American people will be watching the Senate closely tomorrow, and they will not forget how their elected Senators voted. I ask my colleagues to think carefully about their vote, to grapple with the impact of a world without Roe because all of us will have to answer for this vote for the rest of our time in public office.

Now, it is worth saying over and over again: Last week's draft decision didn't come out of nowhere; it didn't materialize in a vacuum. On the contrary, it is precisely the outcome that extreme Republicans have been working toward for years. Leader MCCONNELL himself has admitted that this was their plan

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

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all along. They have worked for years to confirm radical judges, plucked right out of the Federalist Society playbook, with the express goal to ''pick away at Roe v. Wade.'' That is their quote.

The radicals on the hard right have passed wave after wave of draconian restrictions at the State level, making abortion nearly impossible to access. One of those laws is about to be upheld by the Supreme Court of the United States.

These radicals have taken what were once outlandish ideas, like prison time for women and doctors and abortion bans without exception for rape and incest, and brought them to the forefront. Ideas that were radical and out of hand they are now talking about freely. Should Roe ultimately be overturned, many of us fear it would be just the start.

Over the weekend, Leader MCCONNELL acknowledged where this is ultimately going. Without Roe, proposals for a nationwide ban on abortions are now possible if Republicans retake the Senate. That is what Leader MCCONNELL said this weekend. That is right—a national ban on abortion. Not very long ago, the idea seemed to belong on the extreme of the extremes. Now the Republican leader himself acknowledges this is on the table—just a glaring indication of how radicalized the Republican Party has become in recent decades as the MAGA wing has all but completed its cancerous takeover.

All the times that Republicans disguised their hostility to Roe as a matter of ''States' rights'' have been exposed for what they are: hypocrisy, a smokescreen hiding the real objective. It is one of the oldest, most sinister arguments Republicans have used for decades. For MAGA Republicans, this has never been about States' rights; it has always been about getting rid of abortion altogether.

The hypocrisies run deeper still. It is worth noting that the very same party that spent years opposing healthcare by saying that ''the American people want healthcare decisions left up to families and doctors''—that is what they said as they opposed ACA year after year. They said, again, the American people want healthcare decisions left up to their families and doctors when it came to ACA. They are now the very same radicals who are telling Americans: No, it is not up to your family and your doctor; it is your body, our choice—the radical right's choice, the choice of five men on the Supreme Court who are extreme.

Now, many on the other side can't even bring themselves to own the horrors they have unleashed. They are trying to convince people they are not extreme, but the truth is that the MAGA wing of the Republican Party is running the show, and their actions prove how extreme they are.

Senate Republicans have spent a full week trying to change the subject to anything but Roe because they know how toxic this issue has become for them. The Republican leader tried to say, in vain, that the real story of the draft decision was not the end of Roe but the source of the leaked draft? Tell that to 100 million Americans who will lose their most personal of rights. I am sure they don't care as much about the leaked draft as about how they can control their own bodies.

The chair of the Republican campaign arm, Senator SCOTT, released laughable talking points saying Republicans, of course, don't want to imprison doctors, even though his allies, his fellow MAGA Republicans, are pushing for exactly that at the State level. It would all be farcical if it wasn't so bone-chilling and the consequences were not so serious.

Senate Republicans can try to run from their role in securing Roe's extinction, but sooner or later, the truth wins out. Without the actions they have taken for years, reproductive rights wouldn't be staring straight into a doomsday scenario.

So, tomorrow, the vote to protect abortion rights will shine like a floodlight on every Member of this Chamber. Republicans who pretended disingenuously as if this moment couldn't possibly happen will have to answer to the women of America whose rights are about to be turned back by decades.

Tomorrow, there will be no more hiding; there will be no more distracting, no more obfuscating where every Member in this Chamber stands. Senate Republicans will face a choice: Either vote to protect the rights of women to exercise freedom over their own bodies or stand with the Supreme Court as 50 years of women's rights are reduced to rubble before our very eyes. The vote tomorrow will tell.

UKRAINE

Mr. SCHUMER. Mr. President, now on Ukraine, later today, the House is set to vote on nearly $40 billion in emergency aid to help Ukraine as the Ukrainians continue to fight back quite successfully against Russian aggression. This is a large package, but the need is great, and time is of the essence. After the House passes the legislation, it is my intention for the Senate to act on it as soon as we can. The President has called on both Chambers of Congress to act quickly on the Ukrainian aid package, so act quickly we must.

The Ukrainian Ambassador will be visiting us at our caucus lunch this afternoon to discuss the upcoming package, and she will let us know how important it is to quickly approve it. Quickly approving this emergency funding is essential to helping the people of Ukraine in their fight against the vicious Putin. It will mean more funding to provide Javelins, Stingers, Howitzers, Switchblade unmanned aerial munitions, and other critical equipment. And it will mean more food, supplies, and shelter for the millions of Ukrainian refugees who are in the midst of the largest refugee crisis since the Second World War.

We have a moral obligation to stand with our friends in Ukraine. The fight they are in is a struggle between democracy and authoritarianism itself, and we dare not relent or delay swift action to help our friends in need.

And make no mistake, the Senate will move swiftly to get an emergency funding package passed and sent to the President's desk.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

INFLATION

Mr. MCCONNELL. Mr. President, this all-Democratic government has managed a unique kind of economic turnaround. They took an economy that was ready to soar, turned it around, and drove it into the ground. American families are being crushed by 8.5 percent inflation. Democrats' policies have unleashed the worst inflation in more than 40 years.

Last March, the Senate Democratic leader said:

> I do not think the dangers of inflation . . . are very real.

At that time, the most recent inflation figure was 1.7 percent. Inflation has more than quadrupled since Leader SCHUMER said he wasn't worried.

Now, remember, the same Democrats predicted the Republicans' 2017 tax reform bill would harm the economy and hurt working people. Instead, what it produced is the best economic moment for American workers in modern history. Falling unemployment, low inflation, and wages grew faster for the bottom 25 percent of earners than for the top.

So Democrats' worldview has been proven absolutely wrong. But, of course, last year, they put it into action anyway. Democrats dumped $2 trillion on a recovering economy and paid people a bonus to stay home from work, even after vaccines were available, and the American people are hurting as a result.

American workers' real average weekly earnings declined 3.6 percent over the last year. Inflation has more than wiped out the average worker's wage gains. President Biden has handed the average American a big pay cut—a pay cut.

The cost of the essentials that families need have been skyrocketing. Gas prices are now the highest they have ever been in American history—ever. Americans are now paying roughly $4.40 per gallon. That is up about 2 whole dollars from when President Biden put his hand on the Bible. Grocery prices have shot up 10 percent

over the past year. Housing costs are up more than 6 percent. Clothing is up nearly 7 percent. Each category is the worst it has been since at least the early 1980s.

Remember, if and when the inflation rate begins to gradually slow, that does not mean all of these sky-high prices for goods and services will actually fall back down. In many cases, this painful and preventable inflation will be baked into prices going forward. These Democratic price hikes will likely be American families' new normal at the checkout counter, a permanent—permanent—direct result of their failed policies.

NOMINATIONS

Mr. MCCONNELL. Mr. President, now on a different matter, this week, our colleagues want a second run on some controversial nominees who stalled out last month.

Today, Senate Democrats will try again to confirm Professor Lisa Cook to the Federal Reserve Board. Professor Cook has no proven expertise in monetary economics at all, much less fighting inflation. One of her main supposed qualifications for this position is that she sits on the regional Fed Board in Chicago. The problem is, she was literally appointed to that position a few days before she was nominated for this one.

Professor Cook is a proven partisan who has promoted leftwing conspiracy theories and called for a fellow academic to be fired because that person did not support defunding the police. The American people deserve an independent, nonpartisan inflation fighter for this important post.

Likewise, the Federal Trade Commission is an important Agency that gets wide latitude to oversee our private sector. The American people need its Commissioners to be levelheaded experts who will put aside ideological axgrinding.

The two current Commissioners who were appointed by a Republican President were so qualified and uncontroversial, the Senate approved each of them on a voice vote. But to serve as their newest colleague, President Biden has picked a radical partisan named Alvaro Bedoya.

Mr. Bedoya is such a poor fit that the first time Leader SCHUMER tried to shut down debate on his nomination, he lacked the votes and had to call it off. But Democrats want this hardcore partisan confirmed very badly, so here we are once again.

Mr. Bedoya has publicly attacked police and law enforcement and demanded that our country not enforce—not enforce—our immigration laws. He has called for States to essentially nullify Federal immigration law, saying:

> Maryland police have no business working with ICE [and] I think it's high time that state legislators understand that they can do something about this.

He has volunteered statements that align with ''defund the police,'' demanding that none of the Democrats' trillions in stimulus waste should go to provide for law enforcement.

Mr. Bedoya's social media feeds have read like the rantings of a far-left activist with no aspiration to ever receive Senate confirmation.

He has embraced socialized medicine, critical race theory, and cracking down on citizens' Second Amendment rights. He has launched political attacks on current Senators and called the National Republican Party Convention a—listen to this—''White supremacist rally''—a ''White supremacist rally,'' the Republican National Convention.

The rabid partisanship is not just an extracurricular activity. We know Mr. Bedoya would apply it specifically to the work of the FTC. He is already on the record calling for the elimination of longstanding bipartisan FTC policy statements. He supports excluding minority party Commissioners from investigations.

This nominee would not be fit to neutrally oversee major economic decisions, no matter what the makeup of the Senate was. But he is an essentially foolish choice—foolish—when the American people handed this administration a 50–50 Senate.

I would urge my colleagues on both sides to stop this awful nomination so the President can reconsider and send us somebody suitable.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Ann Claire Phillips, of Virginia, to be Administrator of the Maritime Administration.

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

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

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UKRAINE

Mr. THUNE. Mr. President, for more than 70 days now, the Ukrainian people have endured—and more than endured, they fought back. They stood up to their invaders and have achieved amazing things against a superior force—superior, at least, on paper.

Many feared that Russia would crush Ukraine in days. Instead, Ukraine has not only withstood Russian aggression but has inflicted humiliating defeats on Russia. Twelve—twelve—Russian generals have reportedly been killed. Russia lost thousands of its troops, as well as hundreds of tanks and scores of aircraft. One estimate from British intelligence suggests that Russia may have lost more than a quarter of its ground combat strength.

Ukrainians successfully pushed Russia out of the Kyiv suburbs, have retaken territory outside of Kharkiv, and still—still—maintain a defiant hold on the steel plant in Mariupol despite being encircled by Russian troops.

At the same time we recognize Ukraine's successes and the fierce determination that has made them possible, it is also important to remember the devastation this war has inflicted. Thousands of Ukrainian civilians have been killed. Somewhere around 12 million Ukrainians have fled their homes. And the list of Russian atrocities gets longer every day—schools and hospitals intentionally bombed, executions and mass graves, torture, rape, the deliberate targeting of civilians, apparent war crimes.

In a few short weeks, Russia has brought unimaginable devastation. The port city of Mariupol—once home to more than 400,000 people—has been reduced to rubble. The city essentially no longer exists. Across Ukraine, an untold number of homes and buildings have been destroyed. It will take years to rebuild or remove the imprint of Russian aggression from the landscape, and some things cannot be entirely recovered. Just last night, Russia intentionally struck civilian centers in Odessa, bombing a shopping mall and a consumer warehouse without regard for innocent human life.

The Ukrainian people have displayed an incredible gallantry and resolve. They have embraced this fight and the cause of their country's freedom. They have not spent any time waiting around for anyone else to come and save them. In fact, a recent news story highlighted the fact that Ukrainians not only continue to oppose the Russians, they have actually started rebuilding in places even as the war continues to rage.

But it is also important to remember that the Ukrainian people cannot sustain this war without military support from the United States and other free countries. The weapons and military resources we have supplied are playing a crucial role in enabling Ukraine to continue standing up to Russian aggression, and it is essential that we continue that support for as long as the Ukrainian people need it.

At the end of April, the President sent Congress a request for $33 billion in emergency supplemental funding for critical security and economic assistance to Ukraine. Negotiations are ongoing about how we iron out a few matters. The top-line numbers may

change, but I hope Congress can act quickly to get Ukraine the military equipment it needs, as well as humanitarian support to help the millions of Ukrainians who have been displaced. We also need to make sure that our European partners are making similar contributions to help put President Zelenskyy in the strongest possible position to bring this war to an end. It would be a tragedy for Ukraine to have bought all this time with our help only to lose the initiative now.

So I hope that we can get this funding out the door as quickly as possible and that Democrats will not slow things down by attaching extraneous funding requests for unrelated policy riders. Thirty-three billion dollars is a substantial sum of money, but, as the news reports showing Ukrainian highways dotted with bombed-out Russian tanks attest, Ukraine is putting our military aid to good use.

The cost of inaction on our part—of allowing Vladimir Putin to destroy Ukraine and threaten NATO—would be much greater. We should not be so naive as to think that Putin's campaign of Soviet expansion will end with Ukraine. There are rightfully concerns that he will seek to escalate into former Soviet countries in Eastern Europe or even further. He has already hinted at a willingness to use nuclear weapons, and he proved in Syria that he is certainly OK with the use of chemical weapons.

I hope defenders of the Iran nuclear deal are making note of what nuclear power looks like in the hands of a nation with a malign agenda.

We cannot allow Putin to think that he can pursue his expansionist dreams unopposed.

The United States and all NATO members must remain committed to our shared defense and to supporting Ukraine in its fight for freedom. NATO countries should also preserve our open-door policy to nations that are seeking to contribute to the collective security of the alliance. There can never be too many allies in the quest to preserve peace and maintain a strong defense against tyranny, and we should welcome any nation that seeks to help further those goals.

Currently, Russia's main areas of control span from east of Kharkiv to previously contested parts of the Donbas and now along the coast of the Sea of Azov and past Crimea in an attempt to fully block Ukraine's access to the Black Sea. Russia has failed to capture Kyiv or break the resolve of the Ukrainian people, so now Putin wants to close Ukraine off from the world, which will harm not only Ukrainians but also Ukraine's trading partners that rely on Ukraine's substantial agricultural capacity.

Ukraine is a major exporter of wheat, corn, and sunflower oil. If Ukraine's ability to produce and export these products is compromised, which is already happening, we are likely to see not only price hikes but very serious food shortages as a result.

The World Food Programme reports that an additional 47 million people around the world could be facing acute hunger if the war in Ukraine continues. In a world in which hunger persists and famine looms, Putin's war of aggression in Ukraine threatens to cause casualties far beyond Ukraine's borders, which brings us back once again to the importance of supporting the Ukrainian people and their fight.

As President Zelenskyy said the other day in reference to the United States and Ukraine, we defend common values, democracy, and freedom. We do, indeed, Mr. President. We do, indeed.

The Ukrainian people are currently giving their all to secure a future of democracy and freedom in Ukraine. Let's continue to make it clear that they are not alone in that fight, and let's make sure they have the tools they need to win this war and secure Ukraine's freedom permanently.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

ROE V. WADE

Ms. DUCKWORTH. Mr. President, my older daughter, Abigail—named for Abigail Adams, who urged her husband to ''remember the ladies''—is 7. She is generous, silly, and so, so smart. She calls herself a maker-kid and dreams of being an engineer or an army nurse but definitely not a helicopter pilot.

My younger daughter, Maile, just turned 4. Her laugh is contagious, and early on during the pandemic when I was mostly working from home, she proved that she was truly her mother's daughter by starting to pull pranks, including grabbing my phone and, oopsies, hanging up on whoever was on the other line when I was trying to conduct a Zoom meeting or review some legislation instead of playing with her. But Abigail and Maile might not be here today if it weren't for the basic reproductive rights Americans have relied on for nearly 50 years.

When Roe was decided in 1973, it changed the lives of so many women.

It saved the lives of 14-year-olds who were the victims of rape or incest, who otherwise would have had to turn to back alleys and back rooms.

It changed the lives of women who desperately wanted to be moms but who found out their pregnancies weren't viable. They would have to go through the pain and suffering and trauma of a full term, only to stillborn at the end of 9 months.

Personally, for me, it gave me my chance to be a mom, for I never would have had my creative, silly, drive-me-crazy-yet-love-them-infinitely two daughters if Roe hadn't paved the way for women to make their own healthcare decisions, as I was only able to get pregnant through IVF, a fertility process that Roe lays the foundation for.

Because of IVF, I got to experience all the joys of motherhood. Because of reproductive rights, my husband and I aren't just ''Tammy and Bryan,'' we are ''Mommy and Daddy.''

Because of Roe and the rights and laws it protects, we are a family. Yet, last week, we learned that the Supreme Court could be just weeks away from overturning Roe v. Wade and Planned Parenthood v. Casey, a decision that, if made final, would strip away reproductive rights for millions of women, forcing them to potentially live through the horrors and indignities that their grandmothers bore if they needed reproductive care, and this would just be the start.

For while the anti-choice movement has been working for years—decades—to get to this moment, overturning Roe is not their end goal. They want a national ban on abortion, something the Republican Senate Leader said was a possibility just last week.

They want to undermine access to contraception. In some States, legislation has already been introduced that would make IVF a crime. In Oklahoma, one woman was even convicted of manslaughter for having a miscarriage—a miscarriage. Criminalized for having a miscarriage. I have had a miscarriage, and there are no words to describe what mothers feel in that moment. For me, I was overcome with the rawest, most painful emotion I had ever experienced.

In that moment, losing my baby felt more searing than anything I had ever felt in my entire life. Yet if the GOP has its way, women may now have to live in fear that that worst moment of their lives may also send them to prison. And if extremists get what they are seeking, doctors who perform procedures, such as dilation and curettage, to help grieving families who have lost a pregnancy might be at risk of going to jail too. Doctors like the one who after my own miscarriage conducted the D&C to clear out my uterus that allowed me to immediately continue my dream of having a baby via IVF, my desperately wished for second child, my beautiful rainbow baby, Maile.

So let's be honest, what is happening is not about protecting life. If the anti-choice movement truly wanted to protect life, they would stop trying to strip away Americans' healthcare. They would be putting all of their efforts into addressing the growing maternal mortality crisis that has taken a tragic number of Black mothers' lives.

They would be pushing for desperately needed policies that support parents, like affordable childcare and paid parental leave. If Republicans actually cared about being pro-life, they would do something, anything, to stand up to the National Rifle Association.

So, no, this isn't about saving lives. This isn't about looking out for families. It is about getting a slap on the back from their base and exerting even more control over women's bodies. It is about deepening divides between the haves and the have-nots. It is about

making it even harder to undo centuries of harm unleashed by systemic racism and economic injustice, systems under which women of color have suffered the most. Look, I know that a lot of us are tired from the seemingly endless fight to protect our most basic human rights, but we can do more. We have to do more. We must.

Congress itself has the power. We have the ability to vote tomorrow to pass the Women's Health Protection Act, which would codify Roe v. Wade once and for all because, let me be clear, women seeking care should not be ashamed. The people who should feel shame are those forcing these women to live through unnecessary pain and suffering. The people who should feel shame are those who claim to be pro-life, yet would let a mother die in childbirth for an unviable pregnancy, who refuse to expand Medicaid, who believe guns should be easy to get but basic healthcare impossible to find. These are the people who should be ashamed. These are the people who have no shame. And I will be damned if I let my daughters grow up in a country that gives them fewer rights than their mom had.

So here I am today fighting for tomorrow that doesn't look like our yesterday because in that yesterday, those of us with uteruses were treated as second-class citizens. And I didn't learn to fly Black Hawk helicopters, go to war for this Nation, nearly lose my life fighting for the rights enshrined in that Constitution I protected, only to come back home and have those same rights stripped away from the next generation of girls who simply want to be able to follow their own dreams, like I did mine.

To me, it comes down to this: Women should be allowed to make their healthcare decisions without MITCH MCCONNELL's voice or Brett Kavanaugh's face haunting them at their OB/GYN appointment. So shame on those who want to take us back to the pre-Roe back alleys. Shame on those who don't dare regulate guns but want to regulate our uteruses.

I will fight with everything I have got to keep us out of those back alleys because it is the least that the women who came before us and fought for these rights deserve, and it is the least that our own daughters need. So enough of the hypocrisy, enough of the misogyny, enough of some men in hallowed halls of DC arguing that they know better than women in Illinois or Arizona or Missouri. We can and we must do better. That means proving that we care about women every day of the year, not just on one Sunday in May. That means codifying Roe now. Let's vote.

I yield the floor.

The PRESIDING OFFICER (Mr. PADILLA). The Senator from Texas.

ABORTION

Mr. CORNYN. Mr. President, over the last several days, the radical left has taken the debate about abortion to dangerous ends.

Last week, a liberal group launched an intimidation campaign against six members of the Supreme Court. They posted a map online with their home addresses and encouraged protesters to take their complaints straight to the Justices' doorsteps. No surprise as swarms of protesters heeded their call. They showed up at some of the Justices' homes this weekend.

Even though this plan was in the works for several days, the White House remained silent and refused to condemn this clearcut example of doxing.

It wasn't until yesterday morning, once the weekend's protest had concluded, that the White House Press Secretary said the Justices should be able to do their jobs without fearing for their personal safety or the safety of their families. And that wasn't the only alarming update from the weekend.

A pro-life group in Wisconsin was vandalized and set on fire on Sunday morning. The person or persons responsible smashed windows and attempted to use a Molotov cocktail. They left graffiti on the exterior wall of the building that read, ''If abortions aren't safe, then you aren't either.''

Threats of violence are never acceptable. It doesn't matter who is making the threat or who is on the receiving end. There is a world of difference between legitimate public discourse protected under the First Amendment to the United States Constitution and threats or acts of violence which are not.

Every single person in this Chamber, especially our Democratic colleagues, should affirm that any demonstrations about this heated issue cannot threaten the safety of anyone, Supreme Court Justices, pro-life advocates, or otherwise.

This past weekend's events have highlighted the need to better protect the Justices and their families. They deserve the protection that, at this moment, the Supreme Court Police are not able to provide. Last week, Senator COONS, the Senator from Delaware, and I introduced a bill to increase protection for all nine Justices and their families. This basically would be the same sort of authorities given to the Capitol Police in protecting Members of Congress.

The events of this weekend have underscored just how important this is. This legislation was at the request of the Chief Justice, who wants to ensure that members of the Court and their families have the security and protection they need, especially at this tense time when Justices are facing enhanced threats.

We currently have two Justices with school-age children, and in the coming months, that number will increase to three once Judge Jackson takes her place on the Supreme Court Bench. I am glad this bill passed the Senate last night, and I hope our colleagues in the House will take it up and pass it in the coming days.

This week, the issue at the center of this turmoil will be a topic of debate here in the U.S. Senate. The Democratic leader has promised that the Senate will vote on a radical abortion bill that goes far, far beyond codifying Roe v. Wade.

This radical pro-abortion bill that Senator SCHUMER has set for a vote on tomorrow allows for abortions at any point during a woman's pregnancy, up until the time of delivery.

It does this by prohibiting States from protecting an unborn child's right to life as long as one healthcare provider signs off that a pregnancy would pose a risk to the woman's physical or mental health.

It isn't hard to see that this is a blank check for abortion providers like Kermit Gosnell. You may remember that Dr. Gosnell was a physician in Philadelphia, PA, who ran something called the Women's Medical Society Clinic but which was dubbed a ''house of horrors'' during his subsequent trial.

He was also a prolific prescriber of OxyContin, but in 2011 Dr. Gosnell and his wife Pearl and eight employees were charged with a total of 32 felonies and 227 misdemeanors in connection with the deaths, illegal medical services, and regulatory violations at his abortion clinic.

Pearl and the eight employees pleaded guilty to various charges in 2011, while Dr. Gosnell pleaded not guilty and sought a jury trial. After that trial, Dr. Gosnell was convicted of first-degree murder in the deaths of three infants and involuntary manslaughter in the death of Karnamaya Mongar, an adult patient at the clinic following an abortion procedure.

Gosnell was also convicted of 21 felony counts of illegal late-term abortions and 211 counts of violating Pennsylvania's 24-hour informed consent law.

After his conviction, Gosnell waived his right to appeal, and in an exchange for an agreement from prosecutors not to seek the death penalty, he was sentenced to life in prison without parole.

Not only does the radical abortion bill that Senator SCHUMER has teed up a vote on tomorrow usurp the constitutional role reserved to the States, it would allow a child born after 21 weeks of gestation to be aborted. Next month, a baby who was born at 21 weeks and 2 days will celebrate his second birthday. But this extreme legislation would invalidate all State laws that limit abortions after 20 weeks of gestation.

This wouldn't just impact pro-life red States; this change is so radical that it would invalidate existing laws in blue States as well. In Massachusetts and Nevada, for example, abortions are restricted after 24 weeks. In California, Washington, and Illinois, abortions are restricted after viability.

If this legislation were to become law, those laws would be preempted under the supremacy clause of the Federal Constitution.

Now, this sort of radical lurch and knee-jerk reaction to a draft opinion

illegally leaked by somebody at the Supreme Court—this reaction is way out of step with the views of most Americans when it comes to the sensitive and emotional issue of abortion.

A poll last summer found that 65 percent of Americans believe abortion should be illegal in the second trimester. Opposition to third trimester abortion is even stronger—an overwhelming 80 percent of Americans are opposed to late third trimester term abortions.

But under this legislation, States would have no power to stop the radical procedure known as partial birth abortion as long as one provider signed off that the mother's mental health might be affected.

What that is, is not defined and is left to the imagination. But just when you think it is bad, it gets worse. This bill would also invalidate laws that prevent abortion from being used as a method of sex selection. In other words, this legislation allows a parent who is hoping for a son to abort a baby girl.

This is a type of practice that sadly became common in China during the era of the one-child policy. It is not something that should happen in America.

Not only that, this bill undermines State efforts to protect unborn babies with disabilities, like Down syndrome. Unborn children being killed based solely on gender or disabilities is a devastating problem in other countries.

We cannot allow such grotesque practices to become mainstream here in America. America is better than that.

This bill that the majority leader has teed up a vote on tomorrow would also invalidate conscience laws, which protect healthcare providers who have deeply held objections to abortion.

Conscience laws are extremely common—46 States allow individual healthcare providers to refuse to provide abortion services.

This law that we will be voting on tomorrow would wipe away all of those existing State laws. Any healthcare provider who had a deeply held religious or moral objection to abortion would be required by Federal law to provide them anyway. Any healthcare provider who refused to do so could find themselves on the receiving end of a lawsuit.

This radical pro-abortion legislation removes a range of commonsense protections that exist in States across the country. It does away with State laws that limit the performance of abortions to licensed physicians, meaning nonphysicians could perform and prescribe abortions; and it provides no protection for babies who survive a botched abortion.

It invalidates informed consent laws, which require healthcare providers to share information about the baby with the mother, such as whether the child is capable of feeling pain.

And it gives the Attorney General of the United States sweeping authority to block State laws protecting the right to life.

This legislation would overturn existing laws and allow abortions on a scale our country has never seen before.

It is a sad commentary on the conscience of America when all but a handful of our Democratic colleagues are fighting to implement these radical policies.

As it stands today, the United States is only one of a handful of countries that allows elective abortions after 20 weeks. Other countries on that list of seven include the People's Republic of China, ruled by the Chinese Communist Party, and North Korea.

This should be a massive red flag for our colleagues across the aisle that our compassion for the unborn ranks right up there with the People's Republic of China and North Korea; but, unfortunately, they don't see the inherent humanity of these lost innocent lives.

The extent to which the Democratic Party continues to embrace such radical policies never ceases to amaze me.

As shocking as this legislation is, it is not entirely new. It already failed to pass the Senate once this year. It couldn't even earn the support of all 50 Democratic Senators. It failed on a 46–48 line vote. Democrats haven't made any changes that will move the needle in their direction in this bill that we will vote on tomorrow.

I simply do not agree that the American people want abortion laws in our country that put us on par with the Chinese Communist Party and North Korea—two of the world's most aggressive human rights abusers.

America cannot be its best if we do not value the lives of our most vulnerable. I believe babies—fellow human beings with heartbeats, fingerprints, just like the rest of us—deserve to have protection under the law—under State laws that would, if in the event Roe were overturned, be the ultimate arbiter of what the laws would be in those individual States.

The Declaration of Independence itself guarantees the right to life, liberty, and the pursuit of happiness, and I believe that right to life extends to the unborn, just as it does to every other American.

I have always believed in defending the right of the unborn to life, liberty and the pursuit of happiness, and I will continue to fight this bill, no matter how many times the majority leader brings it to the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, last week, Americans woke up to the news that was perhaps not unexpected but still stunning.

It appears that in a matter of weeks, we may soon live in a country where women have fewer constitutional rights than their parents or grandparents.

In one bold move, the ultraconservative, activist majority on the Supreme Court appears poised to erase the constitutional right to choose whether or not to carry a pregnancy to term.

I want to be clear: The leak of the majority draft opinion in Dobbs v. Jackson Women's Health Organization is an unprecedented breach of the Court's confidential deliberations. It may harm the trust the Justices have with one another, as well as the public's trust in the Court.

Still, one must wonder, Why is it that our Republican colleagues have been focused so exclusively on the leak of the draft opinion rather than the substance of the opinion itself? And why do we hear in the last few days a continued reference to the security of Supreme Court Justices without a real discussion of where the proposed opinion will take us?

Let's make it clear—unequivocally clear—in a bipartisan fashion: Violence is never acceptable. Violence is never acceptable against Supreme Court Justices, their families, their staff, or anyone associated with that branch of government.

Nor is violence acceptable on January 6, 2021, in this Chamber, when the mob—the insurrectionist mob—leaving a Trump rally came here and tried to stop the business of the U.S. Senate and the House of Representatives, and we left as fast as we could move out the back door to try to escape that. That was violence which led to five deaths and the assaults on 150 members of law enforcement. That violence is unacceptable as well, and I hope my friends on the other side of the aisle, who vetoed an effort for a bipartisan commission to investigate the violence of January 6, will step up now and say they were wrong.

Violence against a Supreme Court Justice, violence against a Member of the House, and a Member of the Senate—none of those is acceptable, period. Unequivocally. Period.

I am in favor of protecting the Justices, of course. I have been party to efforts in my home State of Illinois, after a tragic incident over 10 years ago, when a disgruntled client ended up killing a Federal judge's mother and husband in their home.

Since then, I have called for more security, and I am glad to add my name to this effort now to provide security to this Court and all the members of the Court, their families, and the staff who are involved.

It is unacceptable. Violence, either in this building or across the street, is unacceptable.

But I would like to speak as well to the substance of the statement just made by the Senator from Texas.

He recalled the case of Kermit Gosnell, a case where a doctor in Philadelphia was convicted, virtually of infanticide—repeated cases of infanticide—and he was sentenced, ultimately, to life in prison, where he still spends his time serving that out, with no chance of parole, nor should he ever have a chance at parole.

I struggle to get the connection between the crime of infanticide and the debate we are having, because there is nothing in the bill coming to the floor by the Democrats which is going to change that basic finding in the case in Pennsylvania.

That doctor, now removed from his profession and serving time in Federal prison, was guilty of a crime, and the bill before us on the floor of the Senate will not change that reality at all. I don't know if that was the inference, but I took it to mean that. I hope I was wrong.

We need to acknowledge the basics that a critical constitutional right may be removed by the Supreme Court.

I am an amateur historian studying the history of this country. I can't think of another time when a constitutionally guaranteed right by Supreme Court opinion of over 50 years has been removed by the Court. But that is what we face now—on the right of Americans to make the most basic decisions about their health, their lives, and their future.

Sadly, many Republicans are desperately trying to deflect from this ruling and what it means for every single American.

If the legal reason in the Court's draft opinion becomes final, that decision in Dobbs will end a half-century guarantee that the right to abortion is protected in our Constitution.

Republicans know that overturning Roe v. Wade and eliminating access to a woman's healthcare is extremely unpopular.

When asked point-blank whether we should do it, only 28 percent of Americans say that they agree.

In a world without Roe, Americans would not only be denied healthcare services they are entitled to, it is possible—it is possible—that some will be prosecuted.

Far-right lawmakers have been feverishly anticipating this moment. Over the past week, some of these same officials have introduced legislation around the country designed to punish women for making the basic decisions about reproductive health.

State legislators in Louisiana introduced a bill to allow prosecutors to bring murder charges against a woman who undergoes or anyone who provides an abortion.

The same Louisiana bill would seemingly call into question the legality of in vitro fertilization, as well as IUDs, the morning after pill, and other forms of emergency contraception.

I am glad I was on the floor a few minutes ago. My colleague, Senator DUCKWORTH, talked about her two little girls—cutest kids you can imagine.

I remember those kids from the earliest time. When I was in a car driving in the State of Illinois to an event in Bloomington, the phone rang and it was TAMMY DUCKWORTH. She was my colleague in the U.S. Senate and—she was going to be my colleague in the U.S. Senate, and she was a Member of the House of Representatives, and she told me that she was going to have a baby. I couldn't believe it.

TAMMY and I have known one another since a few weeks after her, I should say, terrible crash of the helicopter in Iraq. I had known what she had gone through, surgeries and recovery, and I was the one who encouraged her to run for office, and I am sure glad I did. She has become the voice of the military, the voice of veterans, and one of most powerful voices in the U.S. Senate.

And when she told the story about those two little girls, born through the process of in vitro fertilization, it struck home.

I am fortunate enough as a grandfather to have two in vitro grandbabies. I love them to pieces, and I thank goodness that there was a science achievement available to help my daughter deliver those beautiful kids.

A Republican lawmaker in Idaho said he is open to banning certain forms of birth control if this decision goes forward at the Supreme Court. He wanted to include plan B emergency contraception and IUDs.

Think about that. State by State, legislator by legislator, will decide what is acceptable when it comes to contraception.

Now, some people are going to think: DURBIN, you are exaggerating. Democrats are at it again exaggerating.

But I am old enough to remember before Griswold, the regulation of contraception in those days when it was virtually, in many States, even illegal to buy a condom.

And so you think I am exaggerating? We lived at that time.

It wasn't until Griswold v. Connecticut, decided by the Supreme Court, that established a right of privacy under our Constitution, which then led to Roe v. Wade. That was America. It was an America which, sadly, many Republican lawmakers long for.

A lawmaker in Missouri introduced a bill that deputizes bounty hunters to sue anyone who helps a woman seeking an abortion outside the State of Missouri.

I wanted to remind my colleague from Texas, who spoke just before me, it was the Texas bounty hunter's law that started this conversation in earnest.

In Texas, they decided that there would be a civil penalty that can be charged against those who were engaged in an abortion, and the person could claim that penalty if they disclosed that to the public.

Just a few days ago, the Republican leader in this body, Senator MCCONNELL of Kentucky, said that a national ban on abortion could be ''possible''—a national ban if Roe is overturned and the Republicans take control of the Senate.

Leaving it up to each State to decide a woman's reproductive rights is creating a patchwork quilt of uncertainty. Your constitutional rights would depend on your ZIP Code, but that is exactly the future we are facing.

To be sure, Democratic State legislatures will continue to protect access to abortion unless, of course, Republicans in Congress enact the national ban that Senator MCCONNELL said is possible.

In the absence of a national ban, if you can afford to travel, you will be able to access reproductive care in States like Illinois and Connecticut. But what about everyone else? If the right to have an abortion now depends on where you live or how much money you make, millions of women, many from historically marginalized communities, will face even greater hurdles in obtaining an abortion.

America already has one of the worst maternal mortality rates in the developed world. Drastically restricting access to abortion or banning abortion altogether will make those rates worse.

Republicans and anti-choice activists are trying to minimize the impact that erasing Roe would have. They talk about other times the Supreme Court has overturned precedent, and they argue—disingenuously, I think—that this is how the Court has always worked. It corrects its own past mistakes.

They claim that overturning Roe is no different than the Supreme Court overturning Plessy v. Ferguson—a decision which gave us the odious fiction of ''separate but equal'' that was later overturned by Brown v. Board of Education. But there is a profound difference. It appears that never before in the history of America has a Supreme Court decision to abandon settled law made Americans less free—never. In the past, when the Court has taken the serious step of overturning settled law, it has done so to expand freedom, expand opportunity, not eliminate it. What the activist, anti-choice majority on this Court will do is unprecedented, radical, and dangerous.

Here is another fact that Republican lawmakers are hoping you will not notice: It is not just the right to abortion that is in jeopardy; Justice Alito's draft opinion in the Dobbs case questions the very existence of the right to privacy. It argues that unenumerated rights—that is, rights not explicitly mentioned in the Constitution—must be deeply rooted in U.S. history and tradition in order to be recognized as a constitutional right. Who decides what is deeply rooted in history and tradition?

The Court's Obergefell v. Hodges decision established marriage equality only 7 years ago. Will the Court's reactionary majority put that next on the chopping block?

What about the right to contraception, as I mentioned before, established by Griswold v. Connecticut 11 years before Roe? A Republican Member of this body recently criticized that decision establishing the privacy right of every individual to choose the contraception

right for their family. He described this as ''constitutionally unsound.''

Rather than settling the debate on abortion, the draft Dobbs opinion would further divide our fractious Nation and set the stage for a radical majority in the Court to erase even more constitutional rights. It would give government the power to dictate your rights and dictate your future. That is why we must take action to protect women's productive rights.

Tomorrow, the Senate will vote on the Women's Health Protection Act. This bill will codify the right to provide or obtain an abortion free from medically unnecessary restrictions. The American people deserve to know where their Senators stand. I will not stop fighting for the right of every American, especially the women of America, to have these rights as established for over 50 years.

For years, the Republicans have claimed they are the party of families, the party of family values. Yet they have spent decades ignoring the needs of working families. Republicans are willing to force women to carry unwanted or unexpected or even dangerous pregnancies to term, but they are not willing to help them raise their children.

There are aspects of their voting patterns in the Senate that make it clear that when it comes to helping families with the basics, such as tax credits for children, making sure that families have paid medical leave for their newborns or other family members—all of these things are family friendly and family values. Unfortunately, they are not supported by many, if any, Republicans. That would be a demonstration that they truly care for families.

I yield the floor.

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. 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.

NOMINATION OF ASMERET ASEFAW BERHE

Mr. BARRASSO. Mr. President, I come to the floor today in opposition to the nomination of Dr. Asmeret Berhe, who has been nominated to serve as the Director of the Office of Science at the U.S. Department of Energy.

The Office of Science is the Nation's largest Federal sponsor of basic research in physical sciences. Its mission is to advance the energy, economic, and national security of the United States. This job, this mission to advance the energy, economic, and national security of the United States is one that I view as very critical.

Dr. Berhe has been a professor of soil biogeochemistry—soil biogeochemistry—at the University of California Merced for over a decade. Now, she has focused her research on soil management and sequestering carbon in the soil. Her background and her experience have very little to do with the Department of Energy's main scientific focus.

A May 9, 2001, op-ed in the Wall Street Journal by a physicist whose expertise is theoretical physics has noted:

Ms. Berhe's research program on soil chemistry, exploring the capture of carbon dioxide, is relevant to climate-change policy. But her research expertise isn't in any of the Office of Science's major programs, and she has no experience as a scientific administrator and minimal experience with the Energy Department itself.

So not that there is anything wrong with her underlying experience to do other things, but for this specific position, the qualifications just aren't there. Dr. Berhe is clearly not the right choice to lead the Office of Science.

Certain positions Dr. Berhe has taken or endorsed are also concerning. On February 28, 2001, she retweeted this statement:

I'm just going to propose that a nation that can land an SUV sized rover in an ancient lake on another planet can build an electrical grid that is not [f---ing] useless—

This is her retweeting—

because of slavish devotion to the free market.

Apparently, we are devoted to the free market, and she doesn't like it.

On May 7, 2015, she wrote in Science that ''the practice of farming'' is to blame for climate change. ''The practice of farming'' is to blame for climate change.

Dr. Berhe is not the right person to serve as the Director of the Office of Science. I rise in opposition to her nomination. I urge my colleagues to join me in voting against this nominee.

I yield the floor.

VOTE ON PHILLIPS NOMINATION

Mr. BARRASSO. Mr. President, I ask unanimous consent to start the vote.

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

The question is, Will the Senate advise and consent to the Phillips nomination?

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Ms. LUMMIS) and the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Florida (Mr. SCOTT) would have voted ''nay.''

The result was announced—yeas 75, nays 22, as follows:

[Rollcall Vote No. 162 Ex.]

YEAS—75

Baldwin	Hassan	Portman
Bennet	Heinrich	Reed
Blackburn	Hickenlooper	Risch
Blumenthal	Hirono	Romney
Blunt	Hoeven	Rosen
Booker	Hyde-Smith	Rounds
Brown	Kaine	Sasse
Burr	Kelly	Schatz
Cantwell	Kennedy	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Luján	Stabenow
Collins	Manchin	Sullivan
Coons	Markey	Tester
Cortez Masto	McConnell	Thune
Cramer	Menendez	Tillis
Crapo	Merkley	Van Hollen
Duckworth	Moran	Warner
Durbin	Murkowski	Warnock
Feinstein	Murphy	Warren
Fischer	Murray	Whitehouse
Gillibrand	Ossoff	Wicker
Graham	Padilla	Wyden
Grassley	Peters	Young

NAYS—22

Barrasso	Ernst	Paul
Boozman	Hagerty	Rubio
Braun	Hawley	Scott (SC)
Cassidy	Inhofe	Shelby
Cornyn	Johnson	Toomey
Cotton	Lankford	Tuberville
Cruz	Lee	
Daines	Marshall	

NOT VOTING—3

Lummis	Sanders	Scott (FL)

The nomination was confirmed.

The PRESIDING OFFICER (Mr. LUJÁN). 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.

CLOTURE MOTION

The PRESIDING OFFICER. 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 nomination of Executive Calendar No. 773, Asmeret Asefaw Berhe, of California, to be Director of the Office of Science, Department of Energy.

Charles E. Schumer, Sheldon Whitehouse, Mark Kelly, Jack Reed, Catherine Cortez Masto, Patty Murray, Margaret Wood Hassan, Mazie K. Hirono, Tim Kaine, Tammy Baldwin, Robert P. Casey, Jr., Kirsten E. Gillibrand, Patrick J. Leahy, Ron Wyden, Amy Klobuchar, Richard J. Durbin, Jeff Merkley.

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 nomination of Asmeret Asefaw Berhe, of California, to be Director of the Office of Science, Department of Energy, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Ms. LUMMIS).

The yeas and nays resulted—yeas 53, nays 45, as follows:

[Rollcall Vote No. 163 Ex.]

YEAS—53

Baldwin	Hassan	Padilla
Bennet	Heinrich	Peters
Blumenthal	Hickenlooper	Reed
Booker	Hirono	Rosen
Brown	Kaine	Schatz
Cantwell	Kelly	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Cassidy	Luján	Stabenow
Collins	Manchin	Tester
Coons	Markey	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warnock
Durbin	Murkowski	Warren
Feinstein	Murphy	Whitehouse
Gillibrand	Murray	Wyden
Graham	Ossoff	

NAYS—45

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Toomey
Daines	Moran	Tuberville
Ernst	Paul	Wicker
Fischer	Portman	Young

NOT VOTING—2

Lummis	Sanders

The PRESIDING OFFICER (Ms. SINEMA). On this vote, the yeas are 53, the nays are 45.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Asmeret Asefaw Berhe, of California, to be Director of the Office of Science, Department of Energy.

RECESS

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

Thereupon, the Senate, at 1:11 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Massachusetts.

WOMEN'S HEALTH PROTECTION ACT

Mr. MARKEY. Mr. President, in the aftermath of last week's leak of the draft Supreme Court opinion of Dobbs v. Jackson Women's Health Organization, we are facing one of the lowest moments in history for our Nation's highest Court.

An illegitimate, far-right majority on the Court is poised to overturn Roe v. Wade and Planned Parenthood v. Casey and take away a fundamental constitutional right that has been the law of the land for almost 50 years—the right to a legal, safe abortion. Every American deserves the right to make their own decisions about their own bodies.

While the leaked opinion may only be a draft, we cannot ignore the profound threat it poses. That is because the opinion is the outrageous culmination of a rightwing campaign to take over the Court and take America back to the days when far too many faced not only a loss of liberty but a loss of life when seeking abortion care.

It validates the theft of two Supreme Court seats by President Trump, then-Leader MCCONNELL, and Senate Republicans.

It confirms that conservative Justices lied to the Congress and the American people about their commitment to the Court's precedent and the rule of law.

Overturning Roe v. Wade will undermine the health, safety, and freedom of millions of Americans, and it will create horrific pain and hardship for people all across the Nation, especially those without the means or resources to travel to States where abortion will remain safe and legal.

Already, for pregnant Americans in red States across the country, access to abortion is functionally denied because of a lack of funds, geography, immigration status, and other barriers. This war on people of color and the poor is already being waged, and we cannot let the Supreme Court provide deadlier weapons.

If the extremist rightwing of the Court is willing to abandon something as fundamental as the right to privacy and the right for Americans to make decisions about their own bodies, then we are on a slippery slope to the undoing of other fundamental rights the Court has recognized as being grounded in the right to privacy, including the right to use contraception or the right to marry whomever you love.

But this was the goal of the Republicans and the rightwing all along: steal the Supreme Court seats, steal an election, and steal the rights of Americans.

This is the direct consequence of an anti-majoritarian and anti-democratic national electoral system that allowed two Presidents, who both lost the popular vote, to nominate more than half of the current Justices to the U.S. Supreme Court and allowed them to be confirmed by Senators representing a minority of the Nation's population.

This is the racist, misogynistic, xenophobic manifestation of a radical rightwing, extremist vision of America that is out of step with the vast majority of Americans. In fact, by a 2-to-1 margin, Americans say Roe v. Wade should be upheld.

This egregious and overtly political act cannot be allowed to go unanswered. Faith in our judicial system is in jeopardy, so we are left with no other choice. We have to immediately pass Federal legislation that protects millions of Americans' right to choose, that lifts dangerous and discriminatory bans on abortion, and that removes unnecessary limits on reproductive freedom.

The Women's Health Protection Act will do all of that by codifying Roe so as to affirm it as the law of the land. The Women's Health Protection Act enshrines in Federal law a healthcare provider's right to provide abortion services and a patient's right to receive them.

Among its provisions, the bill would prohibit previability bans designed to undercut the right to an abortion, like the 15-week ban imposed by the Mississippi law at issue in Dobbs or specious ''heartbeat'' bans like the one imposed by Texas's SB 8.

The Women's Health Protection Act would prohibit bans that do not make exceptions for the patient's health or life. I am appalled that any Member of Congress could consider themselves in support of women but then support a ban that explicitly devalues life.

This bill would also ban so-called TRAP laws—the targeted regulation of abortion providers—that impose onerous and unwarranted requirements on facilities and providers who do nothing to promote health but, rather, make it nearly impossible for healthcare providers to keep their doors open.

The bill would also prohibit requirements that providers share medically inaccurate information and impose medically unnecessary and manipulative tests and procedures like mandatory ultrasounds.

It would prohibit limitations that prevent providers from caring for patients by telemedicine—a service that we have all learned to have been invaluable over the course of the pandemic and one that is all the more necessary for abortion care given the already draconian laws in some red States across the country.

It would bar other unjustified, onerous, and discriminatory practices intended to place obstacles in the path of those seeking abortion services.

In short, the Women's Health Protection Act will safeguard the rights established by 50 years of Supreme Court precedent and would protect abortion access even if Roe is overturned.

This bill is all that is standing between the America we have known for decades and one that plunges millions of people back in time—into despair, pain, poverty, and forced parenthood.

If we fail to act, we know Republicans will. If the Supreme Court overturns Roe v. Wade, 28 States are poised to ban abortion outright. Of those, 13 States already have trigger bans in place—activating laws that would ban abortion automatically when Roe is overturned.

These bans and attacks fall hardest on those most marginalized, including people of color, LGBTQ people, people with low incomes, and those in rural communities. Many of these States would criminalize abortion. Those seeking abortions and those performing them would face the prospect of prison.

It is not just at the State level. The Republican leader in the Senate has said the quiet part out loud: If Republicans gain control of the Senate, they could consider Federal legislation that bans abortion as passing on the floor of this Senate.

We can't sit idly by and wait for the worst to happen. It is already at our doorstep. We must make the right to safe and secure reproductive health and freedom the law of the land. We must do it now.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

NOMINATION OF ASMERET ASEFAW BERHE

Mr. MANCHIN. Madam President, I am pleased to support the nomination of Dr. Asmeret Asefaw Berhe to be the Director of the Office of Science at the Department of Energy.

President Reagan famously complained that the Department of Energy never ''produced a quart of oil or a lump of coal,'' but that was never the Department's job.

The Department of Energy is as much a Department of Science and Technology as a Department of Energy. For nearly 50 years, it has been at the forefront of scientific discovery and technology innovation. As a seedbed for science, the Department has given us the technologies to increase our energy production and use our resources in a cleaner and more efficient way, and the Office of Science lies at the heart of the Department's science mission.

It is the Nation's largest Federal supporter of basic research in the physical sciences. Its mission is to deliver the ''scientific discoveries, capabilities, and major scientific tools to transform the understanding of nature and to advance the energy, economic, and national security of the United States.''

Leading this important scientific enterprise calls for a scientist of great ability and vision. I believe Dr. Berhe is very qualified for this important job. In judging from the long list of academic honors and awards that she has received and the long list of scientific papers that she has written, Dr. Berhe has the scientific credentials this job requires. She is a professor of soil biochemistry at the University of California, where she is also an associate dean of graduate education and holds an endowed chair in Earth Sciences and Geology.

The Office of Science itself has long engaged in basic research relating to soil science and broader ecological questions, whether they be tracing radioactive elements through the atmosphere or the flow of energy, water, and carbon through the Earth's natural systems. So her background is an asset and makes her very well suited to lead the Office of Science.

Dr. Berhe is also an adjunct professor at the Salk Institute for Biological Studies, and she has been a visiting professor at ETH Zurich, where Albert Einstein studied physics. She didn't teach him, but he studied there. She has authored over 100 scientific papers and has received over two dozen honors and awards for her scientific achievements.

She is incredibly well qualified for this important post of leading the Office of Science. I strongly support her nomination, and I urge a favorable vote on her nomination.

I yield back all time.

VOTE ON BERHE NOMINATION

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is, Will the Senate advise and consent to the Berhe nomination?

Mr. MANCHIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Ms. LUMMIS).

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 164 Ex.]

YEAS—54

Baldwin	Hassan	Padilla
Bennet	Heinrich	Peters
Blumenthal	Hickenlooper	Reed
Booker	Hirono	Rosen
Brown	Kaine	Sanders
Cantwell	Kelly	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Sinema
Cassidy	Luján	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warnock
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden

NAYS—45

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Toomey
Daines	Moran	Tuberville
Ernst	Paul	Wicker
Fischer	Portman	Young

NOT VOTING—1

Lummis

The nomination was confirmed.

The PRESIDING OFFICER. 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.

The majority leader.

MOTION TO PROCEED ON MOTION TO RECONSIDER CLOTURE VOTE

Mr. SCHUMER. Madam President, I move to proceed to the motion to reconsider the vote by which cloture was not agreed to on Executive Calendar No. 844, the nomination of Lisa DeNell Cook.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed to the motion to reconsider.

The motion was agreed to.

MOTION TO RECONSIDER

Mr. SCHUMER. Madam President, I move to reconsider the vote by which cloture was not invoked on Calendar No. 844.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider.

The motion was agreed to.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 844, Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010.

Charles E. Schumer, Mazie K. Hirono, Martin Heinrich, Tim Kaine, Jack Reed, Jacky Rosen, Ben Ray Luján, Christopher A. Coons, Alex Padilla, Sheldon Whitehouse, Sherrod Brown, Debbie Stabenow, Christopher Murphy, Patrick J. Leahy, John W. Hickenlooper, Tammy Baldwin, Angus S. King, Jr.

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

The question is, Is it the sense of the Senate that the debate on the nomination of Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Ms. LUMMIS).

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 165 Ex.]

YEAS—50

Baldwin	Carper	Gillibrand
Bennet	Casey	Hassan
Blumenthal	Coons	Heinrich
Booker	Cortez Masto	Hickenlooper
Brown	Duckworth	Hirono
Cantwell	Durbin	Kaine
Cardin	Feinstein	Kelly

King	Ossoff	Smith
Klobuchar	Padilla	Stabenow
Leahy	Peters	Tester
Luján	Reed	Van Hollen
Manchin	Rosen	Warner
Markey	Sanders	Warnock
Menendez	Schatz	Warren
Merkley	Schumer	Whitehouse
Murphy	Shaheen	Wyden
Murray	Sinema	

NAYS—49

Barrasso	Graham	Risch
Blackburn	Grassley	Romney
Blunt	Hagerty	Rounds
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Marshall	Toomey
Crapo	McConnell	Tuberville
Cruz	Moran	Wicker
Daines	Murkowski	Young
Ernst	Paul	
Fischer	Portman	

NOT VOTING—1

Lummis

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 49.

The motion, upon reconsideration, is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010.

The PRESIDING OFFICER. The Senator from Massachusetts.

WOMEN'S HEALTH PROTECTION ACT

Ms. WARREN. Madam President, I rise today to urge the Senate to take action to protect abortion rights and defend our constitutional rights.

A far-right, extremist Supreme Court wants to force their views on every American. Roe v. Wade has protected the right to a safe, legal abortion for nearly 50 years. Though Republicans have tried to challenge it in court many times, the Supreme Court has reaffirmed Roe over and over and over again—until now.

So what changed? Why is something that is repeatedly referred to as ''settled law'' on the threshold of being swept away like so much dust? Why is a law that literally tens of millions of people have depended on to protect access to a safe, legal abortion suddenly about to evaporate?

We don't arrive here accidentally. We are here because Republican politicians have spent decades plotting for this moment. They have cultivated extremist judges. Groups like the Federalist Society have screened possible candidates and drawn up lists of which possible candidates could and could not be counted on. Extremist donors spent billions in dark money so that their preferred ideologues could chip away at people's fundamental rights and do it from the Bench. Republican candidates for office pledged to support Justices who would get rid of Roe v. Wade. And, finally, when all of that still wasn't enough, Republicans stole two seats on the Supreme Court, all to force their unpopular minority agenda on the rest of America.

I am here to sound a warning. Republican extremism has been carefully nurtured for years. Now Republican extremism is spreading, and now it is obvious that Republican extremism knows no bounds.

Let's talk about the facts—the facts of Republican extremism—and let's begin with who pays the price for Republican extremism. Changes in abortion laws will have terrible consequences, but those consequences will not fall equally on everyone. No, those with money will always have the option to leave the State or leave the country to travel where abortion is safe and legal. No, the people who will pay the biggest price will be the most vulnerable among us—the mama already working two jobs to help make ends meet to support the children she has; the women working jobs who have no paid leave and who can't take 3 days off work to go to another State; the women in South Dakota scrambling to make an appointment at the only abortion clinic in the entire State; the 12-year-old who has been molested; the person who has been raped; the women in Texas who need lifesaving care their doctors can't provide; and the women all across the country, especially women of color, already facing shamefully high maternal mortality rates—because in America, carrying a pregnancy to term is 43 times riskier than a legal abortion.

These are the facts about overturning Roe v. Wade, and these are the people—disproportionately low-income women, women of color, and women in rural communities—who will pay the price for Republican extremism.

Overturning Roe is just the beginning. Republican State legislatures all across the country have already been emboldened by this Supreme Court, introducing hundreds of anti-abortion bills this year alone. States are now introducing bills to declare it a crime for someone to obtain an abortion, for someone to provide an abortion, or for someone just to help someone locate where they might get an abortion.

And where will the Republican extremists turn next? Will they investigate every miscarriage? Will they put every obstetrician and gynecologist on the watch list? Will they monitor location data for every person who pulls into the parking lot of a Planned Parenthood clinic?

Let's be absolutely clear about what will happen if this decision stands. Republicans want to do more than criminalize abortion; they want to criminalize women for making decisions about their pregnancies and their own health. This isn't theoretical. It is already coming to pass.

In Texas, where abortion has been virtually inaccessible to millions of Texans for the last 8 months, a young woman has been charged with murder for an alleged self-induced abortion.

An Oklahoma law has passed that would outlaw abortion even in the case of rape or incest. But what Republicans are really after is criminalizing women's very bodies.

In Louisiana, Republicans are pushing for the most extreme bill yet, legislation that would classify abortion as a homicide. If enacted, this bill could criminalize women for using certain forms of birth control or even for having a miscarriage that she had no control over.

And we know who will be the most affected by the overcriminalization of women's bodies. It will be women of color who are already overpoliced and face the greatest barriers to accessing healthcare.

The intrusiveness of these State laws is vile. Efforts to give fertilized eggs ''personhood'' rights and to criminalize abortion could make IVF procedures criminal, depriving someone who wants to get pregnant the only option available to her.

As some States get more and more aggressive about intruding into the private lives of millions of women, just this weekend, the Republican leader, MITCH MCCONNELL, signaled he is open to even more extremism. He said that a nationwide abortion ban was ''possible'' if Republicans retake the majority—a nationwide abortion ban applicable in every State, including those States that are currently working overtime to protect access to abortion; a nationwide abortion ban applicable to girls who have been molested and to people who have been raped and to women who are already working three jobs to support the women they have. Republican extremism is spreading. Republican extremism knows no bounds.

For me, this isn't about politics; this is personal. I have lived in a world where abortion was illegal. I learned early on that when the law bans abortions, only safe and legal abortions will actually be banned. I lived in a world in which women bled to death from back-ally abortions, a world in which infections and other complications destroyed women's futures, a world in which women's educations and lives were derailed by an unplanned pregnancy, a world in which some women took their own lives rather than continuing with a pregnancy they could not bear.

I have also lived in a world where abortion is legal. For decades, expanded access to abortion has allowed people to make decisions about their own bodies and lives, promoting access to life-changing opportunities and careers that have previously seemed out of reach. But the Republican extremists and the extremist Justices they have put on the Supreme Court just don't care. They want to send us back to the days when women's rights to control their own bodies and their own futures simply did not exist.

American freedoms are under attack. The liberty of more than half our population is under attack. Republicans have planned long and hard for this day, and now that it is here, we must stand and fight.

Tomorrow, the Senate will vote on the Women's Health Protection Act to enshrine the right to an abortion in Federal law. We need the Women's Health Protection Act to prevent radical rightwing State legislatures from ever enacting extreme bills like Texas's SB 8 or Mississippi's 15-week ban. With WHPA, we will take the steps necessary to protect our human rights. It is just that simple.

And for everyone who says we don't have the votes in the Senate to get this done, I say, then get in the fight and give us the Senators who will get it done. Don't tell us what we can't do to stop Republican extremism; get in the fight to help us beat these abortion restrictions into the dirt. Get in the fight to recognize the dignity and liberty of every American.

After this vote, there will be no ambiguity. Every American will know exactly where their elected representatives in Congress stand, and every Senator will have to explain whether they defend the right of every person to have control over their own bodies and their own futures or whether they will stand by as women's constitutional rights are brazenly stripped away.

Whenever this Court strikes down freedoms and rights guaranteed by the Constitution, Congress must defend Americans every single time. I am angry that a group of unelected ideologues on the Supreme Court think that they can turn current law upside down and dictate to tens of millions of people across this country the terms of their pregnancies and their lives.

But the Supreme Court does not get the last word on the right to a safe and legal abortion. The American people, through their leaders right here in Congress, can take action. And that is why I will vote to support the Women's Health Protection Act. That is why I will fiercely oppose any threat to our liberty. And that is why I will continue to fight with every bone in my body to protect the right of every woman to control her own future.

Republican extremism is spreading. Republican extremism knows no bounds. Tomorrow, we have a chance to fight back, and we will fight back.

I have lived in a world where abortion is illegal, and we are not going back—never.

I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, when I introduced the Women's Health Protection Act in 2013—yes, in 2013, almost 10 years ago—the idea that Roe v. Wade would be overturned by the U.S. Supreme Court was virtually unthinkable. We accepted 50 years of established precedent, long-accepted law in this country—as something that was virtually unimaginable.

Women relied on it. Our society took it as a core principle of our constitutional law, much as Brown v. Board of Education, Marbury v. Madison, Roe v. Wade, tenets and pillars of constitutional law in this country. And when we asked nominees to the U.S. Supreme Court, the three most recent of them—and I personally asked this question—is Roe v. Wade established law, they said to us that they would rely on stare decisis, which for everyday Americans is, basically, we will follow established precedent as articulated year after year by the U.S. Supreme Court.

The now well-reported Alito draft of an opinion overturning Roe v. Wade came like a thunderbolt, an earthquake, a seismic blow that constitutional scholars thought was unthinkable.

The draft itself is strident and brash. It is disrespectful in a way that Supreme Court opinions never are. It is unprecedented in its tone and approach, saying that Roe v. Wade was egregiously wrong, failing to accurately portray what it held and the reasons for its holding.

There is no question in my mind that the Court, in its final opinion, will smooth the edges of that draft. It will try to tone down the rhetoric. It will dress it up. But the result will be the same. No matter how the Court may try to dress it up, it will have the same impact on millions of Americans and their families because the U.S. Supreme Court is poised to issue the most radical ruling in recent history—perhaps in the entire history of the United States—the most extreme contraction of fundamental constitutional rights in the history of the United States.

Let's indulge ourselves for a moment in a belief in the American dream and the exceptionalism of America, which is to expand rights and liberties. The story of America is expanding freedoms and liberties for all of us, not reducing it, restricting it. But this Supreme Court is poised to eradicate a fundamental right that millions of Americans have relied on for half a century. The Court has signaled that it will inflict an enormous leap backwards, with incalculable costs and chaos for countless women and their families. If the Court indeed overturns Roe, 23 States have laws that would immediately go into effect to be used to restrict the legal status of abortion.

Today, 90 percent of American counties already lack a single abortion provider—not one in 90 percent of American counties—and 27 cities have become so-called abortion deserts because people who live there have to travel 100 miles or more to reach a provider. Without the protections of Roe, this situation will become even worse for millions of Americans. Women in Louisiana, just to take one example, will be 630 miles from the nearest abortion clinic. Women in Florida, Texas, Mississippi, Utah, and many other States would be in a similar position. Access to reproductive freedom will depend on a woman's ZIP Code, not on her personal choices or her needs.

Abortion bans without Roe will disproportionately impact low-income women in those 23 States poised to ban abortion.

Justice Alito—perhaps not surprisingly—fails to address the ways that the Court's ruling will disproportionately impact communities of color all around the United States. There is an issue here of racial justice because these restrictions disproportionately affect Black women and other racial minority communities. Today, fewer than 1 in 10 abortion providers are located in neighborhoods where the majority of residents are Black. That is a simple, straightforward fact of life. And the closure of clinics will make it only worse.

The simple fact is that Dobbs will turn back the clock. It will roll back protections relating to fundamental rights.

May I say that the same people who argue that mask requirements designed to protect public health infringe on their fundamental liberties are perfectly happy sending the government into a hospital room as a couple makes an incredibly difficult, personal life decision. The same people who see masks as an infringement on bodily autonomy are perfectly happy with the government telling a woman who comes to a hospital, possibly in mortal danger of internal bleeding from an ectopic pregnancy: You will have to die. No doctor can help you.

That is not bodily autonomy; that is not liberty.

After the Court's final decision in Dobbs, today's young women, the young women of 2022, will have fewer rights than their grandmothers. Young women today will have fewer rights than two generations ago. To someone who recalls the seminal decision in Roe v. Wade in 1973 and the promise of that moment, it is unacceptable.

I was a law clerk to the author of Roe v. Wade in the term after he wrote the opinion. Justice Blackmun and the Court decided by a 7-to-2 majority—7 to 2; Justice Blackmun was appointed by a Republican President—that this right is fundamental. Whether you criticize the decision—and there have been plenty of people who criticized that opinion—it has been established law, relied on, incorporated in precedent after precedent. And now, in the Women's Health Protection Act, we ask that it be incorporated in statute, that the Roe v. Wade standard be enshrined and embodied in a statute, just as Connecticut did in its State statute in 1990—a law that I championed when I was in our Connecticut State Senate.

In lieu of well-established Supreme Court precedent, Justice Alito relies on a 17th-century English jurist who advocated for marital rape and who tried women for witchcraft. This isn't just judicial activism; this is extremism. This is fringe history cloaked in a judge's robe.

And do you know what is conspicuously absent from Justice Alito's radical draft opinion? What is absent is women. Justice Alito gives absolutely no credence to the empirical evidence before the Court—evidence offered by health experts and economists who demonstrate the ways in which women have relied upon abortion access to make decisions about their health, their lives, their careers, and their future. Instead, he gestures at the fact that women have the right to vote as evidence they don't need the right to control their lives and their own bodies. I am sorry, but the right to vote is where rights begin; it is not where they end.

And we know the truth, whether or not Justice Alito acknowledges it: The Court's world without Roe would not just impact one segment of society, one demographic, one geographic area; it will affect all of us. One in four American women will undergo an abortion in her lifetime—one in four.

To the men of America, all of you love someone, you know someone, you treasure someone who has had an abortion, who has needed an abortion. You can't sit this one out.

It is all of us, men as well as women. We all have a stake in this radical decision that will affect all of America and make us a lesser nation with fewer rights and liberties.

The Court's draft opinion in Dobbs is just the next step in a multidecade fight which the Court has waged on abortion access. It has already shown willingness to dramatically curtail the right of a pregnant person to decide whether and when to have a child. Just ask women in the State of Texas. They are living in a State without the protections of Roe v. Wade, with a dangerous anti-abortion law, SB 8, which contains a 6-week abortion ban. Six weeks is far before many women even know they are pregnant, as all of us in this Chamber know.

Texas's dangerous law deputizes private citizens to enforce the State's onerous abortion law. In Texas, a rapist can sue a doctor if they provide an abortion to a rape survivor. Someone who drove their sister to a healthcare clinic where she has an abortion could be sued, again, by anyone in the United States—anybody—with a $10,000 government prize money waiting for that bounty hunter. This is extremism—extremism—in a judge's robes.

I am proud to say that the State of Connecticut today has a law—literally, the Governor signed this law today—making sure that people are protected in Connecticut against those kinds of bounty hunters. My hope is that other States will follow Connecticut in providing that kind of basic protection.

It has never been more urgent for the Congress at the Federal level to pass the Women's Health Protection Act. The Women's Health Protection Act would protect rights established by 50 years of Court precedent, protecting the right to an abortion prior to fetal viability. It would put an end to laws like the 15-week ban on abortion that is now before the Court in the Dobbs case.

Importantly, as well, the Women's Health Protection Act would put an end to medically unnecessary restrictions posing as health restrictions that single out abortion care with one goal in mind: to block and impede access to safe, needed healthcare—laws like the so-called TRAP law, or targeted regulation of abortion providers; such as minimum measurements for room size or hallway width that have no rationale other than the transparent desire to curtail access; laws that require providers to offer medically inaccurate information when providing abortion care, like in Alaska, Kansas, Mississippi, Texas, and West Virginia, where healthcare professionals are forced to tell women—give them medically inaccurate information about links between abortion and breast cancer. It would put an end to a reality where our doctors are required by law to lie and mislead about the risks of a safe medical procedure, and it would restore an evidence-based approach to informed consent.

In short, it would essentially guarantee the right that exists now, and it will exist until the Supreme Court rules that you can decide whether and when to have children.

Let us be very clear about what the Women's Health Protection Act does and what it doesn't do. It does not force any unwilling medical provider to perform abortions if they wish not to do so. It says that doctors, nurses, and hospitals may provide abortion care, not that they must do so.

This measure is an evidence-based, scientific approach to the protection of women's healthcare, and it restores a future where all of us are free to make personal decisions that shape our lives, our futures, and our families with dignity and respect, without political interference in a decision made between a patient and a doctor, much as all healthcare decisions should be.

The implications of the Court's draft decision in Dobbs and what we are expecting from the Court in coming weeks simply can't be overstated or exaggerated, but it would be foolish to believe that the Court's conservative supermajority will stop even at Roe.

Justice Alito's draft opinion, even if it is never issued by the Court, is the road map where this Court will go in the future. It is permeated with support for the notion that ''fetal personhood,'' a dangerous theory furthered by States like Louisiana that seek to make abortion a crime of homicide from the moment of fertilization, if adopted, the Court's novel, invented theory of personhood could and may well lead to nationwide prohibitions on abortion. And most recently, just over the weekend, the minority leader of the Senate has made clear that in a post-Roe world, a Federal ban on abortion is on the table; so did State officials who spoke over the weekend.

It is more than a cloud on the horizon; it is an impending, real, imminent storm upon us. A ban nationwide on abortion, that would override even the States like Connecticut that are seeking to legislate protections for women that will make us a safe harbor and haven.

The draft opinion also invites challenges to a host of fundamental rights that were also not widely recognized in 1868, the moment in which Justice Alito freezes us in time. He literally freezes constitutional rights regarding reproductive liberties in that long-gone moment.

The draft opinion cast invites challenges to a host of fundamental rights, including contraception, Griswold v. Connecticut; interracial marriage, Loving v. Virginia; same sex marriage, Obergefell v. Hodges; and sexual intimacy between consenting adults, Lawrence v. Texas.

You don't need to be a constitutional scholar to understand the clear and present danger to American democracy in this draft opinion.

This Court may dress it up, but the results and the reasoning will be the same: radical extreme fringe—and directly contrary to what three nominees testified in their confirmation hearing. Oh, we respect established precedent, of course, stare decisis, fundamental principle.

The legitimacy and credibility of this Court is deeply in peril at this moment, and our democracy really depends on the credibility and respect that the American people accord the Supreme Court of the United States. It has no armies or police force. It has no power of the purse. Its authority depends directly on trust and credibility, the sense of legitimacy that the American people accord it.

In the United States, public support for legal access to abortion is at the highest it has been in two decades, a cruel irony for this Court. And today the overwhelming majority of voters believe that everyone should have access to the full range of reproductive healthcare, including annual screening, birth control, pregnancy tests, and abortion. It is a matter of health.

And at the same time, millions of Americans across this country are absolutely terrified. They are angry and horrified about what the Supreme Court is poised to do because they depend on accessible women's healthcare. If the Supreme Court overturns Roe and we have taken no legislative action, we will find ourselves in a nation where young women of this country, not only have fewer rights than their grandmothers, they have fewer rights than any of them thought possible.

We have to resolve that we are not backing down, we are not going away, we are not going back in time. It has never been more urgent to elect people, Members of this body, who will protect fundamental rights. And I guarantee that in elections to come, reproductive rights will be on the ballot. The women

and men of America will mobilize. They will be galvanized on this issue because the Women's Health Protection Act will be on the ballot, and we will have more votes in this body so that Members will be held accountable for what they do or fail to do. And, ultimately, the American people and the world are watching.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, at the National Prayer Breakfast in 1994, Mother Teresa famously said:

> I feel that the greatest destroyer of peace today is abortion, because it is a war against the child, a direct killing of the innocent child.

She went on to say:

> Any country that accepts abortion is not teaching the people to love but to use any violence to get what they want. That is why the greatest destroyer of love and peace is abortion.

That was Mother Teresa at the National Prayer Breakfast here in DC in 1994. I agree with those words. Frankly, it is shameful that the Democrats and pro-abortion activists have resorted to despicable tactics—some even illegal, some violent—in a last-ditch effort to intimidate the Justices in the Dobbs case to get the outcome that they want.

What began with the unprecedented leak of the majority draft opinion last Monday has quickly devolved into protesting at the Justices' homes, threatening and disrupting church services, vandalizing pregnancy resource centers that offer support services to pregnant moms, and even throwing Molotov cocktails at the offices of a pro-life organization. Frankly, it is chilling. It is unacceptable. We cannot let the far left's outrageous behavior obscure the fact that the Dobbs draft opinion authored by Justice Alito is a triumph of the Constitution and the rule of law.

There is no right to abortion in the text, in history or structure of our Nation's founding document, and the draft opinion masterfully marshals 98 pages of argument and evidence to demonstrate that very fact.

This watershed decision would be a tremendous victory for the fight for life and turn the page on a dark chapter of our Nation's history in which more than 62 million unborn children have been tragically killed. If the draft opinion stands—and I pray that it does—it transfers that power from unelected judges and gives it back to the American people, back to legislatures and elected representatives to enact compassionate laws that protect unborn babies and their mothers.

If the Democrats exploiting the unprecedented leak of the majority draft opinion, if it is to stir up the far left base and intimidate Justices, that is not bad enough, they are now trying to pass a radical bill to impose abortion on demand without limits across the entire country, even up to the moment of birth. Leader SCHUMER has once again scheduled a vote for tomorrow on the ''Abortion on Demand Until Birth Act.''

Now, my distinguished colleague from Connecticut used the words ''radical'' and ''extreme'' a number of times in his remarks. Let me tell you what is radical and extreme about what is going to be voted on tomorrow. This is barbaric. It is a radical abortion bill that would mandate that every single State be a late-term abortion State like California or New York, where unborn children can be brutally aborted up to the very moment of birth.

Let me say that again, the Democrats would allow abortion up until the very moment of birth itself. The Democrats' radical abortion bill would confer special benefits on the predatory abortion industry and eliminate popular State laws that protect both preborn children and their mothers.

Commonsense laws requiring parental involvement in abortions for minors, health and safety standards for abortion facilities, informed consent laws, late-term abortion limits, bans on sex-selective or Down syndrome selective abortions, and conscience protections for doctors who don't want to perform abortions would be eliminated. That is how radical this bill is that will be voted on tomorrow.

Under this radical abortion bill, an unhatched sea turtle would have more protections than an unborn human baby. If you look at Federal law, if you were to take or destroy the eggs of a sea turtle—now, I said the eggs, not the hatchlings, that is also a penalty, but the eggs—the criminal penalties are severe, up to a hundred thousand dollar fine and a year in prison.

Now, why? Why do we have laws in place to protect the eggs of a sea turtle or the eggs of eagles? Because when you destroy an egg, you are killing a pre-born baby sea turtle or a pre-born baby eagle. Yet when it comes to a preborn human baby, rather than a sea turtle, that baby would be stripped of all protections, in all 50 States, under the Democrats' bill that we will be voting on tomorrow.

Is that the America the left wants? I would ask my Democratic colleagues if the pre-born child in the womb is not a living human being, then what is it? Unborn babies feel pain, unborn babies have a heartbeat, they smile, they yawn, in fact, just last week in a telling slip of the tongue, President Biden himself admitted that abortion involves a child. A child. That is correct.

This is, in fact, the truth and the brutal reality of abortion that every abortion kills a precious child, the Democrats have tried for decades to avoid admitting this. And the science is clear, it has come a long way since 1973. It is time for the law to catch up with great advances that have been made in science and technology, in medicine, that indisputably show the humanity of an unborn child.

Instead, however, the Democrats' radical abortion bill denies the science. It would completely erase pre-born children from the law. That is chilling. Under the Democrats' bill, a pre-born child simply for the crime of being unwanted, inconvenient, or unplanned could be subjected to brutal dismemberment procedures in which the unborn child bleeds and feels excruciating pain as she dies from being pulled apart limb from limb.

The Democrats' abortion bill would codify an extreme abortion regime that is aligned with seven Nations that would have the most brutal—the most brutal laws that relates to abortion, also includes China and North Korea. That puts the United States in that category if this were passed.

It would impose abortion up until the moment of birth, without any limits, in all 50 States. In a nutshell, this radical bill would make the United States of America one of the most dangerous places in the world to be a pre-born child.

As I asked my colleagues in the hallway on the Democrats' side, give us just one restriction you might put in place for abortion, you just don't hear a response for that.

In tomorrow's vote, I pray that my colleagues will reject this horrific and barbaric legislation and take a stand for the most vulnerable among us. As the Justices continue to deliberate in the Dobbs case, I pray the Court will resist the intimidation tactics of the far left. By sticking to the Constitution, and repudiating the unprincipled and abominable Roe and Casey decisions, the Court has the opportunity to make history and strike a blow for justice for the most defenseless among us. The American people, those born, and millions yet unborn, deserve nothing less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Mr. President, late last Monday, an unprecedented leak of a draft Supreme Court document opinion in the case of Dobbs v. Jackson Women's Health was published.

In reaction, SCOTUSblog, a leading Supreme Court blog stated:

> This leak is the gravest, most unforgivable sin.

Chief Justice Roberts called the leak ''absolutely appalling.'' Yet the White House is mute on this point.

And folks back home in Kansas? Well, they are aghast as well. They all agree—at least every Kansan I have talked to—this leak is a blow to the integrity of the Court and a blow to our faith in this hallowed institution.

In the days since the leak, we have also seen Democrats and their activists utilize another frequent strategy they deploy when things don't go their way: violence and disruption.

We have all seen the disgusting multitude of images of pro-life offices being vandalized and bombed, and we all bear witness of Catholic masses disrupted on Mother's Day—on Mother's Day, of all days. Is nothing sacred in

this country anymore? We have seen the threatening violence at the personal homes of Supreme Court Justices. Yet, for days, the White House was quiet. And just like the riots of the summer of 2020 and the looting that continues today, the White House turns a deaf ear to violence, and they swallow their tongue when the violence supports their own agenda.

Listen, these threatening so-called protests at the Justices' homes are a violation of the law of this land. They are not valid protests. These are attempts to intimidate and influence the Court to destroy the independence of this judiciary.

This violence is wrong. It is evil. It is an attack on Christianity. It is an attack on the faith and values that this Nation were founded upon. Americans know it. We all feel the hatred.

I have to note, Americans understand the majority leader has provided no such condemnation but, rather, has decided to once again bring back his ''Abortion on Demand Act'' to the Senate floor. This bill is the most egregious, the most horrific attack on the lives of unborn children and the health of moms in American history. If Democrats had their way, these babies—these twin babies I delivered more than a decade ago—could have been aborted the moment prior to the C-section.

The overturning of Roe v. Wade simply returns this emotional issue back to the States, to the elected voices of the people—no more, no less.

The Mississippi Dobbs case simply protects life after 15 weeks, when a baby can feel pain, when a baby can recognize its mom's voice, when a baby can recognize the voice of its sibling. But let me tell you exactly what the Democrats' extreme ''Abortion on Demand Act'' would do. It goes far beyond Roe v. Wade.

This bill invalidates any and all State laws that protect not just the unborn child but the health and well-being of the mom as well.

It likely leads to American taxpayer dollars funding abortions at home and around the world.

Next, it is truly an attack on our faith. This bill will tie up faith-based hospitals in courts for not offering abortion services.

This bill allows sex-based abortions.

It eliminates the requirement for informed consent of the patient or parental consent.

This bill eliminates conscience protections. As an obstetrician myself, this hits near and dear to my heart. This bill is an attack on my faith and an attack on the faith of many doctors and nurses who refuse to take part in abortions. They would be forced out of their professions. They would be forced out of medical schools, out of residency programs. So many aspiring students would decide not to go into medicine.

This bill is a total disregard to the mother's health by placing no value on the mom's life and well-being. This radical bill eliminates the health standards of a surgery center for this procedure to be performed in a surgery center. In fact, this bill would allow these services to be offered in a garage or a back-room apartment.

Shockingly, it provides the right to provide abortions to any healthcare provider—not necessarily a physician but to certified nurse-midwives, nurse practitioners, a physician assistant. This bill will lead to the death and infertility of many, many women. This procedure is not a simple procedure. It should not be placed in the hands of inexperienced people. This type of procedure is only done after 4 years of undergraduate, 4 years of medical school, and probably 2 or 3 years of residency. In the most skilled of hands, this type of procedure can lead to serious loss of life.

Finally and more specifically, this bill strikes down State laws that restrict telehealth abortions. These are chemical abortions, and they would become a common means of birth control—again, leading to many, many more visits to the emergency rooms for these women who are taking medicines unsupervised.

Finally, I have to correct something one of my friends across the aisle said. He stated that we from the pro-life community would not treat women with ectopic pregnancies. Nothing is further from the truth. This case of Roe v. Wade has nothing to do with treating ectopic pregnancies. I personally have treated hundreds of women with ectopic pregnancies. I believe that life begins at conception, but treating an ectopic pregnancy is a life-threatening situation for the mom. And the Catholic Church supports the treatment of ectopic pregnancies. But that is the type of scare tactic my colleagues across the aisle want to use.

Finally, let me just conclude with this: I never imagined I would be fighting harder to save the lives of moms and babies on the floor of the Senate than I did in the emergency room or the delivery room in my obstetrics practice for some 30 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, my colleagues and I are here today to highlight the fact that our Democratic colleagues have shown the American people how truly radical they are when it comes to abortion.

The Women's Health Protection Act—what I believe should be better known as the ''Abortion on Demand Until the Moment of Birth Act''—casts a vision of abortion in America, one utterly without limitation.

Federalism is one of the truly genius ideas behind the U.S. Constitution. Federalism means that we make the majority of our decisions at a more local level rather than at the national level. When we rely on the principle of federalism, more people across the country have more reason to be content with the laws they have. People have a greater say in the legislative process at the local level, which means they get more of the kind of government they want and less of the kind of government they don't want.

For nearly the last half-century, the decisions in Roe v. Wade and Planned Parenthood v. Casey have abused the Constitution by reading into the Constitution a right that exists nowhere in the Constitution.

These wrongly decided cases have wreaked havoc on public trust in government, on the republican nature of our government, on the public's understanding of the Constitution. More gravely, these decisions have permitted the euphemistically described ''termination'' of 63 million American lives. That is more than 45 times the number of American lives lost in war since the founding of our Nation—every war combined. Forty-five times that. Let that sink in for a minute.

Abortion is a tragedy. It is one that is scarring our Nation's history because of what it says about how we respect human life. Those scores of millions of lives represent—each and every one of them—unique and unrepeatable genetic makeups and identities and potentials. They represent the loss of Americans of all races, varying physical and mental abilities, all political affiliations and professions, with many targeted because of their race, sex, or disability. Their termination is a loss of ideas, of innovation, and of compassion. Those abortions erase all potential families and communities. Those abortions represent the loss of infinite potential, connection, and love. Abortion is a tragedy that scars our history.

So when I read Justice Alito's draft opinion in Dobbs v. Jackson Women's Health Organization, I was elated—elated—because it relies on federalism and a sound reading of the Constitution to reassert that there is no constitutional right to an abortion. Just because a combination of lawyers wearing robes 48 years ago decided that would be the case does not make it so. Our Constitution is difficult to amend, and it is deliberately that way. They didn't follow this procedure; they tried to circumvent it, and they were wrong.

Regulating abortion is a matter reserved for the American people and their elected representatives, not nine unelected Justices. For that very reason, a number of people have turned against it, and because they can't characterize it the way that it actually is, they mischaracterize it.

Then they go so far as to encourage people to show up to the homes, the private residences, of the Supreme Court Justices in question. There is no reason to do this that doesn't involve an implicit threat of violence. When you show up at someone's home, you are sending an unmistakable message: We know where you sleep. That is why this is expressly prohibited under Federal law. There is a Federal criminal law prohibiting this under 18 U.S.C. section 1507.

Now, stunningly, the White House—the White House—the President's personal spokesperson, Jen Psaki, just in the last few hours, has repeated this charge, has encouraged people to do this, saying:

We certainly continue to encourage protests outside of judge's homes.

This is wrong, and I call on the President of the United States personally to undo this. He is encouraging unlawful behavior that is inherently dangerous and is inherently threatening.

This radical bill that has emerged in the days immediately following the leak of the Dobbs draft opinion is shrouded in the lie of protecting women's health while allowing for killing babies by any means, however gruesome, violent, atrocious, heinous, or cruel, right up until the moment of birth, preempting any State laws that might choose to protect life. Those late-term abortions not only kill viable babies, but they are unreasonably needlessly cruel, and they are extremely dangerous procedures for the mothers themselves.

Unlimited abortion is also widely unpopular. Only 17 percent of Americans believe that is the right policy. Among medical professionals, the feelings are similar. Research shows that over one-third of OB–GYNs in America would not even refer a patient for an abortion. But this bill as written would require those same doctors not only to refer but also to provide abortions or risk their employment, notwithstanding any ethical objection they may have to it, notwithstanding any religious objection they may have to it.

By waiving the Religious Freedom Restoration Act, carving it out—the Religious Freedom Restoration Act, or RFRA, as it is known, a religious liberty protection enacted by an overwhelming supermajority of Democrats and Republicans—this bill would require hospitals and healthcare workers to perform abortions in violation of their own religious convictions.

With this bill, Democrats in the House and the Senate are attempting to take this issue away from the people, away from the States, and force their radical abortion agenda on the American people as a whole. Now, make no mistake, this is their vision for America, fully funded by the abortion industry. It also perpetuates the tragedy of abortion—one that is a scar on our country's history.

I hope and pray that State legislatures across the country will follow the example of the State of Utah and pass laws to protect the lives of preborn babies and their mothers.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, every year in schools around our country, students are taught about the Declaration of Independence. This remarkable document outlines the ideals on which the United States was founded and the principles on which our government and our very identity as Americans are based.

Perhaps the best known and most quoted line from the Declaration is that line about all being endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

From our earliest days—when such a concept truly was revolutionary—to the present day, as Americans, we believe in the dignity and value of every human person. This is an ideal that we should always aspire to. And in the spirit of that conviction, I believe that our Nation has a moral responsibility to protect unborn children—to protect life.

Through amazing advances in science, families and medical professionals now know that at 15 weeks, a baby can feel pain; a baby can move fully formed fingers and toes; a baby has a fully developed heart, pumping 26 quarts of blood per day.

Despite what these advances in modern science tell us, the current abortion policy in the United States is more in line with communist China and North Korea. We are only one of seven countries around the world that allow abortion to take place past the point at which a baby can feel pain in the womb—one of seven countries in the world. Some Americans might be surprised to learn that even in progressive Europe, 47 out of 50 countries have limits on abortion after 15 weeks.

Yet the legislation before the U.S. Senate would block States from protecting the unborn and enshrine late-term abortion into our Federal law. Going beyond codifying Roe v. Wade, this sweeping legislation would strike down commonsense, broadly supported laws that many States have adopted since that decision, including laws meant to protect the health and safety of mothers. This bill does nothing to protect the health and safety of women, and it would certainly not protect the unborn. And it would make these sweeping changes contrary to the wishes of the majority of Americans.

In fact, recent polling found that 61 percent of Americans say abortion should be either illegal or that the policy decisions associated with abortion should be left up to the States.

So I would urge my colleagues to vote against this bill, given our increased knowledge and understanding of how babies develop, given our understanding of the science. This is simply the wrong direction to take public policy.

I also want to take a moment and acknowledge that the issue of abortion is a very tough one for so many Americans, and, given recent developments, this is a topic on the minds of many Hoosiers and many Americans. I understand that. I want to reiterate my commitment to helping mothers and families choose life and supporting them in that choice. We must ensure mothers and unborn children are cared for, loved, and supported, and this includes increasing the resources available to help women facing unexpected pregnancies. We must support America's 2,700 pregnancy centers that provide vital services to millions of people each year at virtually no cost as well as provide more support for adoptive services.

These steps are vital as we seek to further promote a culture that promotes values and protects life. Now, let's remember and live up to that founding American ideal. We believe in the dignity and value of every human person.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Mississippi.

Mr. WICKER. I commend the Senator from Indiana and join him and my other colleagues in decrying the legislation that we will be asked to move to the floor tomorrow. But before I speak on the substance of the bill, it needs to be reiterated why this bill is even before us.

The only reason we are debating this bill today is because of the extreme and unprecedented breach of protocol that took place at the Supreme Court. The leaked draft in the Dobbs case was a full-blown assault on the U.S. Supreme Court and on the independence of our judiciary. It was an attempt to incite mob pressure against the Justices, which has, in part, succeeded by inciting pressure against the Justices in an attempt to bully them into changing their final votes.

And I do trust, based on the information that we have about the nine Justices, that that attempt will not be successful.

We saw over the weekend disturbing videos of protesters outside the homes of Supreme Court Justices. There is growing concern for the safety of our Supreme Court Justices and the safety of their families.

This is shameful. A Supreme Court Justice should never have to fear for his or her safety or the safety of their families for doing their jobs. We, as elected Members of the Congress, are subject to public opinion. The Supreme Court is not supposed to be subject to public opinion and should never have to fear for their safety.

The leak and the mob reaction should be condemned by both parties in the strongest possible terms, and yet there have been very few voices on the other side of the aisle addressing this matter. Certainly, the majority leader of the Senate has not said a word about the outrage of the leak or the mob protests, nor has the President of the United States.

What happened to respect and care for our institutions?

Instead of protecting the Court, our Democratic friends seem to be, whether inadvertently or not, legitimizing this attack on the Court by moving to consider extreme legislation which is out of touch with the mainstream of Americans.

So now let me speak briefly about the legislation. It has been said that

this is a mere codification of the Court's holding in Roe v. Wade. That is, in fact, not the case. Instead, the bill that we will be asked to move to the floor tomorrow is an attempt to expand abortion dramatically across this country, to expand abortion in a way that only a small handful of the most repressive governments on the face of the Earth permit.

The bill would eliminate even the most modest protections for unborn children across all 50 States. It would force all 50 States to allow gruesome late-term abortions that even the political left all over Europe have long ago outlawed.

As my friend from Indiana said earlier, some 47 European countries generally ban abortion after the first 15 weeks. Banning abortion after 14 weeks are our allies of France and Spain; banning abortion after 13 weeks, Finland; banning abortion after 12 weeks, Germany, Belgium, Italy, Switzerland—certainly not governments that are thought of as prisoners of the extreme right. The nation of Portugal generally bans abortion after 10 weeks.

Of course, as we know, the Mississippi law that brought this case to the Supreme Court, the Dobbs case, has a slightly more permissive provision than even these friends that I just mentioned from Western Europe. It would be a 15-week ban.

But this bill that we are asked to vote on tomorrow, which certainly will fail, would push America further outside of the global mainstream than we already are—and we already are way outside this mainstream.

Because of scientific advances, we know that an unborn child's heartbeat begins at 6 weeks. We know a child can feel pain as early as 20 weeks. Many of us, including my wife and I, have put the sonograms of our grandchildren, have displayed them on our refrigerators in our homes. What we know about the development of children—their faces, their eyelashes—has brought about a change in the minds of many Americans.

In 1996, 56 percent of Americans called themselves pro-choice. Only 33 percent said they were pro-life. But because of science and because of those sonograms and because of what we know about their ability to feel pain—their movements, their eyes blinking, their eyelashes—today the two sides are just about evenly split, pro-choice and pro-life. But even those who identify themselves as pro-choice are deeply opposed to late-term abortions. And make no mistake about it, if somehow the Schumer bill tomorrow were to pass, late-term abortions would be legal in all 50 States.

Eighty-one percent of Americans think that late-term abortions should be illegal. Our friends on the Democratic side should think about that. This bill goes against 81 percent of American public opinion in that regard. Sixty-five percent say abortions should be illegal in the second trimester—not the third trimester, in the second trimester—65 percent of Americans.

I hope our Democratic friends across the aisle think about that before they vote for this extreme piece of legislation brought by the Democratic leader, which would put us in league with the People's Republic of China with all of their respect for life, with North Korea with its deplorable record of respecting human life. With those two countries and five others on the extreme left, it would put us in league with them. That is not where the American people want us to be.

If a State has a 24-hour waiting period, for example, the Schumer bill tomorrow would outlaw that. Taxpayer funding of abortion, the Hyde amendment, which prohibits this and has done so for decades and decades, would be abolished. The parental rights of teenage girls to have a say and to be able to counsel their daughters on the pivotal decision about having an abortion would be eliminated by this.

Religious exemptions. A practicing Catholic, who deep in their soul understands this to be infanticide, would be required, if they are a physician, to perform an abortion with no religious exemption.

Is that what my colleagues on the other side of the aisle are hoping for? It is what they would get if the Schumer bill were to pass.

This is not a serious attempt at consensus building. This bill simply reflects, regrettably, the iron grip that Planned Parenthood has on one of our major political parties in this country.

We will reject this effort tomorrow. I commend my colleagues who intend to stand with the American people and vote no on this attempt to rank us with the worst regimes on the face of the globe and impose late-term abortions on the entire country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I am on the floor here today to address the same topic as my colleague who just spoke. And before I jump into prepared remarks, I wanted to offer just a few points of rebuttal because on this topic it seems so frequently that we all talk past each other and don't generally listen to one another.

The Women's Health Protection Act of 2022, which I lead with Senator BLUMENTHAL, would, indeed, codify Roe v. Wade, but it would additionally give clarity to the States about what further restrictions they could put in place.

I hail from the State of Wisconsin, where our State legislature, over many, many years, has brought forth all sorts of measures—some of which have been signed into law, many of which have been challenged in court, and some of which have been vetoed—but these are restrictions on access to comprehensive reproductive healthcare, including abortion care, that limit access, that make it much more difficult, which is what Roe v. Wade intended to prevent. They have nothing to do with the health or the life of the mother. In fact, in some cases, they actually do harm to maternal life and health.

There are measures in places across the United States that deal with the corridor width of clinics—the corridor width. It would force, if these laws were to go into effect, many clinics to have to either reconstruct themselves or move. This is clearly something meant to limit access.

There are laws and bills that relate to admitting privileges at local hospitals, which are absolutely not medically necessary and will allow all the area hospitals to team up to deny those privileges, and then the clinic won't have a physician able to work there. There are 24-hour waiting periods.

I listened to what my colleague had to say about the blanket overturning of Roe v. Wade. It would mean, when a woman's life is in jeopardy at some point in her pregnancy, she wouldn't have the ability to save her life and her reproductive health because she wouldn't have access to abortion care.

Then to characterize this bill as extreme, in my mind, is so opposite the truth because, to me, what is extreme is forcing, say, a teen to bring a rapist's child to term or forcing a young woman to give birth to her sibling in cases of incest.

My colleague talked about the polls. I don't know what he was looking at. He was talking about pro-choice versus anti-choice. Everything I have seen shows that the overwhelming majority of Americans believes that Roe v. Wade is settled law and should remain in place and that only a small percentage believes it should be overturned in its entirety.

In going on to my prepared remarks, I rise today to join my colleague Senator RICHARD BLUMENTHAL in support of the Women's Health Protection Act of 2022—a bill that would protect a woman's right to access safe abortion care throughout the United States, no matter where she lives, without unnecessary and unwanted political interference.

Congress is responsible for enforcing every American's fundamental rights guaranteed by our Constitution. Throughout history, when States have passed laws that make it harder or even impossible to exercise those rights, Congress has taken action to put in place Federal protections.

I want to remind my colleagues of this responsibility. I also want to share a story from one of my constituents.

Angela and Abby, her wife, knew they wanted to start a family, so they sought treatment at a fertility clinic in Wisconsin. In 2019, after years of trying, Angela became pregnant. It was a pregnancy they had wanted more than anything, but Angela soon found out that she had what is called a molar pregnancy. This occurs when a tumor

forms instead of a healthy placenta. Her pregnancy was not viable. Her doctors moved quickly, and Angela had a safe and legal abortion.

She wrote to me earlier this week:

Had abortion been illegal, I would have died.

Access to a safe abortion saved Angela's life. For others, an abortion kept a family out of poverty or allowed them to complete their educations or start careers. Abortions have protected women from being tied to their rapists and have spared them of the emotional and physical trauma of carrying an unviable pregnancy to term.

I was only 10 years old when Roe v. Wade was decided. For 50 years, just about, this decision has stood. In the words of Justice Kavanaugh, it is ''settled as a precedent of the Supreme Court,'' but, apparently, precedent means nothing. Access to safe and legal abortion is under direct attack as an activist Supreme Court appears poised to legislate from the bench and take a constitutionally protected right away from tens of millions of Americans.

For women like Angela, the gravity of this draft decision from the Supreme Court cannot be overstated. Americans can remember when back alley abortions killed and sterilized women across the country. This decision, if finalized, will not stop abortions from happening; it will only prevent safe abortions from happening. It will disproportionately impact poor women and women of color, who will not have the privilege of making their own healthcare decisions. If Roe is overturned, 13 States would immediately ban abortions, and others, of course, would move to do so.

If Roe is overturned and we don't pass the Women's Health Protection Act, Wisconsin women will be taken back to the mid-1800s. What do I mean by that? We have a law on our books in Wisconsin which criminalizes abortion procedures. If Roe is overturned, doctors in Wisconsin would be charged with felonies for performing abortions and face up to 6 years in prison and $10,000 in fines. The rights of victims of rape and incest would be taken away. The right for women to choose for themselves and their families would be taken away.

I sure am not taking women in Wisconsin back to 1849, and we cannot allow an activist Supreme Court to leave this generation of women behind with fewer rights than their mothers and their grandmothers enjoyed.

The Women's Health Protection Act is the only bill that can put an end to the restrictive State laws that have already put thousands of women in jeopardy. The legislation meets the urgent need to protect the provider, patient relationship; to protect the healthcare professionals who provide care; and to protect the freedom and constitutional rights of women to access this care.

I believe a woman's right to choose is protected under the Constitution, and so does a clear majority of Americans want Roe v. Wade to be upheld. It is our responsibility to take action for women like Angela and on behalf of the American people.

I urge my colleagues to vote yes on the motion to proceed to the Women's Health Protection Act of 2022.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. SMITH. I thank Senator BALDWIN for her thoughtful remarks.

Mr. President, I rise today in support of the Women's Health Protection Act, and I urge my colleagues to join us in standing up for fundamental rights to freedom, autonomy, and self-determination.

Make no mistake: That is what this vote is about—who has the power; who has the freedom to decide when your own health, livelihood, and life are on the line.

There is nothing more American than the values of freedom and individual autonomy; yet the U.S. Supreme Court is about to declare that women in this country are not guaranteed the freedom to make their own private decisions about abortion.

Justice Alito, MITCH MCCONNELL, Senate Republicans, and radical Republican State legislators around the country believe that they should have the power—that they know better than American women, whose lives and stories they will never know.

To that, I say: How dare they?

When I worked at Planned Parenthood, I saw firsthand the capacity of women to make good decisions about their health, their bodies, and their lives. To suggest otherwise is insulting to the dignity of women as full, adult human beings and as equal citizens of this Nation, but that is where we are. Justice Alito's draft opinion is a wake-up call and a call to action. Reading his opinion was like a gut punch, but it was not a surprise, and it didn't just happen.

This is the result of a decades' long campaign by Republicans and their dark money donors to put anti-choice Justices on the Supreme Court, to overturn Roe, and to strip women of their constitutional rights. This is why this vote is so important. For the first time in my living memory, the Supreme Court is about to take away a fundamental constitutional right, and it is important that Americans see who is on their side and who is responsible for this.

Extremist Republicans have been working for this goal for decades; yet, now that this moment is almost here, they keep trying to change the subject. In fact, they want to talk about anything but, including when they spread misleading information about what the Women's Health Protection Act would really do, which is to put the protections of Roe into statute.

So why are Republicans running from this issue after having campaigned on it for years?

Well, it is because Americans don't want to overturn Roe, and anti-choice Republicans know this. They know that they are on the wrong side of history and on the wrong side of public opinion and of over half the American electorate. That is why this vote is so important. We will not let them dodge their responsibility for this outrageous attack on women's freedom.

Now, some Republicans are saying that this is all a bit of a tempest in a teapot. They say: Don't worry. All the Supreme Court is about to do is to hand power back for the States to decide on abortion.

Colleagues, do not believe this. The American people deserve to know where this goes next.

Today, we are fighting on the Senate floor to preserve in law the basic protections of Roe v. Wade, but extremist Republicans have been clear. Their end goal is to secure a nationwide ban on abortion. As Senator MCCONNELL said this weekend: It is not a secret that the Senate Republican caucus is opposed to reproductive rights and that, if Senate Republicans win the majority, a nationwide ban is ''worthy of debate.''

That is the post-Roe future if Republicans are in charge.

Even though a majority of Americans in all States believes that abortion should be legal, Republicans have been clear that a nationwide ban is their goal. At the same time, Republican State legislators are brazenly moving forward. They are moving forward with extremist policies that go way beyond depriving women of their essential freedoms—they punish and criminalize women.

Take, for example, a Missouri mother of two, facing a high-risk pregnancy, who travels to Illinois for an abortion because she is worried about being there for her existing children. Missouri Republicans want her to be labeled as a felon when she returns homes.

Take a woman in Louisiana who has an abortion after her IUD failed and she had an unexpected pregnancy. Louisiana Republicans want her convicted of homicide.

Take the Texas woman, who hoped and prayed for years for a baby, only to have her doctor find a fatal fetal anomaly at 22 weeks. Texas Republicans want her to carry that pregnancy for another 18 weeks, no matter the risk to her life and no matter the trauma she faces as people congratulate her on her upcoming baby when she knows she will never know that child.

So I say again, how dare these Republicans think that they know better than the women who live these stories.

This is the post-Roe world that Republicans want, and we won't stand for it. If you think this struggle doesn't affect you or someone you care about, think again.

One in four American women will have an abortion—women who are Democrats, Republicans, Independents, women from all places and all religious faiths. For these women, abortion isn't

about politics; it is about healthcare. Most of them never expected to be part of this statistic, but life doesn't always go as we plan. Every day, women deal with situations they never imagined, and they deserve the freedom and the autonomy to decide for themselves what to do and what is best for them.

With this vote to pass the Women's Health Protection Act, we are showing whom we stand with and what we believe—the fundamental freedom of people to make the best decisions for their health, their families, and their futures.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent for the following Senators to be permitted to speak prior to the scheduled vote: myself for 20 minutes, Senator TOOMEY for 5 minutes, and Senator BROWN for 5 minutes.

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

Ms. CANTWELL. Mr. President, I am not sure I will use all 20 minutes, but you never know on a subject this important and this vital to women and families across the America. It may take a little more than a few minutes to talk about this issue, and that is that 70 percent of Americans believe that we should not overturn Roe v. Wade or a woman's right to her own reproductive choice.

This is so critical that 70 percent of Americans are in agreement. This was part of a Pew Research report. Twenty-five percent don't agree, and about 5 percent are not sure what they think. But anybody who thinks this isn't about settled law or about mainstream views in America is wrong because it is about almost 50 years of settled law, and it is about what mainstream Americans believe are their constitutional rights. That is why it is so important for us to listen to those Americans and their long-held beliefs, starting with the laws that we got from England and baked into our Constitution, the right to privacy.

Yes, people are right. The word ''privacy'' isn't mentioned, but it is in various amendments believed to be rights within the Constitution. But we have a Supreme Court made up of men and Ivy League institutions who now discuss in a decision—we don't really know exactly where it came from—this notion that privacy and a woman's right to her own reproductive choice somehow doesn't deserve stare decisis—that is, predicated on previous law—and somehow isn't in the Constitution.

Well, I have got news for a lot of people. If you have a Supreme Court that is going to take a run and run from privacy in the Constitution, as this decision does—as this decision does—it barely mentions the case law predicated that made decisions about a woman's right to privacy based on those issues. It is barely mentioned.

Now, I am sure it is because those Justices decided, if they had to agree that privacy was really there as a right, which we as Americans believe it is—against the government's unwarranted search and seizure on you, the government spying on you, the government taking action against you that has not been followed in law—you know, I spent 2 years on the Judiciary Committee, and I really couldn't believe this.

Somebody told me—actually, a conservative judge passed this information on. If you ask them whether they believe in Roe v. Wade or settled law, they will tell you: Oh, yeah, it has been there. But if you ask them whether they believe in rights to privacy enumerated in the Constitution and do they believe in the penumbra of rights that basically give us this right that Griswold v. Connecticut, that Casey v. Planned Parenthood was decided on, a true, true conservative who wasn't going to uphold the law will tell you they didn't believe in that.

So that is the conundrum. We had a bunch of the smartest guys in the room from Ivy League schools who came here and hoodwinked the Senate, saying things like: Oh, I will follow or I think stare decisis is very important. Yet the same people are about to put their name on a document that says we don't really think there is any strong holding here. We don't think there is any strong case. Well, there is a case. There is a case for privacy.

I remember my first days on the Judiciary Committee, when John Ashcroft, then-Attorney General, tried to come before the committee and make light of the fact that the government was spying on Americans. When I said to him: Mr. Ashcroft, this is a serious issue of the FBI and others using software technology to spy on the lives of Americans, he said: You remind me of a joke.

I couldn't believe it. I remind him of a joke? And he went on to tell the story about how a little boy sat on Santa Claus's lap, and he said: I know whether you have been bad or good. And he says: Oh, you are not a Santa Claus; you are John Ashcroft. He thought this was hilarious, and I reminded him that not everybody in America was laughing.

Now look at where we are, 20-some years later, fast-forwarding on the rights to privacy that we have in the United States and how every day we have to fight for those rights to privacy.

I know the Presiding Officer knows this because he has joined me on these issues, particularly as it relates to children's online privacy issues and so many other issues that this body and this institution are going to have to decide on, but Americans know—70 percent of them agree that this is a mainstream, settled issue and now are shocked to find that, somehow, somebody is proposing something to overturn it.

I am not even sure people understand. I just had a conversation with somebody who said: Oh, you mean they are going to give some rights to men in determining the pregnancy and some rights for women?

I said: No. They are talking about making abortion illegal. They are talking about passing a law that takes the reproductive rights and choices of women and turns them back into the dark ages.

This person got it right away. They said: Who do you want caring for women—someone in a back alley or a trained healthcare professional?

That is really what we are talking about here. American healthcare technology has come to the point that women who do not want an unwanted pregnancy can have the choice of a morning after pill. There are lots of different ways for them to deal with planned and unplanned pregnancies. Yet this institution wants to tell them, by the Supreme Court, that they don't have a privacy right; that it doesn't exist; that Connecticut v. Griswold, which, if you think about it, was about contraception—it was really about whether women at the time had the right to have contraception and plan pregnancies.

I know the Presiding Officer knows about this time period. We both come from big families. We know all about big families.

All of a sudden, in that decision, in Connecticut v. Griswold, the right to privacy—the penumbra of rights within the Constitution—was determined to say that women have the right to control their bodies and have contraception. The fact that this is not the basis of upholding the law after almost 50 years—I can't even explain how unbelievable it is that somebody would not fully discuss and cite it. And if they don't believe in the penumbra—but I am guessing the reason they don't want to even discuss the penumbra of rights is because they know darn well we live in an age and time in which privacy needs utmost protection, and individuals need people like us to be voting for things that are going to protect individuals' rights of privacy in the era of big government, of big corporations, of undue intrusions in, yes, even our own healthcare. We need protection.

We are now here talking, though, about overturning these rights that affect the healthcare lives of women. We are not talking about the healthcare of men. We are not sitting here—I can't tell you how many times in the last 15 years that I have been here that every budget decision, every major almost-going-over-the-fiscal-cliff when John Boehner was the Speaker—oh, if we don't have a vote to get rid of a woman's right to choose—every budget issue down to the last wire is always about whether you are going to get rid of a woman's right to choose. It has been the fight of the other side of the aisle all along to try to say they are going to control women's bodies and women's healthcare choices.

We know that you are not going to get rid of abortions if you pass this

law. You are not going to get rid of them. When we passed Connecticut v. Griswold and Casey, that is when we basically went down the road of making sure that women weren't killed in back alley abortions. We actually saved lives of women, and we started getting people to take care of planned pregnancies and make progress of having people on contraception.

We are not going to get rid of abortions by listening to the Supreme Court or passing something. They will happen. It will go back to any back alley approach or other issues to try to deal with it.

So I ask my colleagues: What are you thinking when you are advocating for a return to pre-Roe? What exactly do you think is going to happen in the United States of America? I can tell you, you are going to leave women without the ability to control their own bodies, without the ability for them and their doctor to make decisions.

So many of these issues are about that woman and her doctor making a decision. You know, we make laws to deal with the parameters and the exceptions to the rule. This is a process by which we have laid out what we think is reproductive healthcare choice and then directed people to deal with their physician on these issues. But the other side would like to take these issues to the extreme and say that women have gone too far on their own healthcare choices.

I guarantee you, there are many times where it is a decision between the life of the mother and the life of a child. Do we really want government making that decision, or do we want the physician and the individual woman making that decision?

I ask my colleagues: Do you believe the right to privacy exists within the Constitution or are you like the Supreme Court? You don't believe in the decisions of previous Supreme Court Justices? You don't think they have solid standing because you don't believe that privacy is a long-held view of the United States? I guarantee you, it is fundamental to who we are as a country, and it is fundamental to who we are today and why individual women should have that right and have that protection.

But people aren't even thinking about the broader impacts. Secretary Yellen testified today:

> Eliminating the right of women to make decisions about when and whether to have children would have very damaging effects on the economy and would set women back decades. Roe v. Wade . . . enabled many women to finish school and increase their earning potential.

No one has even talked about exactly how this would work. I am confused about how it would work State by State. I will also tell you, this Supreme Court really—I don't even know what to say about it except for when I interviewed one of the Supreme Court Justices, who I am pretty sure is making this decision—I said: This is very important to the State of Washington because the people of the State of Washington have voted to make Roe v. Wade the law of our State.

And he said: Oh, Senator, Senator, you are mistaken.

I said: I am mistaken about my State, about what happened?

He said: You mean your legislature voted.

I said: No, sir, the people in my State voted by initiative in the nineties to codify these rights into our State law because that is what the people of my State believe.

So the arrogance of this Court, you can see, continues not to listen to the views of 70 percent of Americans.

I believe that you should be able to ask Justices what their judicial opinion and philosophy is. They should tell you. If these Justices did not believe that this was the law of the land and should be upheld, if they didn't believe in these rights of privacy, they should have told everybody clearly.

But it is hardly in the mainstream view of Americans.

Tomorrow we will have a chance to say whether we believe in these privacy rights, whether we believe in a woman's reproductive choices, whether we believe that 50 years—just about 50 years—and 70 percent of the American people are worth listening to. I would listen and pass this legislation tomorrow because I guarantee you, if it is not just this privacy right, why are you going to trust them on any other privacy decision in the future if they are not going to be fighting to uphold your privacy rights on women's reproductive health?

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

NOMINATION OF LISA DENELL COOK

Mr. TOOMEY. Mr. President, I rise today to speak on the nomination of Professor Lisa Cook to serve as a Governor of the Federal Reserve Board.

Two weeks ago, Senate Democrats tried to cancel the vote that was scheduled on Professor Cook's nomination.

In his floor remarks, the chairman of the Banking Committee stated that Senate Republicans have been ''AWOL in the fight against inflation for months.'' The irony of that, of course, is that it was Democrats who wanted to cancel the vote. Republicans were ready to vote and not just on Professor Cook, mind you. We wanted to vote on the other Fed nominees as well. I objected to canceling the vote because we were ready to vote, and we wanted to vote, so the vote took place.

Professor Cook's nomination failed that day on a procedural vote by a margin 47 to 51. Then, immediately after that, I asked consent to vote on the two remaining Fed nominees who have been processed in the committee but haven't been voted on. Those would be Chairman Jerome Powell, who has been nominated to be Chairman again, and Professor Philip Jefferson, who both could have been confirmed to the Fed that day, as they could have been confirmed months ago.

But the Democrats objected to us having a vote a couple of weeks ago. It is really pretty amazing. Let me just be clear for the record. The Democrats hold the majority. The Democrats control the schedule on the Senate floor. And our Democratic colleagues have tied up for months the nominations of multiple nominees, including two—two—Fed nominees who have either unanimous or very nearly unanimous support. That is Jerome Powell and Philip Jefferson.

So if confirming Fed nominees is so important to our Democratic colleagues in the fight against inflation, it makes you wonder about this strategy of canceling votes and not holding votes when Republicans have been trying to confirm the nominees.

But I have a theory as to why this is, and I think it is because our Democratic colleagues know that Professor Cook is simply unqualified to serve as a Governor of the Federal Reserve Board. They don't want to leave her stranded as the final Fed nominee after all the other nominees get confirmed, so they are holding the nominations of Chairman Powell and Professor Jefferson hostage in order to push through their preferred candidate, their top priority.

I want to address this specific point that the chairman has made in the past because he has made this several times. He has suggested that somehow Republicans oppose Professor Cook's nomination because she is a Black woman. Let me just be as clear as I can. That is a very offensive charge to make. It is actually outrageous. It is also blatantly and demonstrably false.

In this Congress alone—a little over 1 year—Banking Republicans have unanimously supported eight Black nominees, six of whom were women: Cecilia Rouse, the first Black woman to serve as Chair of the CEA; Nuria Fernandez; Alexia Latortue; Adrianne Todman; Alanna McCargo; Ventris Gibson, the first Black woman to serve as Director of the U.S. Mint. Republican Banking Committee members voted unanimously in favor of confirming each of those six Black women, but we still hear this absurd and outrageous charge.

Philip Jefferson—if our Democratic colleagues ever allow us to have a vote on him—will be the fourth Black man to serve as a Fed Governor. He was voted out of the committee 24 to 0.

Let me just be very clear. Banking Committee Republicans didn't support these nominees because of the color of their skin; that is not the criteria by which we evaluate candidates. We supported them because each of them was qualified for the roles to which they were nominated. Frankly, that ought to be the criteria for evaluating any nominee, if you ask me, including Professor Cook.

So let me address some of the arguments you are likely to hear regarding Professor Cook's qualifications.

First of all, my Democratic colleagues like to point to Professor Cook's extensive educational attainments as evidence of her qualifications. She was a Marshall Scholar and a Truman Scholar, she was. She attended Spelman College, Oxford, and obtained a Ph.D. in economics from UC Berkeley.

There is no question, these are impressive credentials, but they do not, by themselves, qualify her—or anyone else for that matter—to serve as the governor of the Fed, especially at a time when we need a Fed that is able and willing to tackle 40-year-high inflation that is devastating American families every single day.

Now, our Democratic colleagues have claimed that Professor Cook is ''a leading economist'' with years of experience in ''monetary policy, banking, and financial crises.'' But those claims are simply untrue.

First of all, 75 percent of Professor Cook's assignment at Michigan State, including her tenure, is in the international relations department; it is not even in economics. Second, her experience in monetary policy is literally nonexistent. Not a single one of her publications concerns monetary economics.

When asked to highlight for the banking committee her top works on monetary policy, she provided one, a book chapter on Nigerian bank reforms published 11 years ago. According to the White House, her main qualification on monetary policy is her service as a member of the Chicago Fed's Board of Directors.

She joined the Chicago Fed's Board 2 weeks before President Biden nominated her to serve as a Fed governor.

Third, her experience handling financial crisis has basically been limited to writing a cursory overview of the Eurozone crisis during a brief stint working in the Obama White House and working in Africa over 20 years ago.

Now, you don't need to be a trained economist to serve on the Fed Board, necessarily; but if you are going to serve on the Fed Board, you do need to have some views on monetary policy. You would think that would be especially the case for someone who is an economist. Given Professor Cook's glaring lack of experience in monetary policy, it perhaps is not surprising that Professor Cook has been unable to articulate any opinion at all on how the Fed should tackle inflation.

Throughout the nomination process, she repeatedly refused to endorse the Fed decision to pull back its ultra-easy money policy. She also refused to suggest any alternative policy. And only on the actual day, while at her hearing, did she finally begrudgingly say that she agreed with the ''Fed's path right now as we are speaking.''

Professor Cook's answers to very basic questions about what the Fed should do to tame inflation—to paraphrase the late Justice Scalia—amount to nothing more than logical applesauce. Professor Cook has continued to insist she would need to be confirmed to the Fed Board before she can have a view on inflation, because in her words: ''We don't have access to all the data that the Fed has.'' And she also said: ''We don't have access to the deliberations at the time they are being made.''

Now, these things are just bewildering for someone who has been nominated to address the most pressing inflationary threat in nearly two generations. And let's be clear, the Fed has no secret data as Professor Cook seems to believe.

In fact, monetary policy, including the recent 41 percent increase in the money supply is extremely transparent. Anyone who wants to know has all the data available to him or herself.

Just about every economist in the country right now has an opinion about inflation. Every other nominee to the Federal Reserve has an opinion about inflation, including what to do about it.

And since we know very little about her views on inflation, my grave concern is that Professor Cook will serve as an inflation dove on the Fed at a time when American families continue to be ravaged by these price increases.

But you don't have to take it from me, Bloomberg Economics expressed concern with Professor Cook's wishy-washy answers also, and they wrote:

> Asked if she would endorse the current rates trajectory, she did not provide a straight answer but said she would look at data once the decision point arrives.

Another quote from their analysis:

> When asked how she would get inflation under control, she answered: By eliminating the risk of financial crisis.

The American people deserve better than this. They deserve a serious nominee who understands monetary economics, has a firm grasp on how to combat inflation and restore stable prices, and will serve without a political agenda.

So if Lisa Cook doesn't have any expertise in monetary policy, then why would Democrats want her on the Fed Board? Well, that brings me to my second point: Professor Cook's history of extreme leftwing political advocacy and hostility to opposing viewpoints, which I think make her unfit to serve on the Fed.

It is exceptionally important to keep politics out of monetary policy, but unfortunately, we have seen the encroachment of politics at the historically independent Federal Reserve.

There are people on the left, including in the Biden administration, who openly advocate that the Fed use its supervisory powers to resolve complex political issues, like what to do about global warming and social justice, even education policy.

These are all very important issues, but they are wholly unrelated to the Fed's limited statutory mandates and expertise. Professor Cook's record indicates that she is likely to inject further political bias into the Fed Board at a time when we need the Fed to be focused on fighting inflation.

In her statements or tweets, retweets, Professor Cook has supported race-based reparations, promoted conspiracies about Georgia voter laws, and sought to cancel those who disagree with her, with her views. She specifically and publicly called for the firing of an economist and colleague who dared to tweet that he was opposed to the idea of defunding the Chicago police.

The fact is the Fed is already suffering from a credibility problem because of its involvement in politics and its departure from its statutorily proscribed role and its failure to keep inflation under control. I am concerned that Professor Cook will further politicize an institution that really needs to get back to being apolitical.

I urge my colleagues to vote against the nomination of Lisa Cook.

The PRESIDING OFFICER (Mr. PETERS). The Senator from Ohio.

Mr. BROWN. Mr. President, I have kind of heard it all today. I am not going to engage with the ranking member when he calls her unqualified. We know this is about a history of this committee's Republicans voting against very qualified African-American women. We have won that debate; we have won it with the American people.

And I was just handed—because I remembered this. I remembered hundreds, literally hundreds, of prominent people in the economics field and outside the economics field that supported Lisa Cook, they wrote letters. We got more letters, I believe, for Lisa Cook than any nominee for the Fed.

The ranking member knows, and he has voted for some pretty unqualified people, and that he would decide this is one he is voting against is just kind of sad. Let me give you some examples, 35 Marshall and Truman Scholars are supporting her—35; the National Bankers Association; Ben Bernanke, a Bush nominee who was chair of the Federal Reserve; all kinds of organizations, some political, some not political, many of them bank-based.

I will send these to the ranking member so he can get a look at them. I know he has already seen them before, but they seem to have slipped his mind.

I urge my colleagues to support Dr. Cook. She teaches at Michigan State, the presiding officer's proud institution. She would be a historic confirmation to the Board of Governors, we know that. She understands how economic policy affects all kinds of different people in different parts of the country, from the rural south where she grew up to the industrial Midwest where she built her career. One of the things I like about her, the Federal Reserve—I mean, I understand that economic conservatives in this body—and I think the ranking member would probably define himself that way; I admire his courage in voting against—

voting for the removal of President Trump, so I admired his courage. I just think he is wrong on these kind of nominees. But I just—I look at her, and I see how—what I like—one of the things I like about her is the Fed, for years, has just practiced this top-down economic policy. The people that sit on the Fed, they almost all look like me, historically.

In fact, Lisa Cook will be the first Black woman in 109 years ever to sit on the Fed, seven members of the Fed at any one time, and the terms are—usually they stay 5 to 10 years—so you can see how many people cycle in and out. But they almost all believe in this trickle-down economics that you give tax cuts to rich people and it will trickle down and the economy will be better.

Well, Lisa Cook is different. She doesn't come from the coast. She comes from what some people on the coast would call ''flyover country,'' Michigan or Ohio. She grew up in a small town in Georgia.

She went to college at Spelman, one of the best schools in the country. She was a Marshall and a Truman Scholar in England. She got her Ph.D. at Berkeley, and now she is teaching at Michigan State. And that tells me she has a sense of this country.

And he criticized her because of her emphasis on international relations. I like it that we have somebody at the Fed that not only knows the country, knows the great industrial Midwest in Michigan or Ohio—sort of the same in some ways. I like it that she studied on the west coast. I like it that she studied abroad. I like it that she spent time overseas learning about banking in economics and other countries, instead of the cookie-cutter people we always get on the Federal Reserve. Someone very important, speaks very seriously, has a good Ivy League education, but they don't know real people. And Lisa Cook knows real people.

She has years of research and international experience with monetary policy, banking, and financial crises. She has served as an economist under administrations to both parties, and as I said, she has support from across the political spectrum. All kinds of people endorsed her. They sent more letters supporting her than any Fed nom that I remember in front of this Banking Committee, and I have been on the Banking Committee a decade and a half.

She has demonstrated her commitment to Fed independence, the importance of making decisions based on fact. She agrees with Chair Powell that the Fed's most important task right now is to tackle inflation. She believes:

A strong and resilient financial system supports American families, businesses, and our economy.

Those are her words.

Take a moment again and let me go back to why this is historical: the first Black woman in 109 years to serve in the Federal Reserve. Think about that. Think about that: the first Black woman in 109 years. This country is 12 percent Black. We have had dozens and dozens and dozens of Fed noms, yet we are going to need—probably need the Vice President to come in here and cast the tie-breaking vote because every single Republican, everybody on this side of the aisle, sitting behind every one of these desks is voting against the first African-American woman ever on the Federal Reserve. Spelman College, Truman Scholar, Marshall Scholar, Ph.D. at Berkeley, tenure at one of America's great universities, Michigan State University—and they say she is not qualified? And Judy Shelton was? Really.

She will protect the Fed's independence. She knows that workers drive our economic growth. She, like this President, understands you focus on workers, you put workers at the center of our economy. That is the kind of Fed governor she is going to be. She understands when everyone participates in our economy, it grows faster and stronger for all Americans.

We need her on the job today. I would add the other Senator from Michigan is here who has been a strong, strong supporter of Professor Cook. I join my two colleagues from Michigan and everybody on this side of the aisle to support Lisa Cook for the Federal Reserve.

VOTE ON COOK NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the Cook nomination?

Mr. BROWN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 166 Ex.]

YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Luján	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

NAYS—50

Barrasso	Cotton	Hawley
Blackburn	Cramer	Hoeven
Blunt	Crapo	Hyde-Smith
Boozman	Cruz	Inhofe
Braun	Daines	Johnson
Burr	Ernst	Kennedy
Capito	Fischer	Lankford
Cassidy	Graham	Lee
Collins	Grassley	Lummis
Cornyn	Hagerty	Marshall
McConnell	Rounds	Thune
Moran	Rubio	Tillis
Murkowski	Sasse	Toomey
Paul	Scott (FL)	Tuberville
Portman	Scott (SC)	Wicker
Risch	Shelby	Young
Romney	Sullivan	

(Ms. HASSAN assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50.

The Senate being equally divided, the Vice President votes in the affirmative, and the nomination is confirmed.

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.

The PRESIDING OFFICER (Ms. HASSAN). The majority whip.

MOTION TO DISCHARGE

Mr. DURBIN. Pursuant to S. Res. 27, the Judiciary Committee being tied on the question of reporting, I move to discharge the Committee on the Judiciary from further consideration of the nomination of Charlotte N. Sweeney, of Colorado, to be U.S. District Judge for the District of Colorado.

The PRESIDING OFFICER. Under the provisions of S. Res. 27, there will now be up to 4 hours of debate on the motion, equally divided between the two leaders or their designees, with no motions, points of order, or amendments in order.

ORDER OF PROCEDURE

Mr. DURBIN. Madam President, I ask unanimous consent that the vote on the motion to discharge the Sweeney nomination occur at 11 a.m. tomorrow, Wednesday, May 11, and that the cloture motions filed during yesterday's session of the Senate ripen following disposition of the motion to discharge; further, that if cloture is invoked on the Bedoya nomination, all postcloture time be considered expired at 2:30 p.m.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

IRISH-AMERICAN HERITAGE MONTH

Mr. DURBIN. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 552.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 552) designating March 2022 as ''Irish-American Heritage Month'' and honoring the significance of Irish Americans in the history and progress of the United States.

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

Mr. DURBIN. I ask unanimous consent that the resolution being agreed to; that the Murphy amendment at the desk to the preamble be agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 552) was agreed to.

The amendment (No. 5029), to the preamble, was agreed to as follows:

(Purpose: To amend the preamble)

In the preamble, in the eighth whereas clause, strike ''Chuck Feeney'' and insert ''William Russell Grace''.

The preamble, as amended, was agreed to.

The resolution with its preamble, as amended, reads as follows:

S. RES. 552

Whereas, from the earliest days of the United States, the United States has inspired the hopes and dreams of countless individuals from around the world in search of a better life for themselves and their children;

Whereas more than 31,500,000 United States citizens trace their ancestry to Ireland;

Whereas, since before the United States was founded, Irish men and women undertook the perilous journey across the Atlantic Ocean to make a home in the United States, a place of hope and promise, and made inestimable contributions to the United States, both during the struggle for independence and after the founding of the republic;

Whereas 9 of the 56 signatories of the Declaration of Independence, 4 associate justices of the Supreme Court of the United States, and 22 Presidents proudly claim Irish heritage;

Whereas Irish immigrants who came to the United States during the Great Famine of the 1840s helped transform cities in the United States, building them into dynamic centers of commerce and industry;

Whereas the cultural, economic, and spiritual contributions of Irish immigrants continue to be evident today throughout the United States;

Whereas Irish Americans have become deeply integrated into communities with strength, courage, wit, and creativity, making significant contributions in all areas of life;

Whereas Irish-American writers such as Eugene O'Neill, John O'Hara, and F. Scott Fitzgerald transformed literature in the United States, entrepreneurs like William Russell Grace helped revolutionize industry and philanthropy in the United States, performers such as Gregory Peck, Lucille Ball, and Gene Kelly enriched the arts, and social reformers such as suffragist Leonora Barry and labor organizer Mary Kenney O'Sullivan fought for the rights of others;

Whereas Irish Americans have served ably in communities in numerous capacities, including in public safety and government at the Federal, State, and local levels, and in the Armed Forces in every war in which the United States has fought since the Revolutionary War, including patriots such as Audie Murphy, the most decorated soldier of World War II;

Whereas, more than 200 years ago, John Barry, who was born in Ireland, was the first naval hero of the Revolutionary War and became known as the Father of the Navy;

Whereas the United States played a prominent role in support of negotiations of the Good Friday Agreement (also known as the Belfast Agreement), done at Belfast, April 10, 1998, and has taken a leading role in promoting peace on the island of Ireland more broadly;

Whereas Congress greatly values the close relationships the United States shares with both the United Kingdom and Ireland and is steadfastly committed to supporting the peaceful resolution of any and all political challenges in Northern Ireland; and

Whereas, on February 28, 2022, President Joseph R. Biden, Jr., proclaimed March 2022 as Irish-American Heritage Month: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 2022 as ''Irish-American Heritage Month'';

(2) recognizes the significant contributions of Irish Americans in the history and progress of the United States; and

(3) supports the full implementation of the Good Friday Agreement (also known as the Belfast Agreement) and subsequent agreements or arrangements for implementation of that Agreement to support peace on the island of Ireland.

HONORING THE LIVES OF FALLEN MISSOURI POLICE OFFICERS AND EXPRESSING CONDOLENCES TO THEIR FAMILIES

Mr. DURBIN. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 594.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 594) honoring the lives of fallen Missouri police officers and expressing condolences to their families.

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

Mr. DURBIN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 594) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of April 25, 2022, under ''Submitted Resolutions.'')

UNITED STATES FOREIGN SERVICE DAY

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 627, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 627) designating May 6, 2022, as ''United States Foreign Service Day'' in recognition of the men and women who have served, or are presently serving, in the Foreign Service of the United States, and honoring the members of the Foreign Service who have given their lives in the line of duty.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I know of no further debate on the resolution.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the resolution.

The resolution (S. Res. 627) was agreed to.

Mr. DURBIN. I ask unanimous consent that the preamble be agreed and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

KIDS TO PARKS DAY

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 628, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 628) designating May 21, 2022, as ''Kids to Parks Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent 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. Without objection, it is so ordered.

The resolution (S. Res. 628) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

The PRESIDING OFFICER. The Senator from Maryland.

WOMEN'S HEALTH PROTECTION ACT

Mr. CARDIN. Madam President, I rise to express the urgent need to pass the Women's Health Protection Act and put an end to the constant attacks that have chipped away at women's constitutional rights in this country. Now more than ever, it is vital to codify reproductive rights and protect other hard-won civil rights as they face renewed threats.

Last week, POLITICO published Supreme Court Associate Justice Alito's

draft opinion in Dobbs v. Jackson Women's Health, which, while not final, would strike down Roe v. Wade. This would have an immediate and devastating consequence for the health and well-being of tens of millions of women of reproductive age across the Nation. Women in low-income families who could not overcome the financial and logical barriers to travel to States with abortion access will suffer the most, increasing existing health disparities.

While this draft opinion is a reminder of what is at stake, we have seen the erosion of reproductive rights for decades. Despite the clear constitutional rights the Supreme Court established almost 50 years ago in the landmark Roe v. Wade decision, each year, legislatures across the country have passed harmful abortion restrictions in an effort to impede a woman's fundamental right to make the best informed healthcare decisions for herself and her family. This goes against what I believe to be one of the fundamental responsibilities of the Court, which is to expand rights, not restrict them.

Implementing the Bill of Rights, we have seen the Federal courts over a period of time protect Americans against the abuse of power, including the power exercised by our government. Should this opinion go into effect, this would be the first time in memory that the Court would act to take away the constitutional rights of Americans. It would also be the first time in our country's history when women now would have fewer rights than their mothers.

The reasoning used in this draft decision could also be used to undermine other dearly held civil rights in the future. Justice Alito's leaked draft opinion laid out a roadmap to overturn other landmark decisions that expanded rights, including Obergefell v. Hodges, which affirmed marriage equality.

Justices Gorsuch, Kavanaugh, and Barrett all testified under oath before the Senate Judiciary Committee that Supreme Court precedents should stand—a bedrock principle of jurisprudence known as stare decisis—but they clearly arrived with an agenda to overturn Roe, and now, they are making that a reality.

Senate Republicans and former President Donald Trump bear responsibility for nominating and confirming Justices far outside of the legal mainstream and damaging our confirmation process and the public's faith in the Supreme Court as an impartial arbiter of our Nation's laws.

Senate Republicans deliberately stole the seat that President Barack Obama nominated Merrick Garland to fill, and they delayed even having a hearing for 1 year, effectively shrinking the size of the Supreme Court. Senate Republicans then turned around and rushed the confirmation of Justice Amy Coney Barrett after the death of Justice Ruth Bader Ginsburg, even though early voting had already begun in the 2020 Presidential elections.

Overturning Roe goes against public opinion. A recent poll of the Washington Post-ABC showed that 70 percent of Americans believe that the Court should uphold Roe and that decisions regarding abortion should be left to a woman and her doctor.

Now more than ever, it is essential for the Senate to pass the Women's Health Protection Act, of which I am proud to be a cosponsor. The legislation would protect the right to abortion free from medically unnecessary restrictions and create a statutory right for providers to provide and patients to receive care. This would codify Roe v. Wade and prevent States from continuing to enact restrictions on reproductive freedoms.

Despite the opinion just being a draft and abortion still being a constitutional right, States are already seizing on the momentum of this draft opinion and moving to limit a woman's constitutional right. Since the leak of this draft opinion, legislatures around the country are rushing to criminalize abortion and outlaw contraception.

Just last week, the Louisiana State Legislature advanced a bill that would classify abortion as homicide. This adds to the over half of our States that have already passed laws to restrict and ban abortion access. There are more than one dozen States with anti-abortion laws set to take effect immediately if the Supreme Court strikes down Roe v. Wade.

The Republican leader, Mr. MCCONNELL, stated:

> If the leaked opinion became the final opinion, legislative bodies—not only at the state level but at the federal level—certainly could legislate in that area.

Thanks to five unelected, activist Justices on the Supreme Court, women are facing the prospect of a Federal, nationwide ban on abortion services. We go back to those days where abortions were performed illegally in back alleys. We can't let that happen in this country.

While many States, including my home State of Maryland, have acted to expand abortion care, we cannot rely on a patchwork of State laws to protect a basic constitutional right. The right to choose is fundamental and a decision that a woman should make in consultation with a doctor or other healthcare provider free of political interference from Federal, State, or local government.

I urge President Biden and the Department of Health and Human Services, the Department of Justice, and other Federal Agencies to use their power and to act swiftly to safeguard the reproductive rights of Americans.

There is no denying that this is a bleak moment. We know the battle for reproductive rights has been an ongoing struggle with previous setbacks. We saw this just a few months ago following the anti-choice, pro-vigilante law that the Texas Legislature passed which threatens providers with jail time and fines for administering what is still federally and constitutionally protected medical care for women.

We cannot wait any longer. We must do everything in our power to ensure access to reproductive services now. Therefore, I urge my colleagues to pass the Women's Health Protection Act, and we will have a chance to do that starting tomorrow.

Throughout my time in Congress, I have been a steadfast supporter of reproductive rights, and this will not change. Regardless of the outcome of tomorrow's vote or the Supreme Court's final decision, I will continue to do everything within my power to ensure that women can have access to the care they need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Madam President, I also rise to speak about the need to pass the Women's Health Protection Act. Certainly, the Senator from Maryland outlined a very strong argument as to why this fundamental protection, this fundamental right, needs to be protected.

We know right now that we may see the Supreme Court come out with a decision to basically end Roe v. Wade and, in the process, end a fundamental right that women in this country have had available to them for 50 years.

We can hear all the arguments—and my colleagues will present an awful lot of arguments tonight and tomorrow—as to why we need to pass this act, but for me, this is personal, a personal experience that I had, and it is an experience that, unfortunately, many, many families have had. The fact is, as I have shared this story, I have been really overwhelmed by people reaching out to me and saying that they, too, have a very similar story and how my talking about it brought out their willingness to share their experience as well. In addition to that, they understand how important it is that we protect Roe v. Wade and we protect the right for women to make critical decisions for themselves, along with their doctor, and not have politics interfere with those decisions.

My story involves my first wife. When we were married, she was pregnant with a child whom we very much wanted. We were looking forward to having a second child. In the fourth month, towards the end of the fourth month, her water broke—clearly a very dangerous situation.

She went to go see her physician. Her physician examined her and said: With this water breaking, the amniotic fluid has now left the uterus. There is no way a baby can survive in this situation.

They examined her. There was a very faint heartbeat.

He said: There is a faint heartbeat here, but there is no way this baby can survive.

He said: What I think will happen is you are going to have a miscarriage. So

go home tonight, and you will have a miscarriage, and come in and see me tomorrow.

Well, you can imagine the anguish, the horrible evening, and the despair that she was in and I was in. It was a long, long night.

The next morning, nothing happened. She went back to the physician—we went back to the physician. He examined her again and said: I am really surprised. I don't know why you didn't miscarry because it is clear that there is no way this baby can survive in this situation. The amniotic fluid is gone; the cushion is gone.

He said: I don't think I can do anything because there is still a faint heartbeat here. I don't know why there is still a faint heartbeat. So go home again tonight. I think tonight is going to be the night you have a miscarriage.

We went back again. It didn't happen—another horrible night—horrible. The mental anguish is intense, and families who have gone through this know exactly what I am talking about.

We went the next day, and, again, he examined her. He said: I can't understand this, but this is going on. I am really worried that there is going to be an infection here. There isn't the protection there. You could go into septic shock. Your health is definitely endangered here. The baby can't survive. Without the amniotic fluid, the cushion, the baby could lose its limbs.

There were horrible, horrible, nightmarish kinds of thoughts in our minds.

He said: I am going to go to the hospital, and I am going to say, even though there is a faint heartbeat, this is a medical necessity, that we have to do a D&C abortion here to protect your health and potentially your life if we don't take care of this. So I will go to the hospital. Go home, and I will call you and let you know when I can bring you in.

Well, he called. I will never forget the voicemail that was left. He said: I am really sorry to say this. I went to the hospital board. I explained the medical necessity here, what you are going through, how we have to take care of this because it could clearly be a serious situation if you go into septic shock.

And the board said: No. As long as there is a faint heartbeat, you can't perform the procedure.

Then he said: There is no reason for this decision from the hospital board. It is not based on sound medicine. It is not based on medical practice. It is not based on what is best for your health. This is based on politics. Plain and simple, this is politics.

He goes: I am ashamed that this happened, and I am embarrassed I have to call you and tell you I can't do it because the hospital will not grant me privileges to do it.

He said: My advice to you is find a doctor now, immediately, that can take care of this procedure.

Well, you can imagine how scary that is, how frightening that is; and who do we call in that situation? We were fortunate in the fact that we had a friend who was a hospital administrator at another hospital. He got us in to see the gynecologist, OB–GYN at the hospital to examine her. We went there.

He examined her and said: Oh, my gosh, I have to do this procedure now. There is no more time. This is getting incredibly dangerous. We have to do the D&C abortion.

He said: You are about to go—the infection is starting. It is going to get worse. If I don't do this quickly, you are going to lose your uterus. If we don't deal with it quickly, you could very well lose your life with the infection that could occur here.

He immediately performed the procedure.

Just think of that. One, if we didn't have the opportunity to see another doctor who was able to perform it and understood the severity of it, my wife at the time, former wife, could have easily lost a uterus, could have had significant health impacts, and could have lost her life.

It just kept ringing in my mind what that doctor said: This is about politics. This is not about good medical practice. This is not about caring about someone's health and caring about their life; it was about politics. And that is why we have to protect Roe v. Wade.

We have to protect the right for women to control their bodies, to control their reproductive health. It cannot be a decision made by politicians here in this body or other places. This is a real situation that families face. As I mentioned, there was an outpouring of folks who have come to me who had similar situations.

I think about Michigan right now. Michigan has a law on the books that was written in 1931 that says all abortion is prohibited in our State. It doesn't matter whether or not it involves the health of the mother, it doesn't matter if it is the life of the mother, it doesn't matter if a woman is the victim of rape or incest—it is just simply not allowed. I think that is unconscionable. That is what will happen. It is a real-life situation that could happen if the Court decides to go forward and reverse Roe v. Wade. Situations like what my former wife went through and families all across America would not be able to have that kind of option.

If you think about the no exception for rape or incest, you will have a 17-year-old girl in Michigan who is raped. She will have no options. I know a majority of people in the United States believe that is unacceptable. I know a majority of people in the United States believe that women have the right to make these most personal, these most intimate decisions themselves, with the advice of their physician or whoever else that they want to consult.

This is not about politics. This is not about the opinions of folks who think that they know better. Let's preserve the right of women to do what they think is best.

That is why we have to pass the Women's Health Protection Act and why I would urge all my colleagues to search their heart and listen to the stories that people will tell them and understand that the right thing to do is to protect reproductive freedoms and rights in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Madam President, first, I want to thank my friend and colleague, the Senator from Michigan, for coming to the floor to share his own powerful and personal story and the stories of his constituents about why so many of us are here on the Senate floor this evening, and it is because 8 days ago, our country received a terrible wake-up call. A leaked draft opinion from the Supreme Court of the United States indicated that a majority of five Justices may be on the verge of overturning the constitutional protections of reproductive freedom set forth in Roe v. Wade.

We don't know if this draft opinion will be the final decision, but we do know there is a very high chance that the Supreme Court of the United States will soon blow up 50 years of precedent and strip women of their constitutional right to make choices about their own body and their own self-determination.

And while the content of this opinion is shocking, it is not totally surprising. This is the premeditated outcome of years—years—of plotting and planning by the rightwing legal movement and the Republican Party.

Candidate Donald Trump promised the Nation he would handpick Justices who would overturn Roe v. Wade. On the campaign trail, he even claimed that Roe would be overturned ''immediately'' once he assumed office. And he stated on national television that women who receive abortions should be punished. Leader MCCONNELL and Senate Republicans made up their own rules and then broke their own rules in order to play their part in this scheme.

First, Senate Republicans refused to even hold a hearing on President Obama's Supreme Court nominee, Merrick Garland, on the grounds that it was a Presidential election year.

Four years later, Senate Republicans rushed through one of President Trump's own Supreme Court nominees just weeks before the 2020 election.

And in between, Senate Republicans carved out an exception to the Senate filibuster rule so they could push through all three of Trump's anti-choice Supreme Court picks: Neil Gorsuch, Brett Kavanaugh, and Amy Coney Barrett.

Each of these nominees raised their right hand before the Senate Judiciary Committee and swore under oath that they respected the weight of judicial precedent. In fact, when Brett Kavanaugh was asked about Roe v.

Wade, he pointed to Planned Parenthood v. Casey, which affirmed the core holding in Roe establishing a constitutional right to abortion, and he called the decision in Casey ''precedent on precedent,'' a double precedent.

But let's be very clear, this draft opinion has no respect for judicial precedent. If the draft holds, all three of President Trump's nominees to the Supreme Court, along with some others already on the Bench, will have deliberately deceived and defrauded the American public.

Rightwing ideologues set out to stack the Court with Justices ready and willing to overturn Roe v. Wade.

Now, this rightwing establishment, this machinery, is on the verge of achieving their goal, even though their win will be a horrible loss for the reputation of the Supreme Court, a horrible loss for the integrity of our Constitution, and most of all, a horrible loss for the American people.

More than half of the women and girls of reproductive age in our country live in States that would likely ban or severely restrict abortion if the Supreme Court overturns Roe v. Wade.

Thirteen States have so-called trigger laws that will kick into effect automatically the day Roe is overturned. Nine States have passed laws that were struck down in the past because they violated the protections of Roe, but those laws could come back if Roe v. Wade is overturned.

Many of these laws we are talking about are extreme. One trigger law in Kentucky would ban all abortions at any point in pregnancy, with no exceptions for rape, no exceptions for incest, or a situation in which a child could be born with a fatal birth defect.

Another trigger law in Idaho would make providing an abortion at any point in pregnancy and under almost any circumstances a felony crime punishable by 5 years in prison. A Texas law that is on the books right now would put doctors in jail or fine them up to $10,000 for prescribing pills for medication abortions through telehealth or the mail for women who are more than 7 weeks pregnant.

And a law that has been on the books since 1931 in Michigan would snap back into effect, making nearly all abortions at any point in pregnancy a felony. And women who undergo medication abortions would be made felons, even in the case of rape and incest.

Just last week, State legislators in the Louisiana House advanced a bill through committee that would allow women who obtain abortions at any time in pregnancy to be prosecuted for murder—for murder.

Experts say that this extreme law could also be used to restrict emergency contraception and in vitro fertilization, which is a critical process that helps customers with infertility build their families.

Like many of our colleagues, I have been hearing from my constituents, my constituents in the State of Maryland, who have learned just how dangerous this situation is for women and families across the country. One constituent named Connie shared her story of taking emergency contraception after she was attacked and raped by a stranger at the age of 18.

She told me about the importance of being able to make that choice about her body and her future instead of potentially becoming pregnant because of a rape. Today, Connie is a social worker, a therapist, and has a wonderful son.

I have received other testimonials from constituents across the State of Maryland who have shared their stories and expressed their deep concern and fear about the Court striking down Roe v. Wade.

If Roe was overturned, women living in States where safe and legal abortion is banned will have to travel away from their homes, away from their communities, away from their families simply to exercise control over their own bodies.

Those who lack the money or the time will either be forced to carry an unwanted pregnancy to term or find somebody performing abortions in the shadows in their States, a throwback to the dangerous back-alley abortions.

In 1965, 8 years before the Roe v. Wade decision, illegal abortion accounted for 17 percent—17 percent—of all deaths attributed to pregnancy and childbirth. That past could soon be our present.

So, you see, this Supreme Court decision doesn't just turn back the clock on precedent, it turns back the clock on public health as it strips women of their reproductive freedoms.

And in a world where Roe has been overturned, as you drive across our great country, your rights will change from State to State as you cross each State border. That is the result of taking away a constitutional right, and that is why polling shows the great majority of the American people do not want the Supreme Court to take away the rights under Roe v. Wade.

Now, I am proud to represent a State that has codified a woman's right to reproductive choice. In fact, during my very first campaign for public office, the right to reproductive choice was the defining issue in my election to the Maryland General Assembly. It was another time when there was great fear that a Supreme Court might overturn Roe v. Wade.

And so I ran on the pro-choice ticket, and after I was sworn in, in a matter of months, my colleagues and I passed a bill in 1991 codifying Roe v. Wade as a matter of Maryland State law.

But here is the thing, laws like the one we have in Maryland, laws like the one we passed back in 1991, will be on the chopping block if this decades-long, rightwing project continues to go according to plan because the Republicans' ultimate objective isn't just to overturn Roe v. Wade; it is to enact a Federal law passed in this Senate and in the House banning abortion nationwide.

Last week, Leader MCCONNELL acknowledged that a national ban on abortion was a real possibility during an interview with USA TODAY. That should sound alarm bells all over America.

This has been a two-step process. Step No. 1, strike down the constitutional protections of Roe v. Wade that prohibit elected officials, whether it is State legislatures or in Congress, from enacting laws that prohibit or restrict unnecessarily the right to choose. That is step No. 1. It seems we are on the verge of that happening.

Once you clear the way, step No. 2, enact a Federal law in Congress banning abortion everywhere in the country, and we have seen exactly how extreme those laws can be from the State examples I cited earlier. That could happen here if this Republican, rightwing project sees its logical end; that Federal law would supersede Maryland's law. If Congress passed that law and it was enacted, State laws like those in Maryland protecting the right to choose in Maryland would be knocked off the books. That is true of other State laws, statutes, that protect a woman's right to choose.

No woman in America would be safe to obtain a safe and legal abortion if such a national law were enacted.

Now, everyone should also understand another huge danger posed by the draft. Its flawed logic not only would dismantle the right to an abortion, it could also be used to strip away other rights protected by the Constitution.

I have read Justice Alito's draft opinion. I have read all 98 pages of it.

In this opinion, Justice Alito tries to distinguish this case on abortion from other cases involving other individual rights. Alito claims that this case is special because it involves abortion and the State's interest in protecting life, while other cases do not. Well, that is obvious on its face, but it misses the bigger danger in Alito's opinion.

Because it doesn't change the fact that Justice Alito's reasoning for dismantling the right to obtain an abortion can be used to dismantle many other rights that we currently take for granted as well. Justice Alito claims that, even as you look at the entire Constitution, you cannot find a right to choose for women; that you cannot derive that from the Constitution.

In fact, on page 5 of the draft opinion, Justice Alito writes:

> The Constitution makes no reference to abortion, and no such right is implicitly protected by any constitutional provision.

And if we follow Justice Alito's flawed logic, the same could be said of a host of other rights that are not specifically named in the Constitution. The Constitution doesn't have the word ''contraception'' in it. The Constitution doesn't talk about consenting adults engaged in sexual relations.

Look, this is the thing: Over time, the Supreme Court has recognized components of liberty through a close analysis of the Bill of Rights and the 14th Amendment, and that includes the right to use contraception, the right of consenting adults to have sexual relations with who they choose, and the right to marry who you love.

These are rights the American people don't want elected officials to take away, whether they are State legislatures or Members of the Senate or the House. But they are all at peril too if the logic of Alito's reasoning is played out. And the terrible irony—the terrible irony—here is those who most claim to oppose government regulations of any kind are now the ones rushing to regulate the most intimate, personal, and private aspects of American life. They say they don't want government having any role in their life—get out of my way—except for when it comes to them taking away this right and planning to pass laws that would ban abortion nationally, and as I said, open the door to going after other liberties as well.

So those are the stakes that we are facing as we gather here this evening in anticipation of tomorrow's vote. And that is why we are taking this vote tomorrow. That is why we need to pass the Women's Health Protection Act, but even if we fall short this time, having a vote now is important. It is important to the country. Democracy requires accountability, and it is important that the American people know where each of the Senators stands on this issue. It is a fundamental question.

So as we move into November toward the midterm elections, the American people will be watching closely how Members of this body vote on this fundamental constitutional question. And they will look to see who voted to strip away constitutional rights and who rose to protect them. And I believe that the majority of this country—the overwhelming majority of this country—wants to stand up to protect fundamental liberties in the Constitution of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I will probably get in trouble with somebody for saying this, but the question of when life begins, the deeper question of what defines life, which biological entities are alive or possess independent existence versus which biological entities are simply part of something else that is alive—man, those are really hard questions.

I heard my colleague Senator DAINES on the floor earlier tonight talking passionately about his belief that life begins at conception and that humans have an obligation to defend a day-old fetus equally to our obligation to defend the life of someone who has been born.

Now, I disagree. I believe that life begins at birth. I believe that our legal obligation towards a born human is different than our legal obligation toward an unborn fetus. But on that narrow question of when life begins, I don't cast any particular judgment on Senator DAINES for believing what he believes. His belief system is shared by millions of Americans—not the majority of Americans, but a significant share.

This disagreement that he and I have over when legally protected life begins, though, is as significant and as important a disagreement as exists—right—because it is about the most foundational questions in human existence: What is life? Who decides whether a woman bears a child? Who has control over that woman's body? Who has control over the most sacred and critical function of a human being, the act of giving birth? It just doesn't get any more important than that set of questions.

And given this fundamental disagreement, given the weightiness of these questions, given the large number of Americans who sit on either side of these questions, I come to one simple conclusion: No government, no group of politicians, should make this decision for anyone else. This decision about whether to abort a pregnancy, so morally complicated, so socially divisive, should and must be left to individuals—in this case, to women—to decide.

Over the course of history, millions have died in fights over another weighty moral issue—the question of whether God exists, and if a God exists, exactly what form that being takes and what it requires of humans. Disputes over religion have eradicated entire civilizations.

What does this have to do with Roe v. Wade?

Well, our Founding Fathers decided that there were some topics that were so personal, so subject to disagreement and controversy, that government should just be barred from registering judgment.

That is part of the reason why our civilization has not been plagued by wars between religious groups—a reality that continues to paralyze societies to this day in other parts of the world—because we keep government out of the question of which God is the right God. That is up to every American to decide for themselves, even though many Americans believe that the consequence of observing or following the wrong God is serious—eternal damnation, for some. The stakes are huge when it comes to religion, but government sits on the sidelines.

To me, that is an imperfect but instructive corollary to the debate over choice and abortion. The decision about whether to have an abortion is so personal, and the lack of consensus in the country on the question is so unavoidable, as to make government intervention just as illegitimate as it would be if government tried to dictate to someone which religion they should follow.

Now, that is not the exact route that the Supreme Court traveled to get to the Roe decision, but it helps me understand why, from 1973 until today, the decision about whether or not to have an abortion has been a constitutional right of the individual, not the constitutional right of the government to decide.

Frankly, it has always been really hard for me to square how Republicans, who so readily evangelize about small government, about the importance of putting families and their decision-making processes first, about the evil of public sector overreach, are so enthusiastic about the government micromanaging personal decisions about pregnancy or marriage or adoption.

Small government is great, I guess, for corporations, but it is not so great when it comes to the most intimate decisions that families make.

And as I have said on this floor before, it is also hard to take seriously Republicans' passionate pleas for this body to defend the existence of an unborn fetus when they seem to care so little about many of the existential threats that are posed to every American after they are born.

Today, this day, over 100 Americans are going to die from gunshot wounds, from murders, and suicides. And whether my Republican colleagues agree with me or not that stricter gun laws is part of the solution to this uniquely American epidemic that plagues those that are born, I don't know that I have ever heard a Republican speech dedicated to this crisis on the floor of the Senate. I have heard dozens dedicated to the cause of those before birth. It seems that after birth, life matters a little bit less to some people in this body.

So that is what I think. And as I said, I will probably get into some hot water for admitting that I understand the arguments that people like Senator DAINES make. I don't agree with his views, but I understand them. And my hope is, is that as we begin this debate over the future of reproductive choice and health in this country, as this debate heats up—because it is not going away. We are taking a vote tomorrow, but this is a debate that is going to consume this Nation if the Alito opinion becomes law, which I believe it will.

My hope is that we are honest about the complexity of this debate, but the Republicans are equally honest in the claims that they make.

Let me just briefly tell you what I mean.

Today, I heard Republican Senators making a whole bunch of claims that are just so ungrounded in truth as to diminish the quality of what should be a very important debate on a very weighty subject.

For instance, I heard Senators make the claim that the protesters who were protesting outside or near Supreme Court Justices' homes threatened violence against those Justices. That was

an explicit claim made by people who came down to this floor who might have heard it on some unreputable website, but it is not true.

You can object to protesters being outside of public officials' homes. It has happened to all of us, by the way, but don't make up threats of violence just because it makes for a better story.

I heard one Senator say that the Women's Health Protection Act, for which I will proudly vote tomorrow, allows for garage abortions. That is not true. That is just plainly not true.

Every State requires that abortions be performed in licensed healthcare facilities and nothing in the bill changes it. Don't say that just because it makes a better story.

Many Republicans claim that the bill we are taking up tomorrow allows abortions up to the date of birth. That is not true either.

The Women's Health Protection Act does codify Roe v. Wade, but Roe only protects a woman's right to have an abortion without restriction until viability and then afterward protects for the woman's health or risk of death. The bill simply does not expand the circumstances under which an abortion can be performed beyond what currently exists in case law.

So I am going to be honest with my colleagues about the admitted complexities—the political, moral complexities of this debate. But I expect opponents of the bill that we are debating tomorrow to be equally honest in the arguments they make as well.

So I will have a lot more to say about this topic as we begin what I think is a debate that will consume this Nation, rightfully, over the course of the coming weeks and months, but for today I will leave it there.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

U.S. SUPREME COURT

Mr. WHITEHOUSE. Madam President, I am here for the 14th time to keep unmasking the scheme to control our Supreme Court—a scheme that is now poised to destroy a woman's right to make her own reproductive health choices and to smash foundational Supreme Court precedent to get there.

Last week, Politico confirmed a fear that many of us have had for years. We now see that the Supreme Court has at least five votes to eradicate Roe v. Wade, one of the most important decisions in the Court's history. For nearly half a century, women in this country have relied on Roe's recognition that our constitutional right to privacy includes the right to decide when to have a child. This is one of the most profoundly personal and life-changing decisions anyone can make. Now, the draft opinion from Justice Alito shows in black and white how the Court plans to steamroll over that right—and afterward probably many others that are anchored in that same American right to privacy.

If Justice Alito's draft opinion becomes law, women in this country will have a well-established constitutional right stripped away. That has not happened before.

Already 13 States have trigger bans that will snap into place the moment Roe is overturned, and 13 more are expected to ban or severely restrict abortions in the future. And it won't stop there. For example, Louisiana's Republican lawmakers just advanced a bill that would criminalize abortion as homicide and allow prosecutors to charge women seeking abortions as criminals.

In the week since the news broke, a lot of Americans have expressed just how strongly they disagree with the path this Court is headed down. They are disappointed, stunned, outraged, and they are right. When you take a second to remember what these same Justices told us in the past about Roe, you can be doubly outraged. I know Democrats on the Senate Judiciary Committee are. We saw the last three Republican Justices come through that committee and look us in the eye as we asked what they thought about Roe. Let's be clear: Each of these Republican Justices came before the committee; each was specifically asked about Roe v. Wade.

Here is what they told us:

Neil Gorsuch:

> Roe v. Wade, decided in 1973, is a precedent of the United States Supreme Court. It has been reaffirmed.

Brett Kavanaugh:

> It is settled as a precedent of the Supreme Court, entitled to respect under principles of stare decisis.

Amy Coney Barrett:

> Roe is not a super-precedent because calls for its overruling have never ceased. But that doesn't mean that Roe should be overruled. It just means that it doesn't fall within a small handful of cases like Marbury v. Madison and Brown v. Board that no one questions anymore.

Add in Alito himself:

> Roe v. Wade is an important precedent of the Supreme Court.

Yet here is what Alito's draft opinion says:

> Roe was egregiously wrong from the start. Its reasoning was exceptionally weak, and the decision has had damaging consequences.

Well, there was no mention of ''egregiously'' at the confirmation hearings. There was no mention of ''wrong from the start'' when we asked about Roe. Does anyone seriously think that this was a sudden, new epiphany that came over the Federalist Society Justices in the last few weeks? None—none—managed to mention their belief that Roe v. Wade was ''egregiously wrong from the start.'' Whether that was outright lying or confirmation hearing hide-the-ball tricks, it is dishonorable, and it was dishonest.

If that is what you believe as a judge, own it. Don't keep your views secret until you have the votes to make your move. That may be clever politics, but it is politics, not judging. It is a big tell about this captured Court.

Since the news broke, Republicans have tried desperately to change the subject. The minority leader says:

> The real outrage is not the obliteration of women's rights but that we found out about it a month early.

He says:

> This lawless action should be investigated and punished as quickly as possible.

Other Republicans called for the FBI to prosecute the leaker criminally or civilly. Some even purport to identify the leaker.

Chief Justice Roberts called the leak ''a singular and egregious breach of . . . trust'' and an ''affront to the community of public servants who work here.''

Look, as to the leak, Mr. Chief Justice, go for it. Investigate away. Send the Marshals. But to my Republican colleagues, sharpening their pitchforks and calling for criminal prosecution: Spare me the high dudgeon. Spare me the faux outrage. As former White House Ethics Counsel Walter Shaub explains, ''[T]he Supreme Court has no code of ethics—which is the place you would normally put a ban on misusing nonpublic information. [So] what crime would [the] FBI . . . investigate?''

As for the ''affront'' to the institution, I suggest everyone consider the real rot at the core of the Supreme Court.

If you care about the independence and integrity of the Court, it is not this leak you should be outraged about; it is that for the first time in the history of the U.S. Supreme Court, the selection of Supreme Court Justices was farmed out, handed off to a private organization, and Justices were selected in some backroom with zero transparency into how the selections were made, how the lists were assembled, and zero transparency into the dark money that flowed into that private organization while the selections were being made. Who paid what to have a seat at the Federalist Society's judicial selection turnstile?

We know from new reporting that it was the Federalist Society's Leonard Leo who ''laid out [the] road map for Trump on the Federal court system'' with the goal of ''transforming the foundational understanding of rights in America.''

So much for balls and strikes, huh?

Leo came up with the list of ''judges that would please the Republican base'' from among what he called the ''decades of conservative lawyers in the pipeline.'' He became a ''team'' with Don McGahn, Trump's White House Counsel, and MITCH MCCONNELL to ''keep the judicial nominations effort moving.'' It was Leo who took to the White House where he had ''extensive access,'' to the revised nominees list that included Kavanaugh and Barrett. The picks were made by advisers, said Senator MCCONNELL, with Trump's role

merely ''signing off on them,'' and he ''never veered from the lists of candidates suggested by Leo and others.''

Again, this was not about calling ''balls and strikes.''

If you want ''to have the longest possible impact on the kind of America you want,'' said Leader MCCONNELL, ''you look at the courts.'' That is their goal, to change the kind of America we have—more accurately, the kind of America the far-right megadonors want, I would say.

Trump noticed. ''MITCH MCCONNELL. Judges. Judges. Judges. The only thing he wants is judges,'' said Trump.

We know this happened because the Trump White House, right up to Trump himself, said so. Trump's own White House Counsel joked that he ''insourced'' the Federalist Society into the selection process. As one prominent conservative explained, this was an ''enterprise''—an ''enterprise of building a Supreme Court that will overturn Roe v. Wade.''

Once the anonymous donors behind the Federalist Society Justice-picking operation got the nominees they wanted, then came the dark money front groups rolling out ad campaigns to help ram those Justices through the Senate. Anonymous donations of $15 million, $17 million, $19 million went to phony front groups like the so-called ''Judicial Crisis Network'' to promote those backroom-chosen Federalist Society nominees.

Then, once the Federalist Society Justices were stacked onto the Court, flotillas of dark money front groups appeared before them, both as litigants and as amici curiae, orchestrated by the dozens in little groups to signal the Republican Justices how to rule. And it is pretty likely that the same donor network was behind the nomination turnstile, the propaganda machine, and the flotillas. And by the way, they are winning—winning—with these handpicked Justices at an astonishing rate—80 to 0 by one count.

We see the results of the scheme in this very case. The sponsors of the Mississippi abortion law admitted that they passed the law because they thought the new Supreme Court Justices would uphold it, just like a new legislative body had come in. After Amy Coney Barrett's nomination was rushed through the Senate, the State of Mississippi even changed its position to ask the Supreme Court to overrule Roe in its entirety. It all smells of ''fixery.'' No wonder Justice Sotomayor asked during oral argument whether the Court will ''survive the stench that this creates in the public perception that the Constitution and its reading are just political acts?''

So, if colleagues want to talk about demolition of the integrity and independence of the Court, then they better have something to say about turning the Supreme Court over to dark money special interests, about special interests capturing the Court to serve their rightwing ''enterprise.'' A captured Court, that is delivering for the special interests that stacked it and helping to keep their secrets has had its integrity and independence pretty well demolished already.

The last gasp of the scoundrels is to pretend that it is Democrats calling out this dark money mess who are the ones undermining the integrity of the Court. They even point to a brief of mine where several colleagues and I quoted to the Court a poll showing that a majority of Americans feel the Court is ''mainly motivated by politics'' and that it ought to be ''restructured in order to reduce the influence of politics.''

That is a poll, not a threat.

And the Court better start paying attention to why the American people feel that way, rather than quarreling that anyone that is ''threatening'' or ''bullying'' the Court by pointing that out.

By the way, if threatening is what you want to fuss about, have the decency to be consistent. Here is a quote from FOX News' host Laura Ingraham discussing this actual abortion case after the oral arguments were done.

Forgive my bad language to the pages who are here. I am actually quoting her verbatim.

> We have six Republican appointees on this Court after all the money that has been raised, the Federalist Society, all these big ''fat cat'' dinners. I'm sorry. I'm pissed about this. If this Court with six Justices cannot do the right thing here, the constitutional thing, then I think it's time to do what Robert Bork said we should do, which is to circumscribe the jurisdiction of this Court, and if they want to blow it up, then that's the way to change things finally.

Far from pushing back on that threat to ''blow it up'' and ''change things finally,'' the Senate colleague she was talking to said:

> . . . in a heartbeat.

When you are treating an accurate quotation of a poll as a threat and ignoring a public threat to blow up the Court and change things finally—after all the ''fat cat'' money spent on the Federalist Society, no less—forgive me for doubting your sincerity.

As Senator PADILLA said in the Judiciary Committee last week, have the decency to be consistent at least.

Justice Alito spent over 98 pages trying and failing to justify overturning the decision protecting these rights—overturning a decision he told the U.S. Senate was an ''important precedent of the Supreme Court.''

His opinion isn't persuasive to me at all as it reads as snide and cruel, but that is not going to stop these Justices from trying to throw us back into an age where women aren't free to make their own choices about their own bodies and their own futures. It looks like the fix went in on that a while ago, and we just weren't told about it in the hearings.

So, tomorrow, the majority leader will bring before this Chamber legislation to protect those rights nationwide, to protect that freedom across this country, and I am eager to vote for it. We have got to stand against this assault on women's constitutional rights, and I hope some Republican colleagues will join us.

Particularly, I hope, in the weeks and months ahead, that we can find ways to unravel the dark money scheme that has brought this Court and our country closer to the brink because the Court that dark money built—it is not done. It is not done trying to reshape America against our will to suit the extreme ideology of the rightwing billionaires behind the scheme.

There is one good thing in all this darkness, and that is that the American people see this nonsense and have had enough.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

WOMEN'S HEALTH PROTECTION ACT

Mr. SANDERS. Madam President, the recently leaked draft opinion in Dobbs v. Jackson Women's Health Organization signals what many of us have feared would happen: At least five rightwing Supreme Court Justices seem poised to overturn Roe v. Wade and abolish the constitutional right of women to have an abortion.

In my view, the U.S. Senate cannot and must not allow that to happen. We cannot go back to the days when women had to risk their lives to end an unwanted pregnancy. We cannot go back to the days of back alley abortions. We cannot go back to the days of forcing a woman to carry a pregnancy or go through a childbirth that could cause her illness or death. That, we cannot go back to.

In America today, it is estimated that one out of every four women will choose to have an abortion by the time she turns 45. In 2019, over 625,000 women in America chose to have an abortion. While no one can say with any degree of certainty how many deaths there will be if abortion is made illegal and women are forced to carry unsafe pregnancies to term, there is no doubt that, over a period of time, many thousands of American women will die.

Now, I get very tired of hearing the hypocrisy from the extreme rightwing, who say to ''get the government off our backs.'' How often have we heard that—''get the government off our backs; we want small government''?

Well, I say to those rightwingers: If you want to get the government off the backs of the American people, then understand that it is women who control their own bodies, not politicians.

During the COVID crisis, how many times had we heard on this floor and throughout this country the extreme rightwing say: The government must not force us to wear a mask. How dare the government do that. Government must not force us to have a vaccine. We

have the right to do what we want with our bodies?

Well, hypocritically, these very same rightwing politicians who worry so much about their masks and vaccines now want the Federal Government, the State governments, and their own local governments to mandate what women cannot and can do with their bodies. How hypocritical can you be?

The decision about an abortion must be a decision for the woman and her doctor to make, not the government. That is why I rise this evening in strong support of the Women's Health Protection Act.

This legislation would make Roe v. Wade the law of the land. This legislation would begin to put an end to the relentless assault on the reproductive rights of women that is taking place all across this country.

But let me be as clear as I can be: It is not good enough to just talk about passing this bill. If there are not 60 votes in the Senate to pass this legislation—and there are not—we must end the filibuster and pass it with 50 votes.

You know, I hear a lot of talk from my Democratic colleagues about the need for unity. Well, if there were ever a time for unity, now is that time.

According to poll after poll, year after year, 60 percent of the American people believe that Roe v. Wade should be upheld. Moreover, according to a recent Washington Post-ABC poll, 75 percent of Americans say decisions on abortion should be left to a woman and her doctor, including 95 percent of Democrats, 81 percent of Independents, and 53 percent of Republicans.

In other words, if the U.S. Senate were truly a representative body of the American people—which for a variety of reasons, clearly, it is not—we would easily have 60 votes to pass this bill, and women would be protected.

It is important for us to remember how we got to where we are today.

Five years ago, Senator MITCH MCCONNELL—the Republican leader—and the Republican Party in the Senate ended the filibuster for Supreme Court nominees in order to do what they could not do legislatively, which was to make abortion illegal. They didn't have the votes to do that. So, in order to get Supreme Court Justices nominated, they ended the filibuster.

Candidate Donald Trump promised that he would only nominate Supreme Court Justices who supported overturning Roe v. Wade. Unfortunately, out of the many lies—endless number of lies—that Trump made during his campaign and Presidency, it turns out that this is the one promise that he kept, the one honest statement that he made.

Further, while it looks like, in this rare instance, Trump kept his promise, the Republican Supreme Court Justices, during their Senate confirmation hearings, did not. In fact, Justice Alito and the three Justices nominated by President Trump, all called Roe v. Wade an ''important precedent'' during their confirmation hearings.

Let me quote Justice Alito at his Senate confirmation hearing on January 11, 2006:

> Roe v. Wade is an important precedent of the Supreme Court. It was decided in 1973, so it has been on the books for a long time. It is a precedent that has now been on the books for several decades. It has been challenged. It has been reaffirmed.

That was Alito.

In 2017, Justice Gorsuch said at his confirmation hearing:

> Roe v. Wade, decided in 1973, is a precedent of the United States Supreme Court. It has been reaffirmed. A good judge will consider it as precedent of the U.S. Supreme Court, worthy of treatment as precedent like any other.

In 2018, Justice Kavanaugh said at his confirmation hearing:

> I said that [Roe v. Wade] is settled as a precedent of the Supreme Court, entitled the respect under principles of stare decisis. And one of the important things to keep in mind about Roe v. Wade is that it has been reaffirmed many times over the past 45 years, as you know, and most prominently, most importantly, reaffirmed in Planned Parenthood v. Casey in 1992.

That was Justice Kavanaugh.

But, today, it has become increasingly clear that, despite these statements to the contrary, the three Justices nominated by Trump were hired specifically to overturn Roe v. Wade, and with Justice Alito at the helm, nominated by President George W. Bush, that is precisely what it appears they are set to do.

These are four Justices, all appointed by Presidents who lost the popular vote. Is it any wonder why Americans all over our country are losing faith in their democracy?

Well, you know what I believe: If Republicans can end the filibuster to install rightwing Justices—nominated by Presidents who lost the popular vote—in order to overturn Roe v. Wade, Democrats can and must end the filibuster to make abortion legal and safe.

Let's be clear: If the Supreme Court strikes down Roe v. Wade, abortion bans will immediately go into effect in 22 States throughout America, with 4 others likely to follow suit. In 10 of these States, it will be illegal to have an abortion even in cases of rape or incest.

For example, in the State of Texas, if Roe v. Wade is struck down, it will be considered a felony for any Texas doctor to perform an abortion on a woman who is raped or impregnated by a family member. Furthermore, that law would actually criminalize abortion, punishing both women and doctors, who could face years in prison if they are found guilty.

Other States have passed similar types of legislation. Mississippi's Governor has even refused to rule out the banning of contraception as a next step—the banning of contraception.

Let us be clear: The Supreme Court, no matter how it ends up ruling, will not be able to ban abortion.

If you are wealthy and if you have the means to get on an airplane or drive hundreds of miles to a clinic, you will have access to a safe abortion. But if you are poor or a member of the working class, it is likely that you will not. The reality is that overturning Roe v. Wade would be devastating to low-income and working-class women, who do not have the means to travel long distances to get an abortion.

The issue we are discussing tonight is often framed as a ''woman's issue.'' I disagree. This is a human rights issue. And if there has ever been a time in American history when the men of this country must stand with the women of this country, this is that moment.

I do find it somewhat amusing that the loudest voices in the Republican Party demanding that women be forced to give birth against their will are exactly the same people who oppose virtually every effort here in Congress designed to improve life for children and their mothers.

These Republicans are opposed—and some Democrats are opposed—to paid family and medical leave in America. They literally believe that it is acceptable for an employer to force a mother to go back to her job a week after giving birth. Some Republican colleagues want women, regardless of what they believe, to have a baby, but they could care less about those babies once they are born.

These same Republicans, without exception, are opposed to extending the $300 a month child tax credit that expired in December and went a long, long way to making it easier for working-class families to raise their children with dignity. These same Republicans are opposed to universal childcare and free pre-K.

It is no great secret that women throughout the history of our country have had to fight valiantly for their basic human rights against all forms of patriarchy. Let us never forget that when our country was formed, women were not just second-class citizens; they were third or fourth class citizens.

Women have been fighting for equal rights in this country since the 1800s. They didn't receive the right to vote until 1920. If you can believe this—and people don't know this—women needed a male cosigner on bank loans until 1974. Women had to get a male cosigner for a bank loan until 1974.

Throughout the 1960s and 1970s—and way, way before that—women had to fight for entry into certain professions from which they were barred. The fight for equal pay continues to this day.

Let us be clear. When it comes to the rights of women, we cannot go backward. We must go forward. We cannot go back to the days when women could not have full access to birth control. We cannot go back to the days of widescale domestic violence against women. The time has come for all of us to protect and expand women's rights in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, we are living in the twilight of Roe v. Wade and the incredibly important protections for Americans that flow from it. For almost 50 years, the Supreme Court held that the Constitution safeguarded women's access to critical reproductive healthcare, including abortion, and rightly so. Most American women have never lived without the ability to control their bodies, their health, and their families' economic well-being.

As we learned last week from a draft opinion, the Supreme Court is poised to strip away these fundamental freedoms from women around the United States by overturning its own precedents. This would be one of the very few times in American history when the Court has taken away rights rather than expanding them. If this draft stands, young women today will have fewer choices than their mothers and grandmothers had.

The Senate has an opportunity to pass Federal law to protect the right to choose across this country. I urge my colleagues to take and pass this legislation and do what a large majority of Nevadans and Americans want: to let women make their own decisions.

Here is what could happen if the Supreme Court draft becomes law. If the Supreme Court overturns longstanding precedent in June, the right to choose will immediately cease to exist in about 18 States, and others will act quickly to pass new bans on critical care. And within months, restrictions on reproductive choice will be in place in approximately half of the States, meaning that around the world, half of the women around the country, half of the women of child-bearing age will not be able to get critical care where they live.

The women who have the money and the time will travel to States like mine that have legal protections for reproductive healthcare. In Nevada, we are already seeing women traveling from Texas, where an extreme law offers a $10,000 reward to vigilantes targeting anyone who ''aids and abets'' abortions.

If Roe falls, it would automatically trigger abortion bans in neighboring Idaho and Utah as well. We will see women traveling from Nevada to those States too.

But the vast majority of women seeking reproductive care won't even have the option to travel for care. We know what happens to these women. The research shows that when people cannot get essential reproductive care, their physical, their emotional, and their economic health suffers, as does the health of their families. They can face life-threatening pregnancy complications and long-term health impacts.

This Court decision will strip away women's power to make the best decisions for themselves and their families. That means women will not have the same control over their lives and bodies as men do, and that is just wrong.

Nevadans understand something fundamental about the right to choose. The fact is that you can never know what circumstances another person faces until you walk in their shoes. That is why most Nevadans want to preserve women's freedom to decide what healthcare they receive. They know it is not right to impose their own beliefs on others when Americans have such divergent religious views, economic and family circumstances, and medical histories.

This is why family planning is so important. We have seen it again and again over the years. Far-right, extreme Republican lawmakers want to target the entire spectrum of reproductive healthcare and family planning services.

The laws they are proposing in States like Louisiana and Tennessee would keep women who want to become pregnant from getting fertility treatments. They could stop women who are raped from getting the morning-after pill to prevent a potential pregnancy. These laws could block access to contraception for women who have painful menstrual cycles or other health conditions or who simply don't want to have a child.

It seems that these effects on women don't matter to many on the far right, including MITCH MCCONNELL, who is already discussing a nationwide abortion ban that could threaten even Nevada's legal protections.

That is why my colleagues and I are standing up for legislation that will codify women's reproductive freedoms into Federal law. The Women's Health Protection Act will preserve the right to choose nationally and ensure that women have access to critical care.

If we want our daughters to grow up with the same freedoms we have had for 50 years, we have to act now. We need to stand up for women in America and trust them to make their own decisions about their health, their families, and their lives.

I believe in American women, and that is why this fight for us is now.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mr. PADILLA. Madam President and colleagues, this past week, following the leaked Supreme Court opinion that threatens to overturn Roe v. Wade, thousands of Californians have reached out to my office in the form of phone calls, in the form of letters, and in the form of emails, all to voice their support for the right to choose.

It is abundantly clear that Congress must pass the Women's Health Protection Act and codify the right to an abortion into Federal law.

Countless Californians and other Americans have spoken up—many in public, many in private—to share their own abortion stories.

Think about the students who want to finish high school before starting a family. Think of survivors of sexual assault, whose abortion reaffirmed their right to choose for their own bodies. Think of parents who desperately wanted a child but, upon becoming pregnant, learned the devastating news about dangerous health risks associated with that pregnancy. Think of the women whose lives were saved by an abortion, because abortion is often critical medical care. And think about women who remember a time a half a century ago, before Roe v. Wade secured this right, a time when—don't get me wrong—abortion still happened, but they were unsafe secrets at the time, when women risked their lives for the choice that they needed.

I believe that the right to an abortion is a fundamental right, and I am proud to represent a State that fiercely defends abortion access. California is committed to safe, respectful abortion care for all who need it. That is why Californians have stepped up this year, with some even traveling to aid women who were threatened by SB 8, the Texas law that prohibits abortion at 6 weeks. This is the very law that Senator CORTEZ MASTO just referenced a few minutes ago, and it is why so many Californians are speaking up now.

We know that your right to choose should not end at a State border, and it certainly shouldn't rely on your income or your transportation options or whether or not you can afford to take time off from work.

All across America, a strong majority support a woman's right to make her own healthcare decisions. We can't stand by and watch while rightwing politicians and judges seem to roll back the clock on women's rights. That is why I am voting for the Women's Health Protection Act and why I urge each and every one of you to do the same.

We must secure the right to abortion nationwide. We must protect the fundamental rights of women across the country—not just in a few States but across the country.

Congress can and must do this by passing the Women's Health Protection Act.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. PADILLA. Madam President, I ask unanimous consent that notwithstanding rule XXII, at a time to be determined by the majority leader in consultation with the Republican leader, the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 807 and 809; that there be 2 hours for debate equally divided in the usual form on the nominations en bloc; that upon the use or yielding back of time, the Senate vote without intervening action or debate on the nominations in the order listed; that, if confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any related statements be printed in the RECORD; that the President be immediately notified

of the Senate's action and the Senate then resume legislative session.

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

NOMINATION OF ERIC M. GARCETTI

Mr. GRASSLEY. Madam President, I intend to lift my objection to proceeding to the consideration of the nomination of Mayor Eric Garcetti, of California, to be the U.S. Ambassador to India.

Today, I released the findings of a staff review examining whether Mr. Garcetti was aware of allegations of misconduct by a former senior adviser. I am making these findings public in the interest of transparency and for the benefit of my colleagues as the Senate fulfills its advice and consent duties. I intend to lift my hold on the nomination, but based on what I have learned, I intend to vote no if the nomination is considered by the full Senate.

Please see the full investigative report here: https://www.grassley.senate.gov/download/report-on-investigation-into-eric-garcetti-nominated-to-be-ambassador-to-the-republic-of-india.

VOTE EXPLANATION

Mr. HAWLEY. Madam President, had there been a recorded vote, I would have voted no on the confirmations of Executive Calendar No. 660, Ryan K. Buchanan, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years; No. 661, Jason M. Frierson, of Nevada, to be United States Attorney for the District of Nevada for the term of four years; No. 663, Mark A. Totten, of Michigan, to be United States Attorney for the Western District of Michigan for the term of four years; No. 739, Marisa T. Darden, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years; No. 740, Delia L. Smith, of the Virgin Islands, to be United States Attorney for the District of the Virgin Islands for the term of four years; No. 805, Jane E. Young, of New Hampshire, to be United States Attorney for the District of New Hampshire for the term of four years; and No. 859, Vanessa Roberts Avery, of Connecticut, to be United States Attorney for the District of Connecticut for the term of four years.

Had there been a recorded vote, I would have voted no on the confirmation of Executive Calendar No. 803, Paul Monteiro, of Maryland, to be Director, Community Relations Service, Department of Justice.

MEMORIAL DAY

Ms. STABENOW. Madam President, I rise today to honor and remember the veterans throughout Michigan's history who have given their lives on behalf of our country.

Even before Michigan was a State, these brave patriots have been willing to risk everything—even their lives—in order to defend our Nation, our people, and our way of life.

Perhaps the stakes were never higher than in World War II. Totalitarianism threatened free countries and free people, echoes of which we are tragically seeing today in Ukraine. Americans—and Michiganders—would not stand by and watch democracy die.

We planted victory gardens. We purchased war bonds. And we built an Arsenal of Democracy strong enough to defeat dictators and defend freedom around the world.

More than half a million Michigan men and women served in our Armed Forces. For more than 15,000 of them, it was the last thing they ever did.

We can never repay them for their sacrifice. But we can remember them, honor them, and share their stories.

That is the aim of the Michigan World War II Legacy Memorial in Royal Oak. Ground was broken for this special place just last month.

The memorial will feature statues representing life on the battlefront and the homefront. A series of pillars will stand for Michigan's contributions to the war. A brick walkway will tell the stories of those who fought and sacrificed. And a wall of stars will commemorate the lives that were lost.

Each one of the 1,300 stars will represent more than 10 Michigan men and women who gave their lives for our country. One of those stars shines for Pfc. Walter Wetzel of Roseville.

On the morning of April 3, 1945, Pfc. Wetzel was guarding his platoon's command post when it came under fire. German troops fought their way close to the building and threw two grenades into the room Pfc. Wetzel was defending alongside his fellow soldiers. Pfc. Wetzel shouted a warning and threw himself on top of the grenades, sacrificing his own life so that others could fight on.

For this supreme act of bravery, Pfc. Wetzel was awarded the Medal of Honor, which is now on display at the Michigan Heroes Museum in Frankenmuth.

Pfc. Wetzel deserves to be remembered, as does everyone who laid down their lives for our country. It is incredibly fitting that Michigan would honor their sacrifice in such a lasting way.

This Memorial Day, we remember all Michigan veterans who gave their lives in service to our country. And we salute all of our veterans who are still with us. It is only because of their sacrifice that our democracy endures.

ADDITIONAL STATEMENTS

REMEMBERING EDWARD LEONARD MARCUS

• Mr. BLUMENTHAL. Madam President, I rise today with a heavy heart to pay tribute to Edward Leonard Marcus, an extraordinary public servant who passed away on May 5, 2022, at the age of 94.

Born in Brooklyn, NY, Ed was a shining star from an early age in the classroom and on the sports field. He attended Yale University as an undergraduate, where he also played football, baseball, and basketball, as well as managed the wrestling team. In 1950, he obtained his LLB and LLD from Yale Law School. Inspired by the community involvement he enjoyed while at law school, Ed successfully ran for the board of alders, and, demonstrating his tremendous leadership skills, he quickly was elected majority leader. At the same time, Ed established the Marcus Law Firm, which would gain recognition for legal excellence throughout New England.

Following his initial city political success, Ed was elected to the Connecticut Senate, where, again, his leadership acumen and political prowess resulted in him serving as the majority leader of the Connecticut State Senate for an impressive six terms. In 1992, he became the Democratic State chairman.

Throughout his time in public service, Ed thrived most when given the opportunity to debate with his peers and learn from those around him. He had a reputation as an obstinate, tough leader, a credit to his well-earned confidence and determination to help the people of Connecticut. Outside of work, Ed was a caring and compassionate man who valued his family above all else.

Ed's wife and three daughters exemplify the same generous spirit he embodied. His wife, Jill, was elected chair of the Branford Police Commission in 2015; his daughter, Shelley, is a judge on the Connecticut Superior Court; his daughter, Susan, enthusiastically supports the work of Ed's law firm; and his daughter, Nicole, is a dedicated teacher. I have had the privilege of knowing the Marcus family and witnessing firsthand their unstinting work to better Connecticut and the Nation. Ed's tireless efforts will be an enduring legacy, and his wife and daughters continue this remarkable lifetime of service.

My wife Cynthia and I extend our deepest sympathies to Jill, Shelley, Susan, Nicole, and all of Ed's loved ones during this difficult time. May their many wonderful memories of Ed provide them solace and comfort in the days ahead. I hope my colleagues will join me in remembering Edward L. Marcus.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 4164. A bill to prohibit the expenditure of Federal funds for the establishment or operation of the Disinformation Governance Board in the Department of Homeland Security.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4011. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Quality Implementation Plans; California; Ventura County; 8-Hour Ozone Nonattainment Area Requirements; Correction Due to Vacatur'' (FRL No. 9681–01–R9) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4012. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; New Hampshire; Boston-Manchester-Portsmouth Area Second 10-Year Limited Maintenance Plan for 1997 Ozone NAAQS'' (FRL No. 9558–02–R1) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4013. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Nevada; Clark County Department of Environment and Sustainability'' (FRL No. 9702–02–R9) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4014. A communication from the Acting Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Air Plan Approval; State of Missouri; Revised Plan for 1978 and 2008 Lead NAAQS'' (FRL No. 9351–02–R7) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4015. A communication from the Acting Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Utah; Emissions Statement Rule and Nonattainment New Source Review Requirements for the 2015 8-Hour Ozone National Ambient Air Quality Standard for the Uinta Basin, Northern Wasatch Front and Southern Wasatch Front Nonattainment Area'' (FRL No. 9330–02–R8) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4016. A communication from the Acting Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Protection of Stratospheric Ozone: Listing of HFO–1234yf under the Significant New Alternatives Policy Program for Motor Vehicle Air Conditioning in Nonroad Vehicles and Servicing Fittings for Small Refrigerant Cans'' ((RIN2060–AV25) (FRL No. 8470–01–OAR)) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4017. A communication from the Acting Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Air Plan Approval; Kentucky; Emissions Statement Requirements for the 2015 8-Hour Ozone Standard Nonattainment Area'' (FRL No. 9563–02–R4) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4018. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Arizona: Maricopa County Air Quality Department'' (FRL No. 9219–02–R9) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4019. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Arizona: Bullhead City; Second 10-Year PM10 Limited Maintenance Plan'' (FRL No. 9266–02–R9) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4020. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, and Virginia; 2017 Base Year Emissions Inventories for the Washington, DC-MD-VA Nonattainment Area for the 2015 Ozone National Ambient Air Quality Standard'' (FRL No. 9552–02–R3) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4021. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Iowa; 2015 Ozone NAAQS Interstate Transport Requirements'' (FRL No. 9468–02–R7) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Environment and Public Works.

EC–4022. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Standards and Practices for All Appropriate Inquiries; Wisconsin; Withdrawal of direct final rule'' (FRL No. 9334.1–02–OLEM) received in the Office of the President of the Senate on May 5, 2022; to the Committee on Environment and Public Works.

EC–4023. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; New Hampshire; Env-A 800 Testing and Monitoring Procedures, Env-A 619.03 PSD Program Requirements, and Env-A 1200 VOC RACT'' (FRL No. 9591–02–R1) received in the Office of the President of the Senate on May 5, 2022; to the Committee on Environment and Public Works.

EC–4024. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Participation by Disadvantaged Business Enterprises in United States Environmental Protection Agency Programs, State and Local Assistance, Research and Demonstration Grants, National Environmental Education Act Grants'' (FRL No. 7573–01–OMS) received in the Office of the President of the Senate on May 9, 2022; to the Committee on Environment and Public Works.

EC–4025. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants: Mercury Cell Chlor-Alkali Plants Residual Risk and Technology Review'' ((RIN2060–AU59) (FRL No. 7546–02–OAR)) received in the Office of the President of the Senate on May 9, 2022; to the Committee on Environment and Public Works.

EC–4026. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; NC; Great Smoky Mountains National Park, Raleigh-Durham-Chapel Hill and Rocky Mount Areas Limited Maintenance Plans for the 1997 8-Hour Ozone NAAQS'' (FRL No. 9504–02–R4) received in the Office of the President of the Senate on May 9, 2022; to the Committee on Environment and Public Works.

EC–4027. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination to Defer Sanctions; California; San Diego County Air Pollution Control District'' (FRL No. 9713–02–R9) received in the Office of the President of the Senate on May 9, 2022; to the Committee on Environment and Public Works.

EC–4028. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Kentucky; Fugitive Emissions Rule'' (FRL No. 9124–02–R4) received in the Office of the President of the Senate on May 9, 2022; to the Committee on Environment and Public Works.

EC–4029. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; GA; Updates to References to Appendix W Modeling Guidelines'' (FRL No. 9606–02–R4) received in the Office of the President of the Senate on May 9, 2022; to the Committee on Environment and Public Works.

EC–4030. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; California; Mojave Desert Air Quality Management District, Placer County Air Pollution Control District'' (FRL No. 9453–01–R9) received in the Office of the President of the Senate on May 9, 2022; to the Committee on Environment and Public Works.

EC–4031. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality State Implementation Plans; Approvals and Promulgations: California; Opacity Testing of Heavy-Duty Diesel Vehicles'' (FRL No. 8834–020–R9) received in the Office of the President of the Senate on May 9, 2022; to the Committee on Environment and Public Works.

EC–4032. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; SC; 2018 General Assembly Miscellaneous Revisions'' (FRL No. 9621–02–R4) received in the Office of the President of the Senate on May 9, 2022; to the Committee on Environment and Public Works.

EC–4033. A communication from the Branch of Administrative Support Services, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Removing Siderastrea glynni From the List of Endangered and Threatened Wildlife'' (RIN1018–BG60) received on May 9, 2022; to the Committee on Environment and Public Works.

EC–4034. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Updated FAQ regarding work-hour requirements with respect to time spent on COVID–19 testing'' received in the Office of the President of the Senate on May 9, 2022; to the Committee on Environment and Public Works.

EC–4035. A communication from the Branch of Administrative Support Services, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Reclassification of the Endangered Layia carnosa (Beach Layia) to Threatened With Section 4(d) Rule'' (RIN1018–BD00) received on April 25, 2022; to the Committee on Environment and Public Works.

EC–4036. A communication from the Biologist of the Wildlife Trade and Conservation Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Updates Following the Eighteenth Meeting of the Conference of the Parties (CoP18) to CITES'' (RIN1018–BF14) received on April 28, 2022; to the Committee on Environment and Public Works.

EC–4037. A communication from the Director of Congressional Affairs, Office of Nuclear Nuclear Security and Incident Response, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Nuclear Energy Institute (NEI) 10–04, 'Identifying Systems and Assets Subject to the Cyber Security Rule,' Revision 3'' received during adjournment of the Senate in the Office of the President of the Senate on April 29, 2022; to the Committee on Environment and Public Works.

EC–4038. A communication from the Director of Congressional Affairs, Office of Nuclear Security and Incident Response, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Nuclear Energy Institute (NEI) 13–10 'Cyber Security Control Assessments,' Revision 7'' received during adjournment of the Senate in the Office of the President of the Senate on April 29, 2022; to the Committee on Environment and Public Works.

EC–4039. A communication from the Director of Congressional Affairs, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Consolidated Decommissioning Guidance, Characterization, Survey, and Determination of Radiological Criteria'' received during adjournment of the Senate in the Office of the President of the Senate on April 29, 2022; to the Committee on Environment and Public Works.

EC–4040. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''Mississippi River/Gulf of Mexico Watershed Nutrient Task Force: 2019/2021 Report to Congress''; to the Committee on Environment and Public Works.

EC–4041. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Agency's Strategic Plan for fiscal years 2022 through 2026; to the Committee on Environment and Public Works.

EC–4042. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Patient Protection and Affordable Care Act (ACA) Section 1332 State Innovation Waivers''; to the Committee on Finance.

EC–4043. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Maximum Out-of-Pocket (MOOP) Limits and Service Category Cost Sharing Standards'' (RIN0938–AT97) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Finance.

EC–4044. A communication from the Regulations Writer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Anti-Fraud System'' (RIN0960–AI31) received in the Office of the President of the Senate on May 2, 2022; to the Committee on Finance.

EC–4045. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the fiscal year 2021 report of the Federal Coordinated Health Care Office; to the Committee on Finance.

EC–4046. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting six (6) legislative proposals relative to the President of the United States' Fiscal Year 2023 budget request for the Department of Homeland Security; to the Committee on Finance.

EC–4047. A communication from the Regulations Writer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Extension of Expiration Dates for Three Body System Listings'' (RIN0960–AI66) received in the Office of the President of the Senate on May 9, 2022; to the Committee on Finance.

EC–4048. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Millennium Challenge Corporation Annual Report, FY2021''; to the Committee on Foreign Relations.

EC–4049. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Concerning the Operation of the Tropical Forest Facility for the Previous Fiscal Year, for CY21''; to the Committee on Foreign Relations.

EC–4050. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Cuban Compliance with the Migration Accords''; to the Committee on Foreign Relations.

EC–4051. A communication from the Senior Official Performing the Duties of Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2023''; to the Committee on Foreign Relations.

EC–4052. A communication from the Senior Official Performing the Duties of Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2023''; to the Committee on Foreign Relations.

EC–4053. A communication from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Federal Vacancies Reform Act, changes that occurred from November 20, 2021 through March 2, 2022, and an additional report on departure of ambassadors; to the Committee on Foreign Relations.

EC–4054. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, five (5) reports relative to vacancies in the U.S. Agency for International Development (USAID), received in the Office of the President of the Senate on April 25, 2022; to the Committee on Foreign Relations.

EC–4055. A communication from the President of the United States, transmitting, pursuant to law, notice of the intent to designate Colombia as a Major Non-NATO Ally; to the Committee on Foreign Relations.

EC–4056. A communication from the Senior Bureau Official, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to provide assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC–4057. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Determination Under Sections 506(a) (1) and 614(a) (1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine''; to the Committee on Foreign Relations.

EC–4058. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to Norway and the UK in the amount of $50,000,000 or more (Transmittal No. DDTC 21–054); to the Committee on Foreign Relations.

EC–4059. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List to Kuwait in the amount of $1,000,000 or more (Transmittal No. DDTC 21–075); to the Committee on Foreign Relations.

EC–4060. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of firearms controlled under Category I of the U.S. Munitions List to Thailand in the amount of

$1,000,000 or more (Transmittal No. DDTC 21–077); to the Committee on Foreign Relations.

EC–4061. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List to Colombia in the amount of $1,000,000 or more (Transmittal No. DDTC 21–010); to the Committee on Foreign Relations.

EC–4062. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Determination Under Sections 506(a) (1) and 614(a) (1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine''; to the Committee on Foreign Relations.

EC–4063. A communication from the Senior Bureau Official, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to provide military assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC–4064. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List to the UK in the amount of $1,000,000 or more (Transmittal No. DDTC 21–082); to the Committee on Foreign Relations.

EC–4065. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List to Thailand in the amount of $1,000,000 or more (Transmittal No. DDTC 21–080); to the Committee on Foreign Relations.

EC–4066. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to Saudi Arabia, the UK, and Australia in the amount of $50,000,000 or more (Transmittal No. DDTC 21–042); to the Committee on Foreign Relations.

EC–4067. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Determination Under Sections 506(a) (1) and 614(a) (1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine''; to the Committee on Foreign Relations.

EC–4068. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''U.S. Compliance with the Authorization for Use of Military Force in Iraq, from January 5, 2022 to March 5, 2022''; to the Committee on Foreign Relations.

EC–4069. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Regulation: Access to Contractor Records'' (RIN1400–AE60) received in the Office of the President of the Senate on May 5, 2022; to the Committee on Foreign Relations.

EC–4070. A communication from the Acting General Counsel, Peace Corps, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of the Peace Corps, received in the Office of the President of the Senate on May 9, 2022; to the Committee on Foreign Relations.

EC–4071. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2022–0070–2022–0080); to the Committee on Foreign Relations.

EC–4072. A communication from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting, pursuant to law, the annual management report relative to its operations and financial condition for fiscal year 2021; to the Committee on Health, Education, Labor, and Pensions.

EC–4073. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on Dental Health''; to the Committee on Health, Education, Labor, and Pensions.

EC–4074. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted in Feed and Drinking Water of Animals; Methyl Esters of Conjugated Linoleic Acid'' (Docket No. FDA–2011–F–0365) received in the Office of the President of the Senate on April 25, 2022; to the Committee on Health, Education, Labor, and Pensions.

EC–4075. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2017 Report to Congress on Community Services Block Grant Discretionary Activities - Community Economic Development and Rural Community Development Programs''; to the Committee on Health, Education, Labor, and Pensions.

EC–4076. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the Department's annual audit reports for the fiscal year 2020 financial statements of the Longshore and Harbor Workers' Compensation Act Special Fund and the District of Columbia's Workmen's Compensation Act Special Fund accounts; to the Committee on Health, Education, Labor, and Pensions.

EC–4077. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Beverages: Bottled Water'' (RIN0910–AI03) received in the Office of the President of the Senate on May 5, 2022; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. WARNER for the Select Committee on Intelligence.

*Kate Elizabeth Heinzelman, of New York, to be General Counsel of the Central Intelligence Agency.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PORTMAN (for himself and Ms. SINEMA):

S. 4166. A bill to authorize preparedness programs to support communities containing technological hazards and emerging threats; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PETERS (for himself and Mr. BRAUN):

S. 4167. A bill to improve performance and accountability in the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself, Mr. KING, and Mr. DAINES):

S. 4168. A bill to amend title 54, United States Code, to reauthorize the National Park Foundation; to the Committee on Energy and Natural Resources.

By Mr. TESTER (for himself, Mr. MORAN, and Mrs. MURRAY):

S. 4169. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to provide assisted living services to eligible veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASSIDY (for himself and Mr. MURPHY):

S. 4170. A bill to reauthorize programs for mental health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. RISCH, Mr. KAINE, and Mr. RUBIO):

S. 4171. A bill to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRUZ (for himself, Mr. RUBIO, Mr. HAWLEY, Mr. MARSHALL, Mr. SCOTT of Florida, Mr. JOHNSON, Mr. CRAPO, Mr. CRAMER, Mr. PAUL, Mr. HOEVEN, Mr. LANKFORD, Mr. RISCH, Mr. BRAUN, and Mr. DAINES):

S. 4172. A bill to amend the National Defense Authorization Act for Fiscal Year 2022 to modify the limitation on discharge of members of the Armed Forces solely on the basis of failure to obey a lawful order to receive a vaccine for COVID–19, and for other purposes; to the Committee on Armed Services.

By Mr. WHITEHOUSE (for himself and Ms. DUCKWORTH):

S. 4173. A bill to amend the CALM Act to include video streaming services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. MURRAY (for herself, Mr. SCHATZ, Mr. MARKEY, Mr. WYDEN, Ms. CANTWELL, Mr. CASEY, Mr. BOOKER, Mr. PADILLA, Ms. WARREN, Ms. BALDWIN, Ms. SMITH, Mr. HICKENLOOPER, Mr. BROWN, Mr. SANDERS, Mr. CARDIN, Ms. STABENOW, Mr. VAN HOLLEN, Mr. MURPHY, Mr. MERKLEY, Mrs. GILLIBRAND, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mr. DURBIN, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Ms. HIRONO, Mr. REED, and Mr. LUJÁN):

S. 4174. A bill to amend the Fair Labor Standards Act of 1938 and the Portal-to-Portal Act of 1947 to prevent wage theft and assist in the recovery of stolen wages, to authorize the Secretary of Labor to administer grants to prevent wage and hour violations, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RISCH:

S. 4175. A bill to amend the Omnibus Public Land Management Act of 2009 to authorize certain extraordinary operation and maintenance work for urban canals of concern; to the Committee on Energy and Natural Resources.

By Mr. RISCH:

S. 4176. A bill to amend the Infrastructure Investment and Jobs Act to modify the eligibility requirements for certain small water storage and groundwater storage projects and to authorize the use of funds for certain additional Carey Act projects, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. WARREN (for herself, Mr. WYDEN, Mr. MARKEY, Mr. SANDERS, Mr. MERKLEY, Mr. PADILLA, and Ms. SMITH):

S. 4177. A bill to establish judicial ethics; to the Committee on the Judiciary.

By Mr. HAWLEY:

S. 4178. A bill to address the duration of copyright, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. RUBIO, Mr. HICKENLOOPER, Ms. MURKOWSKI, Mr. BENNET, Mrs. BLACKBURN, Mr. MANCHIN, Mr. PORTMAN, Mr. SCOTT of Florida, Mr. PADILLA, Mr. BRAUN, and Mr. CORNYN):

S. 4179. A bill to establish the Space National Guard; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MERKLEY (for himself, Mr. WICKER, Ms. STABENOW, Mr. BOOZMAN, Mr. PADILLA, Mr. CASSIDY, Mr. LUJÁN, Mr. GRASSLEY, Mr. VAN HOLLEN, Mr. MARSHALL, Ms. SINEMA, Mr. DAINES, Ms. SMITH, Mr. HOEVEN, Mr. BLUMENTHAL, Mrs. CAPITO, Ms. WARREN, Mrs. HYDE-SMITH, Mr. MANCHIN, Mr. TILLIS, Mr. HICKENLOOPER, Mr. CRAMER, Mr. BOOKER, Ms. CORTEZ MASTO, Mr. KELLY, Mrs. FEINSTEIN, Mrs. SHAHEEN, Ms. DUCKWORTH, and Mrs. BLACKBURN):

S. Res. 626. A resolution supporting the goals and ideals of National Nurses Week, to be observed from May 6 through May 12, 2022; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SULLIVAN (for himself, Mr. VAN HOLLEN, Mr. DURBIN, Mrs. SHAHEEN, Mr. KAINE, and Mr. MERKLEY):

S. Res. 627. A resolution designating May 6, 2022, as ''United States Foreign Service Day'' in recognition of the men and women who have served, or are presently serving, in the Foreign Service of the United States, and honoring the members of the Foreign Service who have given their lives in the line of duty; considered and agreed to.

By Mr. WYDEN (for himself, Mr. PORTMAN, Mr. BOOKER, Mr. HEINRICH, Mrs. MURRAY, Ms. COLLINS, Mr. BURR, and Ms. HIRONO):

S. Res. 628. A resolution designating May 21, 2022, as ''Kids to Parks Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 251

At the request of Mr. LEE, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 251, a bill to provide that for purposes of determining compliance with title IX of the Education Amendments of 1972 in athletics, sex shall be recognized based solely on a person's reproductive biology and genetics at birth.

S. 819

At the request of Mr. BARRASSO, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 819, a bill to enhance the security of the United States and its allies, and for other purposes.

S. 1116

At the request of Mr. CARPER, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1116, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employees duty, and for other purposes.

S. 1125

At the request of Ms. STABENOW, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 1125, a bill to recommend that the Center for Medicare and Medicaid Innovation test the effect of a dementia care management model, and for other purposes.

S. 1134

At the request of Mrs. BLACKBURN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1134, a bill to award a Congressional Gold Medal to Master Sergeant Rodrick ''Roddie'' Edmonds in recognition of his heroic actions during World War II.

S. 1328

At the request of Mr. LEAHY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1328, a bill to amend the Richard B. Russell National School Lunch Act to reauthorize the farm to school program, and for other purposes.

S. 1548

At the request of Mr. LUJÁN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1548, a bill to amend the Public Health Service Act to improve the diversity of participants in research on Alzheimer's disease, and for other purposes.

S. 1596

At the request of Mrs. SHAHEEN, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from Ohio (Mr. BROWN), the Senator from Vermont (Mr. LEAHY), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 1596, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National World War II Memorial in Washington, DC, and for other purposes.

S. 1842

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1842, a bill to amend title IV of the Social Security Act to provide funding to sustain and increase the supply and quality of child care, access to child care, and for other purposes.

S. 2266

At the request of Mr. CARDIN, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 2266, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 3209

At the request of Mr. KENNEDY, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 3209, a bill to require the Secretary of State to submit annual reports reviewing the educational material used by the Palestinian Authority in schools, and for other purposes.

S. 3285

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3285, a bill to improve protections for meatpacking workers, and for other purposes.

S. 3361

At the request of Mr. MARKEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 3361, a bill to amend the Communications Act of 1934 to modify the definition of franchise fee, and for other purposes.

S. 3382

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 3382, a bill to prohibit the Administrator of the Small Business Administration from directly making loans under the 7(a) loan program, and for other purposes.

S. 3508

At the request of Mr. BLUMENTHAL, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 3508, a bill to posthumously award a congressional gold medal to Constance Baker Motley.

S. 3663

At the request of Mr. BLUMENTHAL, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 3663, a bill to protect the safety of children on the internet.

S. 3743

At the request of Mr. CARPER, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3743, a bill to require the Administrator of the Environmental Protection Agency to carry out certain activities to improve recycling and composting programs in the United States, and for other purposes.

S. 3860

At the request of Ms. CORTEZ MASTO, the names of the Senator from Indiana

(Mr. YOUNG) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 3860, a bill to establish a grant program to provide assistance to local governments with fewer than 200 law enforcement officers, and for other purposes.

S. 3871

At the request of Mr. MARSHALL, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 3871, a bill to provide a means for Congress to prevent an organization's designation as a foreign terrorist organization from being revoked by the Secretary of State.

S. 3950

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3950, a bill to establish the Baltic Security and Economic Enhancement Initiative for the purpose of increasing security and economic ties with the Baltic countries and to establish the Baltic Security Initiative for the purpose of deepening security cooperation with the Baltic countries, and for other purposes.

S. 4004

At the request of Mr. BOOZMAN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 4004, a bill to alter requirements associated with small business loan data collection, and for other purposes.

S. 4007

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 4007, a bill to require the Attorney General to propose a program for making treatment for post-traumatic stress disorder and acute stress disorder available to public safety officers, and for other purposes.

S. 4059

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4059, a bill to require the Secretary of Defense to replace equipment provided to Ukraine by certain member countries of the North Atlantic Treaty Organization.

S.J. RES. 43

At the request of Mrs. HYDE-SMITH, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S.J. Res. 43, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Treasury and the Centers for Medicare & Medicaid Services relating to ''Patient Protection and Affordable Care Act; Updating Payment Parameters, Section 1332 Waiver Implementing Regulations, and Improving Health Insurance Markets for 2022 and Beyond'' .

S. RES. 624

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. Res. 624, a resolution supporting the mission and goals of National Fentanyl Awareness Day in 2022, including increasing individual and public awareness of the impact of fake or counterfeit fentanyl pills on families and young people.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. RUBIO, Mr. HICKENLOOPER, Ms. MURKOWSKI, Mr. BENNET, Mrs. BLACKBURN, Mr. MANCHIN, Mr. PORTMAN, Mr. SCOTT of Florida, Mr. PADILLA, Mr. BRAUN, and Mr. CORNYN):

S. 4179. A bill to establish the Space National Guard; to the Committee on Armed Services.

Mrs. FEINSTEIN. Mr. President, I rise to speak in support of the Space National Guard Establishment Act of 2021, which Senator RUBIO and I introduced today. I thank Senator RUBIO along with our 10 bipartisan cosponsors for joining me on this important bill.

When the Space Force was established in 2019, Active-Duty space units were moved out of the Air Force and into the new Space Force, but National Guard space units were left behind in the Air National Guard under the Air Force.

Active-Duty and Guard units performing space missions are supposed to work together seamlessly, but they cannot do so if we leave them in separate services. Today, we have 16 Air National Guard units with 1,000 members performing space missions in a different service than their Active-Duty counterparts.

This misalignment creates a number of problems. It inhibits the efficient and consistent provision of funding, equipment, talent, education, and training to our space units.

This disconnect makes mobilization more complicated and separates them with different service processes and cultures. This is not how to construct a cohesive force, and if Congress is going to create a Space Force, then Congress should complete the job.

The current misalignment is unsustainable. If it is not repaired, then National Guard units performing the space mission will wither on the vine. Those Air National Guard units will eventually be forced to give up the space mission and undertake a costly transition to another mission, or those units will be dissolved.

This bill would shift our National Guard units performing space missions from the Air National Guard, which is part of the Air Force, to a Space National Guard, which would fall under the Space Force. This bill does not authorize new construction, bases, or personnel. It is a realignment, not an expansion. Future growth will be determined by mission needs as determined by the Pentagon, the administration, and Congress.

This bill, which already has a companion in the House, is the best way to preserve the talent and resources found in the National Guard's space enterprise. We have invested a great deal in the training and experience held by the Guard's space professionals. Many of them hold civilian jobs with leading-edge companies in relevant industries, and they put their experience to work for the Nation and their States every time they put on their uniform. We must not leave a bureaucratic wall between the Space Force and the National Guard that will degrade our space capabilities.

Just as important, the loss of these units would rob our Governors of critical National Guard personnel and resources they need to respond to disasters at home.

In sum, this bill will fix a major disconnect in our Nation's space enterprise by putting our National Guard space units in the same service as their Active-Duty counterparts. This is important for our Nation and for those that rely on the National Guard in our States.

I hope my colleagues will join me in support of this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 626—SUPPORTING THE GOALS AND IDEALS OF NATIONAL NURSES WEEK, TO BE OBSERVED FROM MAY 6 THROUGH MAY 12, 2022

Mr. MERKLEY (for himself, Mr. WICKER, Ms. STABENOW, Mr. BOOZMAN, Mr. PADILLA, Mr. CASSIDY, Mr. LUJÁN, Mr. GRASSLEY, Mr. VAN HOLLEN, Mr. MARSHALL, Ms. SINEMA, Mr. DAINES, Ms. SMITH, Mr. HOEVEN, Mr. BLUMENTHAL, Mrs. CAPITO, Ms. WARREN, Mrs. HYDE-SMITH, Mr. MANCHIN, Mr. TILLIS, Mr. HICKENLOOPER, Mr. CRAMER, Mr. BOOKER, Ms. CORTEZ MASTO, Mr. KELLY, Mrs. FEINSTEIN, Mrs. SHAHEEN, Ms. DUCKWORTH, and Mrs. BLACKBURN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 626

Whereas, beginning in 1991, National Nurses Week has been celebrated annually from May 6, also known as ''National Recognition Day for Nurses'', through May 12, the birthday of Florence Nightingale, the founder of modern nursing;

Whereas National Nurses Week is a time of year to reflect on the important contributions that nurses make to provide safe, high-quality health care;

Whereas nurses serve on the front lines, risking their lives treating the injured and sick during wartime, natural disasters, and public health emergencies, including the COVID–19 pandemic;

Whereas nurses are known to be patient advocates, acting to protect the lives of individuals under their care;

Whereas nurses represent the largest single component of the health care profession, with an estimated population of more than 4,000,000 registered nurses in the United States;

Whereas nurses are leading in the delivery of quality care in a transformed health care

system that improves patient outcomes and safety;

Whereas the Future of Nursing report of the Institute of Medicine has highlighted the need for the nursing profession to meet the call for leadership in a team-based delivery model;

Whereas, when nurse staffing levels increase, the risk of patient complications and lengthy hospital stays decreases, resulting in cost savings;

Whereas nurses are experienced researchers, and the work of nurses encompasses a wide scope of scientific inquiry, including clinical research, health systems and outcomes research, and nursing education research;

Whereas nurses provide care that is sensitive to the cultures and customs of individuals across the United States;

Whereas nurses are well-positioned to provide leadership to eliminate health care disparities that exist in the United States;

Whereas nurses are the cornerstone of the public health infrastructure, promoting healthy lifestyles and educating communities on disease prevention and health promotion;

Whereas nurses help inform, educate, and work closely with legislators to improve—

(1) the education, retention, recruitment, and practice of all nurses; and

(2) the health and safety of the patients for whom the nurses care;

Whereas there is a need—

(1) to strengthen nursing workforce development programs at all levels, including the number of doctorally prepared faculty members; and

(2) to provide education to the nurse research scientists who can develop new nursing care models to improve the health status of the diverse population of the United States;

Whereas nurses touch the lives of the people of the United States through every stage of life; and

Whereas nursing has been voted the most honest and ethical profession in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Nurses Week, as founded by the American Nurses Association;

(2) recognizes the significant contributions of nurses to the health care system in the United States; and

(3) encourages the people of the United States to observe National Nurses Week with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of nurses to the everyday lives of patients.

SENATE RESOLUTION 627—DESIGNATING MAY 6, 2022, AS ''UNITED STATES FOREIGN SERVICE DAY'' IN RECOGNITION OF THE MEN AND WOMEN WHO HAVE SERVED, OR ARE PRESENTLY SERVING, IN THE FOREIGN SERVICE OF THE UNITED STATES, AND HONORING THE MEMBERS OF THE FOREIGN SERVICE WHO HAVE GIVEN THEIR LIVES IN THE LINE OF DUTY

Mr. SULLIVAN (for himself, Mr. VAN HOLLEN, Mr. DURBIN, Mrs. SHAHEEN, Mr. KAINE, and Mr. MERKLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 627

Whereas the Foreign Service of the United States (referred to in this preamble as the ''Foreign Service'') was established through the enactment of the Act entitled ''An Act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes.'', approved May 24, 1924 (43 Stat. 140, chapter 182) (commonly known as the ''Rogers Act of 1924''), and is now celebrating its 97th anniversary;

Whereas the Rogers Act of 1924 established a career organization based on competitive examination and merit promotion;

Whereas, in 2022, just less than 16,000 men and women of the Foreign Service are serving at home and abroad;

Whereas Foreign Service personnel are supported by more than 60,000 locally engaged staff in nearly 300 embassies and consulates, who provide unique expertise and crucial links to host countries;

Whereas Foreign Service personnel comprise employees from the Department of State, the United States Agency for International Development, the Department of Commerce, the Foreign Agricultural Service, the Animal and Plant Health Inspection Service, and the United States Agency for Global Media;

Whereas the diplomatic, consular, communications, trade, development, security, public diplomacy, and numerous other functions that Foreign Service personnel perform constitute the first and most cost-effective instrument of the United States to protect and promote United States interests abroad;

Whereas the men and women of the Foreign Service and their families are increasingly exposed to risks and danger, even in times of peace, and many have died in the service of the United States;

Whereas employees of the Foreign Service work daily—

(1) to ensure the national security of the United States;

(2) to provide assistance to United States citizens overseas;

(3) to preserve peace, freedom, and economic prosperity around the world;

(4) to promote the ideals and values of the United States, internationally recognized human rights, freedom, equal opportunities for women and girls, rule of law, and democracy;

(5) to promote transparency, provide accurate information, and combat disinformation;

(6) to cultivate new markets for United States products and services and develop new investment opportunities that create jobs in the United States and promote prosperity;

(7) to promote economic development, reduce poverty, end hunger and malnutrition, fight disease, combat international crime and illegal drugs, and address environmental degradation; and

(8) to provide emergency and humanitarian assistance to respond to crises around the world;

Whereas, in response to the unprecedented global COVID–19 pandemic, all of the foreign affairs agencies of the United States have worked tirelessly to support the people of the United States, often placing their own safety and well-being at risk;

Whereas the foreign affairs agencies and the American Foreign Service Association have observed Foreign Service Day in May for many years; and

Whereas it is both appropriate and just for the United States as a whole to recognize the dedication of the men and women of the Foreign Service and to honor the members of the Foreign Service who have given their lives in the loyal pursuit of their duties and responsibilities representing the interests of the United States and of its citizens: Now, therefore, be it

Resolved, That the Senate—

(1) honors the men and women who have served, or are presently serving, in the Foreign Service of the United States for their dedicated and important service to the United States;

(2) calls on the people of the United States to reflect on the service and sacrifice of past, present, and future employees of the Foreign Service of the United States, wherever they serve, with appropriate ceremonies and activities; and

(3) designates May 6, 2022, as ''United States Foreign Service Day'' to commemorate the 98th anniversary of the Foreign Service of the United States.

SENATE RESOLUTION 628—DESIGNATING MAY 21, 2022, AS ''KIDS TO PARKS DAY''

Mr. WYDEN (for himself, Mr. PORTMAN, Mr. BOOKER, Mr. HEINRICH, Mrs. MURRAY, Ms. COLLINS, Mr. BURR, and Ms. HIRONO) submitted the following resolution; which was considered and agreed to:

S. RES. 628

Whereas the 12th annual Kids to Parks Day will be celebrated on May 21, 2022;

Whereas the goals of Kids to Parks Day are—

(1) to promote healthy outdoor recreation and responsible environmental stewardship;

(2) to empower young people; and

(3) to encourage families to get outdoors and visit the parks and public land of the United States;

Whereas, on Kids to Parks Day, individuals from rural, suburban, and urban areas of the United States can be reintroduced to the splendid national, State, and neighborhood parks located in their communities;

Whereas communities across the United States offer a variety of natural resources and public land, often with free access, to individuals seeking outdoor recreation;

Whereas the people of the United States, young and old, should be encouraged to lead more healthy and active lifestyles;

Whereas Kids to Parks Day is an opportunity for families to take a break from their busy lives and enjoy a day of active, wholesome fun; and

Whereas Kids to Parks Day will—

(1) broaden an appreciation for nature and the outdoors in young people;

(2) foster a safe setting for independent play and healthy adventure in neighborhood parks; and

(3) facilitate self-reliance while strengthening communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 21, 2022, as ''Kids to Parks Day'';

(2) recognizes the importance of outdoor recreation and the preservation of open spaces for the health and education of the young people of the United States; and

(3) encourages the people of the United States to observe Kids to Parks Day with safe family trips to parks.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5029. Mr. DURBIN (for Mr. MURPHY) proposed an amendment to the resolution S. Res. 552, designating March 2022 as ''Irish-American Heritage Month'' and honoring the significance of Irish Americans in the history and progress of the United States.

TEXT OF AMENDMENTS

SA 5029. Mr. DURBIN (for Mr. MURPHY) proposed an amendment to the

resolution S. Res. 552, designating March 2022 as ''Irish-American Heritage Month'' and honoring the significance of Irish Americans in the history and progress of the United States; as follows:

In the preamble, in the eighth whereas clause, strike ''Chuck Feeney'' and insert ''William Russell Grace''.

NOTICE OF INTENT TO NOT OBJECT TO PROCEEDING

I, Senator CHARLES GRASSLEY, do not object to the consideration of Eric M. Garcetti, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of India, dated May 10, 2022.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MENENDEZ. Mr. President, I have eight requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a) of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 10, 2022, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, May 10, 2022, at 9:45 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, May 10, 2022, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, May 10, 2022, at 2:30 p.m., to conduct a hearing on nominations.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, May 10, 2022, at 12 p.m., to conduct a closed roundtable.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, May 10, 2022, at 2:30 p.m., to conduct a closed business meeting followed by a closed briefing.

SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 10, 2022, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON SEAPOWER AND SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

The Subcommittee on Seapower and the Subcommittee on Readiness and Management Support of the Committee on Armed Services are authorized to meet during the session of the Senate on Tuesday, May 10, 2022, at 2:30 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Ms. SMITH. Mr. President, I ask unanimous consent that Melody Tan and Sarah Alexander—fellows in my office—be granted floor privileges for the remainder of the 117th Congress.

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

Mr. BROWN. Mr. President, I ask unanimous consent that the privileges of the floor be granted to Brittany Thomas, Sneha Pandya, and Serena Baserman for the remainder of this Congress.

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

ORDERS FOR WEDNESDAY, MAY 11, 2022

Mr. PADILLA. Madam President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m., Wednesday, May 11; that following the prayer and pledge, the Journal of proceedings be approved to date and the Senate proceed to executive session to resume consideration of the motion to discharge the Sweeney nomination, as provided under the previous order; further, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

Mr. PADILLA. Madam President, for the information of Senators, there will be two rollcall votes at 11 a.m., up to three rollcall votes at 2:30 p.m., with additional rollcall votes in the evening.

RECESS UNTIL 10 A.M. TOMORROW

Mr. PADILLA. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 8:47 p.m., recessed until Wednesday, May 11, 2022, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. GREGORY M. GUILLOT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ALEXUS G. GRYNKEWICH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICHARD G. MOORE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL J. SCHMIDT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS JUDGE ADVOCATE GENERAL OF THE AIR FORCE AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE SERVING IN THAT POSITION IN ACCORDANCE WITH TITLE 10, U.S.C., SECTIONS 6010 AND 9037:

To be lieutenant general

MAJ. GEN. CHARLES L. PLUMMER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT A. RASCH, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STEVEN W. GILLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. OMAR J. JONES IV

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. TELITA CROSLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICHARD R. COFFMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JAMES B. JARRARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KEVIN VEREEN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRIAN W. CAVANAUGH

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY WHILE SERVING AS CHIEF PROSECUTOR FOR MILITARY COMMISSIONS UNDER ARTICLE II, SECTION 2, CLAUSE 2 OF THE UNITED STATES CONSTITUTION AND SECTION 1037 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014:

To be rear admiral (lower half)

CAPT. AARON C. RUGH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. FRANK M. BRADLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MICHAEL E. BOYLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. RICHARD A. CORRELL

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO SERVE AS THE DIRECTOR OF THE COAST GUARD RESERVE IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 309(B):

To be rear admiral (upper half)

REAR ADM. MIRIAM L. LAFFERTY

CONFIRMATIONS

Executive nominations confirmed by the Senate May 10, 2022:

DEPARTMENT OF TRANSPORTATION

ANN CLAIRE PHILLIPS, OF VIRGINIA, TO BE ADMINISTRATOR OF THE MARITIME ADMINISTRATION.

DEPARTMENT OF ENERGY

ASMERET ASEFAW BERHE, OF CALIFORNIA, TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY.

FEDERAL RESERVE SYSTEM

LISA DENELL COOK, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2010.