House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, January 28, 2021, at 9 a.m.

Senate

TUESDAY, JANUARY 26, 2021

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

PRAYER

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

Let us pray.

Eternal God, the Lord of all, prepare our lawmakers today to serve You and country. Give them grateful hearts for Your daily blessings as they comprehend that their times are in Your hands. Lord, inspire them to make a right relationship with You their top priority. Like a potter with clay, mold and make them as You desire, so that they may be vessels of honor for Your Kingdom. May they daily seek You and find joy in Your presence.

We pray in Your great 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,

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAFAEL 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.

NOMINATION OF ANTONY JOHN BLINKEN

Mr. SCHUMER. Mr. President, as we move through the first full week of the Biden administration, the Senate will continue the important work of confirming President Biden’s Cabinet. Today, the Senate will hold a confirmation vote for Antony Blinken to be the next Secretary of State. Mr. Blinken is just the right person to rebuild and reassert America’s national security prerogatives on the global stage and reestablish the first instrument of American power: diplomacy.

For 4 years, the failed diplomacy of the Trump administration weakened our alliances, strengthened and emboldened our adversaries, and tarnished America’s reputation abroad. We must reaffirm our commitment to NATO and other critical alliances around the world. We must hold Russia accountable for its malicious interference in democracies. We must confront China’s economic, political, and human rights abuses. And we must work with the family of nations to combat the existential threat of climate change.

Once confirmed, Mr. Blinken will also inherit a State Department workforce in desperate need of a leader who knows that everyone on the team plays a critical role in advancing America’s interests abroad. Under President Trump, our Nation’s diplomats and State Department civilians were relegated to the sidelines, and too many positions in the State Department were left vacant or relegated to irrelevance.

None of this will be easy, but I am confident that Mr. Blinken is exactly the right person for the job. I look forward to seeing this Chamber confirm his nomination later today.

After that, both parties must keep working together to confirm the rest of President Biden’s outstanding Cabinet. We are off to a decent pace with the confirmations of the President’s Secretaries of Defense, Treasury, and Director of National Intelligence. I appreciate the Republican leader’s cooperation and hope it will continue because our country needs that.

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

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That pace must continue this week with the confirmation of the Secretaries of Homeland Security and Transportation. After that, we need a Health and Human Services Secretary installed to oversee the public health response to COVID, an Education Secretary to facilitate the safe reopening of the schools, guided by the science; and a Secretary of HUD to help America’s struggling families stay in their homes during this horrible economic crisis. The Senate is working at an encouraging pace, and we will not let up.

ORGANIZING RESOLUTION

Mr. SCHUMER. Mr. President, now on the organizing resolution, well, since the last time I addressed this Chamber, there has been notable progress in my discussions with the Republican leader about organizing the Senate. Last night, the Republican leader dropped his demand for additional steps in the organizing resolution and will agree to the 2001 rules that last governed the 50–50 Senate—exactly what Democrats proposed from the start.

I am glad the Republican leader finally relented, and we can move forward now to organize the Senate, Senate committees, chairs, and ranking members, and the process for moving bills and nominees to the floor from committees with an evenly divided number of Members. I am glad we will finally be able to get the Senate up and running. My only regret is that it took so long because we have a great deal we need to accomplish over the next several weeks and months.

CORONAVIRUS

Mr. SCHUMER. Mr. President, now on COVID, in addition to the confirmation of critical Cabinet nominees, the Senate will soon move forward with legislation to address the twin crises facing our country: the public health crisis and the economic crisis.

In December, Congress took the important step of passing interim emergency relief to the country, but we left, since the last time I addressed this Chamber, there has been notable progress in my discussions with the Republican leader about organizing the Senate. Last night, the Republican leader dropped his demand for additional steps in the organizing resolution and will agree to the 2001 rules that last governed the 50–50 Senate—exactly what Democrats proposed from the start.

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The Congressional Budget Office told us last fall that the COVID-19 pandemic has taken more than $17 trillion out of our economy—$17 trillion. No doubt, Congress has passed substantial relief, but looking at the data, we are nowhere close to filling the COVID-sized hole in our economy. Expanded unemployment insurance will once again expire in March. State and local governments, which have already cut over a million jobs, are still reeling from budget deficits and have not received direct assistance. The amount of direct payments to the American people in the previous bill was regrettably much lower than many of us, including myself, wanted. We must continue supporting the rapid and massive distribution of the vaccine and work to finally crush this virus once and for all.

So the Senate is going to press forward on another COVID-relief bill. We want to work with our Republican colleagues to advance this legislation in a bipartisan way, and the work must move forward—preferably, with our Republican colleagues, but without them if we must.

We are still in the midst of a once-in-a-century crisis that has reshaped our economy and altered nearly every aspect of American life. Americans are still getting sick. Americans are still dying. Americans are still losing their jobs. We must not suffer timidity or delay. There is great urgency to continue the work on COVID relief. The point is exactly what the Senate will do. I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

FILIBUSTER

Mr. MCCONNELL. Mr. President, yesterday, two Democratic Senators confirmed they will not provide the votes to eliminate the legislative filibuster. The senator from West Virginia issued a public “guarantee”: “I do not support doing away with the filibuster under any condition.”

Any chance of changing his mind? "None whatsoever.

The senator from Arizona made the same commitment. She opposes ending the legislative filibuster and “is not open”—not open—“to changing her mind.” Our colleagues informed me directly last night that under no circumstances would she reverse course.

Now, it should not be news that a few Members of the majority pledge they won’t tear up a central rule, but the Democratic leader was reluctant to repeat the step I took as majority leader in unified government when I ruled out that step on principle.

Rather than relying on the Democratic leader, I took the discussion directly to his Members. Basic arithmetic now ensures that there are not enough votes to break the rule. This victory will let us move forward with the 50–50 power-sharing agreement containing all the elements of the 2001 model because it will sit on the very same foundation.

I want to discuss the precipice from which the Senate has stepped back. In 2013, Senator Harry Reid began the “nuclear” exchange over nominations. I said Democrats would regret it. A few years later, we have many Federal judges, including three Supreme Court Justices, who were confirmed with fewer than 60 votes.

The back-and-forth exchange over nominations had one institutional silver lining, because Democratic filibustering nominations was itself a modern invention pioneered by Senate Democrats in the 2000s. So, on nominations, for all the fighting, the Senate just simply circled back to the simple majority threshold that had been our longstanding norm on nominations; that is, on the Executive Calendar. Legislation is very different. When it comes to lawmaking, the Framers’ vision and our history are abundantly clear. The Senate exists to require deliberation and cooperation. James Madison said the Senate’s job was to provide a “complicated check”—a complicated check,” he said—against “improper acts of legislation” and ensure “laws are only buy-in to receive the lasting consent of the governed. We stop bad ideas, improve good ideas, and keep laws from swinging wildly with every election.

A friend, Lamar Alexander, put it this way in his farewell speech. He said: “The Senate exists to produce broad agreements on controversial issues that become laws most of us have voted for and that a diverse country will accept.”

More than any other feature, it is the Senate’s 60-vote threshold to end debate on legislation that achieves this. It ensures narrow interests cannot ignore the rest of the country. It embodies Jefferson’s maxim that ‘great innovations should not be forced on slender majorities.’

The bar for lawmaking is high. It should be high, even if both bodies take turns at being slightly frustrated by it. If your legislation can’t pass the Senate, you don’t scrap the rules or lower the standards. You improve your idea, take your case to the people, or both.

Four years ago, Republicans just wanted unified control. President Trump and others pressured us heavily—me, in particular—to scrap this rule when it was protecting the Democratic minority. But we stood firm. I stood firm and endured many tweets on the subject. I said we would not do that to our colleagues in the minority.

No short-term policy win justifies destroying the Senate as we know it, especially since laws would become so hard and reversible. So Democratic Senators used the 60-vote threshold to shape and block legislation. They stalled COVID relief, they blocked police reform, and they stopped even modest measures to protect innocent lives because I chose not to destroy the tool that allowed them to do that.

That same tool that some Democrats now want to destroy, they used freely and liberally throughout their years in the majority, and protected their ability to do that. Republicans understand you don’t destroy the Senate for a fleeting advantage. Our friends across the aisle must see the same.
I have talked a lot about principle. We should also make this a little more tangible. So let’s take a look at what would happen if in fact the legislative filibuster were gone. If the Democratic majority were to attack the filibuster, they would guarantee themselves immediate chaos, especially in this 50-50 Senate. This body operates every day and every hour by consent, and destroying the filibuster would drain comity and consent from this body to a degree that would be unparalleled in living memory.

So let’s look at some examples.

The Constitution requires the Senate to have a quorum to do any business. Right now, a quorum is 51, and the Vice President does not count to establish a quorum. The majority cannot even produce a quorum on their own, and one could be demanded by any Senator at almost any time.

Our committees need quorums to function as well. They will also be evenly split. If this majority went scorched-earth, this body would grind to a halt like we have never seen. Technically, it takes collegiality and consent for the majority to keep acting as the majority at any time they do not physically—physically—have the majority.

In a scorched-earth, post-nuclear Senate that is 50-50 like we have today, every Senate Democrat and the Vice President could essentially just block out the next 2 years of their calendar. They would have to be here all the time.

It takes unanimous consent to schedule most votes, to schedule speeches, to convene before noon, to schedule many hearings and markups. As Democrats just spent 4 years reminding us, it takes consent to confirm even the lowest level nominees at anything beyond a snail’s pace.

None of us have ever seen a Senate where every single thing either happens in the hardest possible way or not at all. Heck, once or twice every day the majority leader reads through an entire paragraph of routine requests. Objections could turn each one into multiple, lengthy rollcall votes.

None of us on either side wants to live in a scorched-earth Senate. The institution and the American people deserve a lot better. But there is no doubt—that is what we would see if Democrats tear up this pivotal rule. It would become immediately and painfully clear to the Democratic majority that they had indeed just broken the Senate.

This gambit would not speed the Democrats’ ambitions. It would delay them terribly, and it would hamstring the Biden Presidency over a power grab which the President has spent decades warning against and still opposes.

Finally, at some point, the shoe would find its way to the other foot. When the Republicans next control the government, we would be able to repeal every bill that had just been rammed through, and we would set about defunding the unborn, exploring domestic energy, unleashing free enterprise, defunding sanctuary cities, securing the border, protecting workers’ paychecks from union bosses—you get the picture.

But a few years later, the Democrats would try to flip it all back. So instead of building stable consensus, we would be chaotically swapping party platforms, swinging wildly between opposite visions that would guarantee half the country is miserable and restive at any given time. We would have inherited resilient institutions but left behind a chaotic mess.

We are in a politically charged period, but when factional fever runs hot, when slender majorities are most tempted to ram through radicalism, these are the times for which the guardrails exist in the first place.

Republicans said no—emphatically no—to pushing the Senate over this precipice. When I could have tried to grab the power, I turned it down. I said: “President Trump, no,” repeatedly, because the Nation needs us to respect the Framers’ design and the Senate’s structure, and because, as I said in a different context on January 6, we have a higher calling than endless partisan escalation.

We have placed our trust in the institution itself, in a common desire to do the right thing. I am grateful for that. I have been reciprocated by at least a pair of our colleagues across the aisle. I am glad that we have stepped back from this cliff. Taking that plunge would not be some progressive dream; it would be a nightmare. I guarantee it.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session in accordance with the nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Antony John Blinken, of New York, to be Secretary of State.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon will be equally divided between the two leaders or their designees.

The ACTING PRESIDENT pro tempore. Senator from Illinois.

FILIBUSTER

Mr. DURBIN. Mr. President, it has been my good fortune to serve in the Senate for 24 years. I have great respect for this institution and continue to believe that the men and women who serve here are extraordinary examples, by and large, of public service and that we have done great things of a historic nature.

I think of the days of the Obama Presidency, when we had to rescue our economy, make reforms on Wall Street that made a difference, and build a public health system that we have aspired to for decades. We were able to do that because those goals—not easily—with hard work and determination. I am glad to have been a part of it.

When I hear the Republican leader come to the floor and talk about his memory of the Senate, I hasten to add: There is another side to the story. I will come to the floor in a few days to outline the history of the filibuster, but I am sure the Senator from Kentucky, who has been in the Senate—and staff—in elected capacity for decades, would concede this point: Up until the 1960s, the filibuster was rarely used in this U.S. Senate. The demand for, once, 67 votes, then 60 votes was rare.

Oh, it was remembered that, in the 1960s, civil rights legislation founded on the floor of this U.S. Senate because of the filibuster, but it was rarely applied. That changed. It changed under the leadership of Senator from Kentucky’s leadership. It became so commonplace—the filibuster was being used so frequently—that it led to Senator Reid, then the Democratic leader, making some fundamental changes in the Senate rules.

I remember that day very well, and I remember the anguish that Senator Reid felt at the time. But he felt he had no recourse because the filibuster had become commonplace, the 60-vote requirement commonplace.

I don’t know exactly what the argument is from the other side at the moment, but I think any fairminded Senator would concede the Senate is capable of being deliberative; it is capable of doing great things; it is capable of being deliberative; yet it still can be decisive.

There comes a time when we should act. And to merely let every issue get mired down into a 60-vote requirement and filibuster and nothing come out of this Chamber as a result cannot be what our Founding Fathers envisioned for the world of the U.S. Senate.

I want to address that issue at another time in more detail, with facts and figures on the use and misuse of filibuster, but at this moment I would like to raise another question, which is related.

NOMINATION OF ALEJANDRO NICHOLAS MAYORA

Mr. President, we are in the midst of a global pandemic. More than 420,000 American lives have been lost. Just 3 short weeks ago, 20 days ago, this Capitol, this age-old symbol of America, was attacked by homegrown domestic terrorists. It was overrun for the first time since the British invasion in the War of 1812.
After this horrific attack on this Capitol by this mob—insurrectionist mob—I hope the United States can finally come to grips with the reality of terrorism today.

I remember 9/11 very well. Who could forget that day? 184 people died in this building and fully expected an attack on this structure. We ran out, down the steps onto the grassy lawn, and stood, wondering what to do next. This was going to be the next target. Thank goodness for the heroism of those who came forward and took control of the plane—at least diverted it into Pennsylvania.

Some would dismiss the insurrectionist mob as just another rowdy political crowd not unlike many other political demonstrations. In fact, I have heard comparisons of Black Lives Matter rallies to the terrorist attack of January 6.

But there was a fundamental difference 20 days ago. That fundamental difference is that 50 Americans died as a result of that mob invading the Capitol, including one Capitol policeman. We have heard rumors of the details of how he died. I am sure we are going to hear more as the investigation continues. But this was just another political demonstration. It was an example of terrorism, period—American-grown, American-sponsored.

The security of our Nation is still at stake. There was a demonstration yesterday in downtown Chicago by White supremacists. Over 80 of them gathered—over 80 of them—in downtown Chicago to stand up and defiantly show that they were still alive and well and ready to act.

The very least we can do is to ensure that the Agency responsible for our protection against this sort of terrorism has leadership. That Agency is the Department of Homeland Security.

President Biden has suggested a man to serve as Secretary: Ali Mayorkas. He is an extraordinary public servant. The Senate has confirmed him three times. He previously served for 7 years at this Agency. He has been nominated now to lead it.

Most recently, he served as the Department of Homeland Security Deputy Secretary, the agent second in command and chief operating officer. He was in charge of counterterrorism, cyber security, border security, emergency management, and other critical matters. He did the job and did it well. We need him again. We need his expertise and experience at the Department of Homeland Security today.

Pensacola’s Republicans have forgotten about the last 4 years of failed policy and chaos at the Department of Homeland Security. Just a little reminder: It was under President Trump that the Agency experienced an unprecedented leadership vacuum.

Consider this: The Department of Homeland Security lurches from one Secretary or Acting Secretary to the next. Six—six people headed that Agency during the Trump administration. Only two of them were confirmed by the U.S. Senate. That is more Agency heads in the last 4 years than in the 13-year history of the Department of Homeland Security before the Trump administration.

They couldn’t keep a leader in place. The President was firing them, and they were resigning right and left. For over a year, that Agency, the Department of Homeland Security, was led by an unlawfully appointed Acting Secretary.

The Department of Homeland Security, was led by an unlawfully appointed Acting Secretary. That fundamental difference is the fact that five Americans died as a result of that mob invading the Capitol, including one Capitol policeman.

I met the judge. She had been on the bench there in the immigration court for almost 20 years. She was a good person. You could tell. She said: Senator, I wish you would stay for the docket call this morning in this immigration court.

I went to an immigration court in Chicago, a Senator, a Senator, a Senator. In a big high-rise office building, I didn’t expect to find a court, but I did. I got off the elevator, and the walls were lined with people. The hallways were packed with those waiting for a hearing before this immigration court.

Two Republican senators who were in Congress, who were in that very building, suffered because of lack of leadership under the Trump administration.

Over the last 4 years, we have watched the politicization of the Department of Justice and the Department of Homeland Security. We have watched national security leaders to address the threat of violent White supremacists and other far-right extremists give evidence as to why we need to fill this spot immediately.

What is the problem? President Biden has nominated Ali Mayorkas. Ali Mayorkas has turned in his paperwork required by law, has submitted his name for a hearing, and appeared before a committee of Congress. Why isn’t he being approved here?

On January 6, the Senator from Missouri, a Senator from Missouri, has a hold on his nomination. Why? Well, he may disagree with him on some policies. He is sure he does. I am sure he disagrees on some policies, he said publicly. I am sure he disagrees on some policies. Is that enough? Is that enough to say that this critical Agency will not have a leader because the Senator of Missouri disagrees with him on a policy?

Occasionally, I tune in to FOX to see what folks are saying there. The other night, last week, when I tuned in, there was this breathless reporting of a Brown-skinned invasion at our border—thousands in caravans destined for the United States. Over and over
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again we have heard that story. What Agency is responsible for making sure that their arrival on our border is orderly, that they do not cross the border improperly? It is the Department of Homeland Security—the same Agency that has been denied leadership by one Senator or another for 10 years. It is time to get over it. It is time to give President Biden the leadership we need at that Agency as quickly as possible.

We, in contrast, know that America is a unique nation, and what makes it special is that people from all over the world can come to our shores and become Americans, not because of their race or ethnicity but because they embrace America’s democratic ideals.

The son of a Holocaust survivor and an immigrant from Cuba, Mr. Mayorkas knows firsthand that America can be a beacon of hope and promise to those facing persecution. Mr. Mayorkas is an experienced national security leader who can restore integrity and decency at the Department of Homeland Security.

I personally appreciated the skill and dedication he showed as Director of the United States Citizenship and Immigration Services. There, in the year 2012, he implemented DACA—the Deferred Action for Childhood Arrivals—that allowed for more than 800,000 young people to have a chance to be part of America. As Deputy Secretary, Mr. Mayorkas saw a $50 billion budget and led a workforce of 230,000 individuals. He is the right man for the job, and he should be on the job today.

He excelled in that role, receiving the Department’s Distinguished Service Award—the highest civilian honor—the U.S. Coast Guard’s Distinguished Service Award, and a special commendation from the National Security Agency for his achievements in national security and cyber security.

Among his numerous responsibilities, he led the Department’s response to the Zika and Ebola outbreaks—highly relevant and timely expertise we could use now in this COVID-19 pandemic.

He served as a Senate-confirmed U.S. Attorney to California earlier in his career.

The national president of the Fraternal Order of Police has enthusiastically endorsed Mr. Mayorkas and said, “His professionalism, integrity and commitment to public safety and fair enforcement of the law makes him an ideal candidate to lead the department. Mr. Mayorkas has pursued criminal wrongdoers and has protected the rights of the innocent with indefatigable vigor. His work reflects all that is right in the enforcement.”

That was the statement from the Fraternal Order of Police about this nominee. He is an outstanding nominee to be Secretary of Homeland Security. His experience, qualifications, expertise, and integrity will serve America well at a time we desperately need him.

I ask the Senator who is holding his nomination to release the hold today.

Let Mr. Mayorkas go to the head of this Agency where he is desperately needed and show the kind of leadership he has over and over again for this country.

I urge my colleagues to expeditiously confirm Mr. Mayorkas so that he can serve as the next Secretary of Homeland Security.

I yield the floor.

The acting President pro tempore. The Republican whip is recognized.

Filibuster

Mr. THUNE. Mr. President, there has been a lot of talk about the legislative filibuster here in the Senate over the last few days. As we started the new Congress evenly divided between Republicans and Democrats, the Republican leader had proposed that the Democrat leader include a commitment to preserving the legislative filibuster and the power-sharing agreement the leaders have been working out. That has not happened.

Less than 4 years ago, with a Republican President in the White House and Republicans in control of the Senate and the House of Representatives, a bipartisan group of 61 Senators affirmed their support for maintaining the legislative filibuster, stating: “We are united in our determination to preserve the ability of Members to engage in extended debate when bills are on the Senate floor.”

There are 26—26—current Democratic Senators—a majority of the current Democratic caucus—who signed that defense of the legislative filibuster when they were in the Senate minority. It is disappointing that the Democrat leader failed to express his support for this essential Senate rule.

Nevertheless, thanks to the recent commitment from two Senate Democrats to oppose any attempt to eliminate the filibuster—a commitment which secures this key protection for minority rights—Leader MCCONNELL is now moving forward without a statement from the Democrat leader.

But it is worth taking a moment to reiterate why the legislative filibuster is so important. The legislative filibuster, of course, is essentially the requirement that 60 Senators agree before the Senate can end debate and vote on a bill. In other words, you need 60 percent of the Senate to agree before you can move legislation.

The party in power doesn’t always enjoy that rule. All of us would like the opportunity to pass exactly the legislation that we want. But most of us recognize that it is a good requirement.

The legislative filibuster ensures that the minority is represented in the legislation. This would be important even if elections tended to break 60 to 40 or 70 to 30 in favor of one party or another. All Americans, whether or not they are in the majority, deserve to be represented. But it is particularly important when you consider that our country is pretty evenly split down the middle.

While the advantage sometimes goes to Democrats and sometimes to Republicans, the truth is the country is pretty evenly split, which means any attempt to disenfranchise the minority party means disenfranchising half of the country.

Of course, the party in power generally wants to assure more than the minority party—and that is appropriate. The country may be fairly evenly divided, but sometimes it wants to move more toward one side or the other.

What is not appropriate is to eliminate meaningful minority representation, which would be the consequence of eliminating the legislative filibuster. Our Founders recognized the importance of putting safeguards in place to ensure that majorities would not curtail or eliminate minority rights.

That is why the Founders created the Senate. They made the Senate smaller and Senators’ terms in office longer, with the intention of creating a more deliberative body, and more careful deliberative legislative body to check ill-advised or unnecessary legislation or attempts to curtail minority rights.

And as time has gone on, the legislative filibuster is the Senate role that has had perhaps the greatest impact in preserving the Senators’ vision of the Senate. Thanks to the filibuster, it is often harder to get legislation through the Senate than the House. It requires more thought, more debate, and greater consensus—in other words, exactly—what the Founders were looking for.

I am grateful to my Democrat colleagues who have spoken up about their commitment to preserving the legislative filibuster. I am grateful to Senate Republicans were committed to protecting the vital safeguard of minority rights when we were in the minority—despite, I might add, the then-President’s calls repeatedly to eliminate it—and I appreciate that a number of my Democrat colleagues share that commitment.

I am particularly grateful to the Senator from West Virginia and the Senator from Arizona for their uncompromising defense of minority rights and the institution of the Senate here in recent days.

Again, however, I am disappointed the Democrat leader chose not to express his support for this essential Senate rule. I would point out that when Democrats were in the minority in the Senate, they made frequent use of the legislative filibuster.

I hope that the commitment to the legislative filibuster expressed by President Biden and a number of Senate Democrats means an end of any talk of eliminating the filibuster. No matter how appealing it might be in the moment, destroying this long-standing protection for minority rights
would be a grave error that both par-
ties would live to regret. I hope that all Senate Democrats will recommit themselves to preserving this fundamental feature of the Senate and to find compromise. We have work to do.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tem-
pore. The clerk will call the roll.

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

The PRESIDING OFFICER (Mr. PADILLA). Without objection, it is so ordered.

NOMINATION OF ANTONY JOHN BLINKEN

Mr. PAUL. Mr. President, today we will be considering the nomination of Antony Blinken to be President Biden’s Secretary of State.

The problem I have with this nomination is that, for decades now, we have been at war in Afghanistan. The war is now called “the forever war.” People lament that it goes on so long, and people say: How could it possibly keep going on?

Six-five to seventy percent of the American people, 65 to 70 percent of American veterans—veterans who served in the theater—say the war is enough. We should end the war in Af-
ghanistan. How does it go on? We have got a new president. Are things going to change?

Here is the problem: Why do the wars continue? Why do the wars in Syria and Libya and Somalia and Afghan-
istan continue? Because the more things change, the more they stay the same.

Mr. Blinken has been a full-throated advocate of military intervention in the Middle East for 20 years. We are fooling ourselves if we think we are going to follow a new policy. We are going to get more of the same.

In his hearing, I said to him: “The problem isn’t that we don’t compromise or that we don’t have bipar-
tisan consensus; the problem is we have too much bipartisan consensus for war.”

For 20 years, he has advocated for military intervention. He advocated for the Iraq war, as did the President. President Biden was also an advocate of that war.

Now, later on they said: Well, the war wasn’t that great of an idea, but we were lied to by George Bush and the intelligence, and I am willing to admit there is some truth to that. But there is a bigger lesson here. The lesson is that regime change doesn’t work.

They often get unintended con-
sequences, and you often get the oppo-
site of what you think you are getting. They said: We must go to Iraq to topple Saddam Hussein because he is a ter-
rible dictator. Well, yes, he was a des-
pot, a dictator, an autocrat. You know, he wreaked havoc on his people, prob-
ably gassed the Kurds—many different horrible things. And yet, when he was gone, what did we get? We got a power vacuum. We got more terrorism. We are back in there 10 years later because the government is nonfunctional. And what is the final result? Iran is stronger.

What does everybody talk about? Iran, Iran, Iran. Why do we worry about Iran? Well, because we toppled their biggest adversary. We used to have a balance of power between Iraq and Iran—despot on one side, despot on the other but at least a balance of power.

But who is Iran’s best ally now? Iraq. Think about it. Iraq is allied with Iran. Iran is also allied. In many ways, with Russia, as well as us, but they have also asked us to leave. They are like: Oh, thanks for our freedom, but you all can take off now.

But who supported the war? Presi-
dent Biden, Antony Blinken. We are back where we were 20 years ago.

Now, in his hearing, he will say: Well, there is some reth-

Now, it is fair to ask if you would ex-
pect there was a learning from the Iraq war, and they would say: OK. Now that we are in charge, we won’t do the same.

But it turns out, when we had an Obama administration, with Blinken in the administration, we got more war. They went into Libya. Once again, the same sort of idea—the idea that regime change works, and that we will topple this ter-
rrible dictator, Qadhafi, and out of the mist, out of the embers, out of the fire will arise Thomas Jefferson. The Thomas Jefferson of Libya will take over and freedom will reign. It didn’t work out so much.

So Mr. Blinken, in his hearing, ad-
mitted as much. He said: Well, maybe we overestimated the possibility that there would be rivals to replace him. Do you think?

But, see, this is sort of the expected pattern of the Middle East. The Middle East doesn’t have this 1,000-year English tradition of trying to control central power, dating back to even be-
fore the Magna Carta.

But even 350 years ago, the English had no reason to restrain the power of the King; 250 years ago we had our revolution to further restrain the power of the King. We have this long-
standing tradition.

But in the Middle East, there is more of this tradition of tribalism, and as you have an iron fist, but when you get rid of the iron fist, it is replaced by another iron fist or nothing—by chaos.

So in Libya you get rid of Qadhafi—
supported by President Obama, Vice President Biden, Antony Blinken. You have a toppled Qadhafi, and, at first, you have an iron fist, but when you get rid of the iron fist, it is replaced by another iron fist or nothing—by chaos.

And what Blinken’s response is should tell you a little bit about the danger of what we may get from Blinken as Secretary of State.

He said the problem in Syria was not doing too much but doing too little. He said: What we really should have done was get in with full might. If we had put 100,000 troops in there, like we did in Afghanistan and like we did in Iraq, if we would have used sufficient enough force, we could have toppled Assad. But in the end, he said: We didn’t do enough.

So the lesson to Blinken and Biden and this administration isn’t that regime change doesn’t work; it is that if we are going to do it, we need to go bigger. We need to go all in.

And let us hope that regime change doesn’t work; that we should not sup-
port evil regimes. If they are despots or dictators, we shouldn’t arm them. But I am not for toppling every one of them
government, the U.N. government, or Gen-
eral Haftar, or whom we support.

The Middle East is divided, arms are flowing in on both sides, and like we al-
ways do, we fan the flames by shipping arms to everybody in the region as well. It didn’t work.

So Mr. Blinken acknowledges: Yes, we underestimated the possibility there would be a rival government or a rival faction strong enough to rule Libya. Well, yeah.

But did they learn their lesson? No. About this time or a little bit later, they decided: We must go into Syria. So they spent about $500 million—$500 million—to train about 60 fighters. They did it in a remote area of Syria and they got them trained and they spent their $500 million and they sent 10 of them into battle. They were all captured or killed in the first 20 min-
utes. Five hundred million to train sixty of the so-called moderates. But guess what. The same holds for Syria that held for Iraq, Libya, that now holds for Syria. Guess what. Another despot.

But why are the people fighting against the despot? The most fierce fighters in Syria all along were al-
al-Qaeda, al-Qaida, and the other military interventionists, in a supposedly progressive admin-
istration, we got more war. They went into Libya. Once again, the same sort of idea—the idea that regime change works, and that we will topple this ter-
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port evil regimes. If they are despots or dictators, we shouldn’t arm them. But I am not for toppling every one of them
either because I am not so sure what you get next.

So how would this be in the real world? Saudi Arabia has shown themselves to be an autocratic, anti-woman, anti-modern administration that would actually kill a journalist and award the previous administration with arms. Terrible idea.

But what would we do if there was a rational, realistic—more realism in foreign policy—don’t topple the Government of Saudi Arabia, but we might not sell them arms. I think that would be a reasonable thing.

We also might not sell them arms because they were committing atrocities and killing civilians in the war in Yemen. But if you look back at the war in Yemen, the Obama-Biden administration did not have any strong opposition to the war in Yemen. They do now, but in the beginning, they didn’t.

And so the supplying of weaponry and what smart bombs to use in Mali? Nobody even knew. People on the Armed Services Committee were like: We have 800 soldiers in Mali? Yet and yet that goes on without our permission. Without a vote of the people’s representatives, without consulting the people at all, it just goes on and on and on.

So my opposition of Mr. Blinken to be Secretary of State is not so much because I oppose the administration; it is because I oppose the bipartisan consensus for war.

If we are ever to end these wars, we are going to need to not keep nominating the same retread who have gotten us into these wars.

So I will vote against Mr. Blinken because I am against war. I am against war that is not declared by Congress. I am against war that is executed primarily by the President. I am against them doing it without the permission of the people.

So I will oppose Mr. Blinken’s nomination. I don’t think I will get many people from the other side. It is difficult to vote against nominees of one’s own party, but I will say that if we are ever to end war, we need to have a real discussion in this body about when we go to war, whether or not we have to declare war, and we have to talk about whether our involvements have worked in the Middle East, whether or not there are unintended consequences. Instead of saying “Oh, it was all George Bush’s fault. It was faulty intelligence”—yeah, yeah, there is some truth to that, but it is really about regime change. It is about the idea that we know what is best for everyone else and that by putting a new regime involved in a country in the Middle East, somehow it is going to be better. It usually turns out worse.

So I hope my colleagues will today consider voting against Mr. Blinken because I think he is more of the same.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, I ask unanimous consent to speak for 3 minutes on the nomination of Tony Blinken for Secretary of State.

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

Mr. RISCH. Mr. President, I bring to the floor this morning the nomination of Tony Blinken to be Secretary of State. He has been nominated, of course, by President Biden, and this is by high, distinguished Senators.

We have had the honored privilege of working together to move as rapidly as possible on Mr. Blinken’s nomination.

Obviously, these things do take some time, and we are fortunate to be able to bring it as quickly as we have to the floor.

This is, in my judgment, certainly the most important nominee that there will be to the President’s Cabinet in the near future. And the least of which is they are in the line of succession for the Presidency.

Mr. Blinken has a long and distinguished history when it comes to statecraft and foreign relations matters. He is perfectly qualified for this job. Obviously, we don’t agree on all things. Nobody ever does.

I will say that there are 200 countries, approximately, on the planet, and each one of them has unique and very distinguished issues.

In speaking with Mr. Blinken on these matters, I find that there is a tremendous amount of agreement that he and I have. Obviously, whenever these things happen, there are areas of disagreement, and obviously the media and, again, a lot of people have been the previous administration with arms. And so the supplying of weaponry and what smart bombs to use in Mali? Nobody even knew. People on the Armed Services Committee were like: We have 800 soldiers in Mali? Yet and yet that goes on without our permission. Without a vote of the people’s representatives, without consulting the people at all, it just goes on and on and on.

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In speaking with Mr. Blinken on these matters, I find that there is a tremendous amount of agreement that he and I have. Obviously, whenever these things happen, there are areas of disagreement, and obviously the media and, again, a lot of people have been
of State. I want to thank Senator Risch for working with me expeditiously to get this nomination to the floor, and I appreciate his work and common cause to achieve it.

We all know Mr. Blinken has impressive credentials. He was confirmed by the Senate as Deputy Secretary of State, and before that, he served as the Deputy National Security Advisor and as the staff director at the Senate Foreign Relations Committee. But apart from his extensive experience, he showed in almost 5 hours of hearing testimony that he is thoughtful, willing, able to grapple with the most complex challenging issues facing our country, and committed to engaging Congress, and he did so on both sides of the aisle.

Not surprisingly, the Foreign Relations Committee reported him out by an overwhelming bipartisan vote.

Mr. Blinken must be confirmed so we can start addressing the challenges we face abroad. Every day there is an event or calamity across the globe, and whether it is a massacre in Ethiopia or democratic protests in Russia, we need U.S. leadership and engagement to chart our foreign policy through these troubling times.

We now have a COVID vaccine, but troubling new variants and strains are appearing in the United Kingdom and South Africa. We need a confirmed Secretary of State and a robust State Department to revitalize the traditional U.S. role as a leader on global health issues. This is just one of the many things we have to do to bring this pandemic to an end both in this country and abroad.

It is also important that Mr. Blinken be confirmed to help address the challenges we face closer to home. The State Department is suffering from a historic crisis stemming from low morale, the departure over the past 4 years of many of our most experienced diplomats, and the lack of accountability for the political leadership at the top during the last 4 years. Mr. Blinken’s experience and expertise is necessary to begin to repair the damage and rebuild the State Department.

Moreover, the Office of Secretary of State is fourth in the Presidential line of succession and is one of the most important national security positions in the government. To paraphrase former Secretary of Defense James Mattis, if we do not support diplomacy, our Armed Forces will ultimately need more ammunition. He was right. Robust diplomacy means that we are less likely to have to send our sons and daughters to fight wars, and it means more opportunities for Americans and American businesses abroad.

I strongly support Mr. Blinken’s nomination today because he is the right person for the job and because we cannot afford to leave this post vacant any longer. I hope my colleagues will join me.

With that, I yield the floor.

VOTE ON BLINKEN NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Blinken nomination?

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

The result was announced—yeas 78, nays 22, as follows:

[Rollcall Vote No. 7 Ex.]

YEAS—78

shooter that nearly killed STEVE SCALISE and a volunteer coach. The shooter nearly pulled off a massacre—I was there—because he fervently believed the false and inflammatory rhetoric spewed by BERNIE and other Democrats, such as “The Republican healthcare plan for the uninsured is that you die.”

As this avowed BERNIE supporter shot STEVE SCALISE, nearly killing him, and shot one of our coaches and two or three of our staff, he screamed: “This is for the people.”

Ask me or anyone if that is incitement.

No Democrat will ask whether CORY BOOKER incited violence when he called for his supporters to get “up in the face of Congress people”—a very visual and specific incitement.

No Democrat will ask whether MAXINE WATERS incited violence when she literally told her supporters: “If you see a [Trump administration] at a restaurant, [at] a department store, [at] a gas station, or any place, you create a crowd and you push back on them.” Is that not incitement?

No Republican has offered that because he fervently believed, have never once thought it legitimate to censure or impeach these Democrats.

No Republican has sought to use a government to hold these Democrats responsible for Antifa and Black Lives Matter violence that has consumed our cities and result in, resulting in over $1 billion of destruction, looting, and property damage. Not one Republican said, “Oh, let’s impeach the Democrats who are inciting this” because it would be ridiculous.

Many on the Democrat side of the aisle cheered them on. KAMALA HARRIS famously offered to pay the bill for those who were arrested. I wonder if she will be brought up on charges of inciting violence for that now that she is Vice President. Should KAMALA HARRIS be impeached for offering to pay for violent people to get out of jail who have been burning our cities down? No.

No Republican has offered that because we are not going down the road the Democrats have decided, this low road of impeaching people for political speech.

Should Republicans impeach the Democratic mayor of Seattle who incited and condoned violence by calling the armed takeover of part of her city “a summer of love”? Did any Republicans try to impeach her?

Then on June 8, the New York Post, citing U.S. Justice Department statistics, reported that more than 700 law enforcement officers were injured during the Antifa-Black Lives Matter riots. There were at least 19 murders, including 77-year-old retired police officer David Dorn. Yet Democrats insist on applying a test of incitement to a Republican who said that they refuse to apply to themselves.

I want the Democrats to raise their hands if they have ever given a speech that says “Take back; fight for your country.” Who hasn’t used the word “fight” figuratively? And are we going to put every politician in jail? Are we going to impeach every politician who has used the word “fight” figuratively in a speech?

Shame. Shame on these angry, unhinged partisans who are putting forth this sham impeachment, deranged by their hatred of the former President. Shame on those who seek blame and revenge and who choose to pervert a constitutional process while doing so.

I want this record, every last person here: Is this how you think politics should be?

Look, we have now got crazy partisans on the other side of the aisle trying to censor and remove two of the most legitimate and legitimate members for their political position. Look, I disagreed. I don’t think Congress should overturn the electoral college. But impeaching or censoring or expelling a Member of Congress you disagree with—is the truth so narrow that only you know the truth? We now have the media on your side saying there is only one set of facts, one set of truths, and you can only interpret it this way.

Now we have seven Senators on the other side trying to expel, censor, or impugn two Senators on this side. I defend them, not because I defend their position—I disagreed with their position—but you can’t impeach, censor, or expel people you disagree with. What is this coming to?

In a few minutes, I will insist on a vote to affirm that this proceeding we are about to enter is unconstitutional, that impeachment of a private citizen is illegal and essentially a bill of attainder, and that no sense of fairness or due process would allow the judge in the proceeding to be a partisan Democrat already in favor of the impeachment.

A sham this is. A travesty. A dark blot on the history of our country. I reject this sham impeachment, deranged by their hatred of the former President. I put forward alegitimate to censure or impeach these Democrats.

The issue he raises is one of constitutionality versus unconstitutionality. I have been reading positions on both sides. I understand there are legitimate arguments on both sides of that question. But the fact is, 3 weeks ago, we came together in this body and we collectively decided that was not wise. It was not smart—regardless of the constitutionality or the ability for us to do so, it was not smart for Congress to override, overturn the wishes of voters and of States that certified the electoral votes. We felt that was not wise.

Again, in a couple of hours, we are going to be voting on—we won’t be able to debate, which is why I am rising today or at this moment—we are going to debate whether a trial of someone who is no longer a President, no longer a civil servant, a private citizen, whether that is constitutional or not constitutional. Again, there are good arguments on both sides. Senators will vote differently and have justification for whatever side of that argument they take.

What I would like my colleagues to consider when they decide how to vote on that is not the constitutionality or unconstitutionality of that; I want them to consider, is it wise? Will a trial of a former President, of a private citizen—will it heal? Will it unify? I think the answer is clearly it will not. A trial of a former President is simply vindictive. It will divide. It is like opening up a wound and throwing salt in it. That is not a healing process.

Again, the question when we vote on this in a couple of hours, for every Senator, should be, Is it wise? Is it the right thing to do? I think from that standpoint, the choice is very clear: It will not heal. It will not unite.

Let’s put an end to this now. Let’s dismiss this trial and rule it unconstitutional.

I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:51 p.m., recessed until 2:15 p.m., and reassumed when called to order by the President pro tempore.

QUORUM CALL

The PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk called the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 2 Leg.]
FISCHER

The legislative clerk called the roll, and the Senators present answered “I do” and signed the Official Oath Book.

The Acting Sergeant at Arms made the proclamation.

The Acting Sergeant at Arms, Jennifer Hemingway, made the proclamation as follows:

Hear ye! Hear ye! All persons are commanded to keep silent, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of the United States the Article of Impeachment against Donald John Trump, former President of the United States.

The PRESIDENT pro tempore. The Senator from Kentucky.

Mr. PAUL. Mr. President, article II, section 4 of the Constitution says: “The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.”

Article I, section 3, clause 6 states: “When the President of the United States is tried, the Chief Justice shall preside.”

As of noon last Wednesday, Donald Trump holds none of the positions listed in the Constitution. He is a private citizen. The Presiding Officer is not the Chief Justice, nor does he claim to be. His presence in the Chief Justice’s absence demonstrates that this is not a trial of the President but of a private citizen.

POINT OF ORDER

Therefore, I make a point of order that this proceeding, which would try a private citizen and not a President, a Vice President, or civil officer, violates the Constitution and is not in order.

The PRESIDENT pro tempore. Under the precedents of the Senate regarding constitutional points of order, including those of the Senate while sitting as a Court of Impeachment, the Chair submits the question to the Senate: Is the point of order well taken?

The majority leader.

Mr. SCHUMER. Mr. President, article II, section 4 of the Constitution says: “The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.”

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Therefore, I move to table the point of order.

The majority leader.

Mr. SCHUMER. Mr. President, the theory that an official could commit a heinous crime against our country and then defeat Congress’s impeachment powers and avoid disqualification by simply resigning or by waiting to commit that offense until their last few weeks in office.

The theory that the Senate can’t try former officials would amount to a constitutional get-out-of-jail-free card for any President who commits an impeachable offense.

Ironically, the Senator from Kentucky’s motion would do an injury to the Constitution by rendering the disqualification clause effectively moot. So, again, by constitutional text, precedent, and common basic sense, it is clearly and certainly constitutional to hold a trial for a former official. And former President Trump committed, in the view of many, including myself, the gravest offense ever committed by a President of the United States.

The Senate will conduct a trial of the former President, and Senators will render judgment on his conduct.

MOTION TO TABLE

Therefore, the point of order is ill-founded and, in any case, premature. If Senators want this issue debated, it can and will be argued during the trial. Therefore, I move to table the point of order, and I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 55, nays 45, as follows:

[Roll Call Vote No. 8]

YEAS—55

Baldwin
Heinrich
Padilla
Benning
Hickenlooper
Peters
Blumenthal
Hirono
Reed
Booker
Kaine
Romney
Brown
Kelly
Rosen
Cantwell
King
Sanders
Carson
Klobuchar
Scalise
Carper
Leahy
Schatz
Casey
Collins
Schumer
Collins
Coons
Markley
Shahsen
Cornyn
King
Sanders
Cortez Masto
Menendez
Sinema
Cox
Durbin
Murkowski
Stabenow
Cox
Feinstein
Murphy
Tester
Coons
Fischer
Ossoff
Cruz
Hagerty
Tillie
Cramer
Hagerty
Tomney
Daines
Hasean
Tuberville
Durbin
Hays
Van Hollen
Ernst
Heinrich
Warnock
Hirono
Heinrich
Young
Hoeven
Hyde-Smith
Whitehouse
Inhofe
Risch
Wicker
Johnson
Romney
Wyden
Kaine
Rosen
Young
Kelly
Rounds
The PRESIDENT pro tempore. On this vote, the yeas are 55, the nays are 45.

The motion to table is agreed to; the point of order is not sustained.

The majority leader.

Mr. SCHUMER. Mr. President, I have a resolution to organize the pretrial proceedings at the desk.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 16) to provide for related procedures concerning the article of impeachment against Donald John Trump, President of the United States.

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

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The president will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 83, nays 17, as follows:

NAYS—45

Barrasso Fischer Moran Wyden
Blackburn Graham Paul
Blunt Gravel Fortman
Boozman Hagerty Risch
Braun Hawley Rounds
Burr Hoeven Rubio
Capito Hyde-Smith Scott (FL)
Cassidy Inhofe Scott (SC)
Corryn Johnson Shelby
Cotton Kennedy Sullivan
Cramer Lankford Thune
Crapo Lee Tillis
Cruz Lummis Tuberville
Daines Marshall Wicker
Ernst McConnell Young

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDENT pro tempore. The majority leader.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Ms. SINEMA assumed the Chair.)

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

The PRESIDING OFFICER (Mr. MURPHY). Without objection, it is so ordered.

MORNING BUSINESS—Continued

BIDEN ADMINISTRATION

Mr. CORYN. Mr. President, throughout the Presidential campaign, President Biden spoke often about the need to unify the country. He talked about the need for people across our great Nation to come together to empathize with one another and to mend the divisions that exist in our society. He echoed that same theme in his inaugural address, saying:

Without unity, there is no peace, only bitterness and fury. No progress, only exhausting outrage. No nation, only a state of chaos.

I agree with President Biden that there is an imperative to restore unity and civility throughout our country, but for all of the talk of uniting, compromising, and working together, the early pages of this new chapter read quite differently.

For starters, there are the actions of our Democratic colleagues who are trying to eliminate the legislative filibuster. They have echoed and praised the President’s call for unity and bipartisanship while threatening to tear down the very rules that force us to work together in a bipartisan way. We know that the filibuster, or the cloture requirement that requires 60 votes to close off debate, is designed to encourage a fulsome debate of the issues that require the best of us to pass things on a bipartisan basis, but it is certainly not in their best interest. So the cloture requirement, or the filibuster rule, is designed to prevent either party from steamrolling the other, and that is a good thing.

The new majority leader, the Senator from New York, has threatened to blow up the filibuster and clear a path for a sweeping, radical agenda—this despite the fact that our Democratic friends have themselves relied on the filibuster the last 6 years as the minority party and that President Biden himself, based on his 36 years of experience in the U.S. Senate, has affirmed the importance of this 60-vote requirement.

I am glad that two of our colleagues on the other side of the aisle—one from West Virginia and one from Arizona—have offered their assurances that they will not vote to end the legislative filibuster, but I am disappointed that only two of our Democratic colleagues have done that. This should not be controversial or newsworthy to begin with. So far, the majority of Senate Democrats has made no legitimate effort to pursue President Biden’s call for unity or bipartisanship.

Unfortunately, it is not just the actions of our Democratic colleagues which have caused concern. President Biden himself has acted unilaterally, time and again, by issuing a lengthy list of Executive orders within hours of his inauguration. The policies that President Biden is addressing in his Executive orders should be addressed here in Congress with bipartisan legislation. One of those was a 100-day moratorium on enforcing bipartisan immigration laws, which was enjoined by a Federal judge in my State earlier today.

It would be better for the country if our Democratic colleagues tried to legislate instead of using these Executive orders in court. I think the experience with DACA, or the experience with the Deferred Action for Childhood Arrivals, is instructive, President Obama, back in 2012, decided to take it upon himself to enact this new policy. It has been tied up in the courts for the ensuing 8, now going on 9 years. I support providing a permanent solution for DACA recipients, but it has to be done here on a bipartisan basis, not just ordered unilaterally from the Oval Office, or else see these legislative efforts bogged down in lawsuits, after lawsuits, after lawsuits, which, I think, will be satisfying to virtually no one.
On top of the DACA Program, President Biden has now been piling on additional immigration-related actions, and he is expected to issue more in the coming days, but some of the most aggressive and controversial moves we have seen related to immigration policy. Within hours of the inauguration, President Biden canceled the permit for the Keystone XL Pipeline.

There is no question that one of the biggest losers from that decision is the energy worker who stood to benefit from the jobs being created by the pipeline construction, and lest anybody think this is going to stop the flow of oil from Canada to the United States, what is going to happen—and what previously happened—is that oil will be loaded into railroad car tankers and trucks and shipped to their destinations. So it is not really stopping the oil from flowing where it is needed for low-cost and reasonably cost energy. It is just providing a more expensive and, indeed, dangerous alternative.

At a time when our energy industry is already suffering as a result of the pandemic, this project would have led to a positive, cascading economic impact. Good-paying jobs, tax revenues, and economic benefits to local communities will evaporate because of this move.

I would note that, in the Rio Grande Valley, right along the U.S. Texas border with Mexico, that President Trump performed fairly well among Hispanic voters. People wrongly assume that Hispanic voters only care about immigration laws. The truth is they care about jobs and their families and their ability to pursue the American dream, which is why they outperformed what they typically would and why President Biden underperformed what he typically would in a largely Democratic stronghold there in the Rio Grande Valley, but the buck doesn’t stop with them.

The same day, the Biden administration halted all new leasing permits on Federal lands and waters. Rather than harvest our natural resources, which is one of the greatest benefits that nature has conferred on our country, it appears the Biden administration is carrying out its campaign to transition from oil and gas. I am all for transitioning to cleaner forms of energy, but we have to deal with the reality that fact that there are 280 million cars with internal combustion engines on our roads. How are families going to get to work, take their kids to school or live their lives if, all of a sudden, the very natural resources they depend on for their cars is no longer available?

This industry, according to one study, directly or indirectly supports one in six jobs in my State and is a pillar of our State’s economy. Through higher tax revenue, high-paying jobs, and downstream economic gains, communities across my State reap the benefits of our thriving oil and gas industry every day. It is also what happens to finance higher education in Texas from a dedicated, permanent university fund. If, in fact, our ability to produce this oil and gas from the ground is going to be curtailed, that is going to have dramatic, unintended consequences, too.

This also makes sure that folks across the country who don’t produce this energy can get access to affordable and reliable energy. In November of 2019, for the first time on record, the United States exported more crude oil than it imported; and for the first time, rather than being dependent on other countries, we exported more than we imported.

Beyond the obvious economic benefits, this provides a serious boost to our national security and that of our allies. There is a reason we have been engaged in the Middle East for a long time. Ever since Winston Churchill, as the Lord of the Navy in Britain, decided to move from coal to oil to power the navy, and the rest didn’t follow, we have been dependent on sources of oil and gas primarily from the Middle East. So this has not only economic consequences; it also has national security consequences.

It also allows us to provide our friends and, yes, our adversaries around the world with a dependable alternative. They no longer have to rely solely on the tender mercies of Vladimir Putin, for example, for their energy supplies, which can, obviously, be used as a weapon in his hand. This makes them pesos because of the hard-working men and women who work in the field and in the refineries in energy-producing States like Texas.

While COVID-19 has had an impact on American energy producers because demand has dropped precipitously, we don’t expect that downturn to last forever. Indeed, it is coming back already as the economy continues to open up and now that more and more people are getting vaccinated for COVID-19. We hope we have that later this year; people will resume their daily commutes to work; that the lights in their office buildings will flicker back on; that nonessential travel will pick back up; and that energy producers will be running at full speed once again.

Rather than laying the foundation for a strong recovery, the Biden administration is issuing Executive orders that will harm American energy and send more business to our international competitors. And the administration is carrying out these changes without any input from Congress.

I understand the President’s desire to bolster renewable energy, and I think I could find that it explored energy policies with us in Congress, he would meet more friends than foes.

I support the effort to drive down emissions, and, in fact, natural gas that transitions from coal-fired powerplants to natural gas has been a big driver of the progress we have made in doing just that. But we shouldn’t stop there. We need to continue to invest in new clean energy technologies that will reduce emissions while providing low-cost access to electricity that the American people need to live and to work.

The United States energy-related emissions dropped last year, lower than 18 percent of our total electricity generation, and I am all for having that number go even lower. For comparison, natural gas, though, currently accounts for double that.

While the development and expansion of renewable sources like wind energy are important, we can’t shut out our key sources of energy that we need to support. It is in the interest of an “all of the above” energy strategy, like I said. My State, I think, is proof positive that you can support the oil and gas energy that is so important for our economy and for people’s livelihoods; you can support renewables; and you can support innovative technologies that lower emissions, all while creating high-paying jobs and providing affordable and reliable energy.

I would like to work with the administration and our Democratic colleagues in the Senate, as I have in the past, to enact lasting policies and deliver reliable energy to the American people and our friends and allies around the world while prioritizing conservation.

This is not the time to implement unilateral, heavy-handed, shortsighted regulations. Our energy industry is still reeling from the effects of the pandemic, and the administration and we need to do everything we can to support its recovery, not stand in its way.

I agree with President Biden’s call for unity, and I hope that the next 4 years will be filled with more bipartisan cooperation than the first days of this new administration have been. Not only did we learn, time and time again, that the legislative process, which forces us to work together in a consensus-building exercise is far more durable—far better—than unilateral Executive actions. I admit that I’m on both sides of the White House, have used Executive actions, but, frankly, I would think as an institution, we here in Congress would be
lecy of encouraging more Executive action. That means most of the power here in Washington is exercised out of the White House and not done here in the people’s House, here in Congress.

I encourage the administration to lead and to encourage all of us to do the same—to try to work together for our shared priorities and create real and lasting change for our country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk processes roll call to toll the roll.

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

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

RECOGNIZING UTAH NATIONAL GUARD

Mr. LEE. Mr. President, some of our Nation’s finest answered the call of duty here in our Nation’s Capitol over the last 2 weeks to assist with the peaceful transition of power and make sure that it was in fact peaceful. These dedicated men and women in the National Guard have taken an oath to protect that bedrock document, the Constitution of the United States, and, indeed, they have fulfilled that duty.

Some of our very finest in the National Guard came here to serve from my home State of Utah: 321 troops have discharged their duties with distinction and honor came from the Utah National Guard.

The majority of Task Force Utah consisted of soldiers from the 2nd Battalion, 22nd Field Artillery, 65th Fires Brigade, also known as Triple Deuce. Additional soldiers came from 204th Maneuver Enhancement Brigade and the 19th Special Forces Group (Airborne).

I rise today to honor and thank these really selfless women and men. These past weeks, the Utah guardsmen were stationed at the Madison Building of the Library of Congress, just across the street from the Capitol. For many of these soldiers, it was their first time ever visiting Washington, D.C.

Major Brent Mangum of the Utah National Guard remarked that as the soldiers were stationed at buildings, they saw these quotes on the walls—quotes from our Founding Fathers—and as they were working in these buildings, you could see them pausing during the day, reading the quotes, and then stopping to reflect on them.

I, myself, had the great privilege, in a couple of different groups, to give some of these men and women a tour of the Capitol Building before they left to go back to Utah. It was a great honor to meet and get to know these dedicated guardsmen and to learn from their lives what I see firsthand their caliber as people and, most importantly perhaps, their visible commitment to the United States of America.

This idea, this principle, in this great land of ours—the greatest civilization human history has ever known—was something that they are independently committed to defending and protecting, even at the sacrifice of their own security and their own ease, which they would otherwise enjoy over the last couple of weeks.

One of the most remarkable things about these citizen soldiers is the way in which they tirelessly serve their communities, and I say that meaning both inside and outside of their Guard duty.

My Salt Lake City office was lucky enough to have one of these fine young soldiers, Alfredo Lopez, as an intern a few years ago.

Alfredo immigrated with his family from Peru at the age of 10, and they began to build a life here in the United States. In addition to serving the people of Utah in my State office, he also served on Active Duty with the Marine Corps Reserve. But, most recently, he joined the National Guard. Alfredo, in all of his endeavors in our country, has sought only to give back. He is grateful for this country and wants to make sure it is a strong, safe, and secure place in which to live.

Another guard here, Jay Bartholomew, is a prison guard at the Gunnison prison in Sanpete County, UT. He is the son of my friend Scott Bartholomew, a county commissioner in Sanpete County. Jay has followed in his father’s footsteps to serve his local community.

Other guardsmen in Utah are engaged in their communities in all sorts of ways. Some are teachers, some are firefighters, some are policemen, and some are medical professionals. You name it; they have done it.

Many have now answered the call of duty on the frontlines of another crisis as our Nation faces the current pandemic. These guardsmen have played a significant role in providing testing, moving and storing personal protective equipment, and other support missions to assist Utah’s Department of Health COVID-19 response.

Now, Utah Governor Spencer Cox has entrusted them with another critical mission. The Guard will be on the frontlines to help ramp up the delivery of vaccines to our State. The Guard has put together teams that can mobilize throughout Utah to deliver vaccinations to those who are in desperate need within a matter of hours and save a whole lot of lives and prevent a whole lot of suffering in the process.

I have no doubt that they will continue to administer this duty with dedication and with excellence, just as they do with every other assignment with which they are tasked. In everything they do, members of the Utah National Guard seek to serve and strengthen our communities, our country, and our State, and we are all better off for it.

It has been such an honor to have these selfless men and women in our Nation’s Capitol. I have enjoyed getting to know them and look forward to visiting again with them soon, and I thank them for their service.

ABORTION

Mr. LEE. Now, Mr. President, I would like to discuss another important matter. This past week, we marked the anniversary of a deadly day in American history. It has resulted in the loss of millions of innocent American lives. That is the anniversary of Roe v. Wade.

Since January 22, 1973, more than 60 million unborn children have been lost to the scourge of abortion. This week, we honor and remember those lives, as well as those who have been hurt by the pains of abortion.

In a normal year, tens of thousands of Americans would be marching down Constitution Avenue this Friday to do so. This year, as with so many other things, the March for Life will instead be virtual. But, nonetheless, Americans will continue to march, whether virtually or in person where they can.

The theme of this year’s march is “Together Strong: Life Unites!”—a fitting theme following a year ripe with division, violence, and loss. Now, more than ever before, we must unite as a nation, turning with hope toward the future—hope that our Nation will heal, hope that justice will prevail, and hope that the grievous act of abortion will be forsaken. Given our country’s history, in which we have sometimes misjudged but, thankfully, have come around in the end, there is much reason for hope. But we cannot heal and we cannot unite if we don’t honor and respect all of the American people, born and unborn.

So many of the deepest injustices in our country’s history stem from one dark dangerous thing; that is, when we have rejected the dignity of the human person, when we have denied the humanity of our brothers and sisters, when we have discriminated against others based on the way they look, think, love, or worship, and when, because of that, we have looked at them not as people but as things and as mere objects to be acted upon.

As abolitionist William Lord Garri son put it, the worst kind of oppression to be regarded with the greatest degree of indignation and abhorrence is “that which turns a man into a thing.”

While the March for Life is against a whole class of people not based on the color of their skin but on their age and development.

But it doesn’t change the truth. The truth is that a baby inside the womb can respond to human touch by the age of 8 weeks and feel pain by the age of 20 weeks—who can recognize her mother’s voice even before she is born; who has a perfect little nose, fingernails, and a beating, fully functioning heart, her own unique distinct DNA, and her own unique unrepeatable soul.

Science and medicine are only confirming what we know deep down, that unborn human beings are in fact little
persons. The evidence is only getting plainer by the day.

When we deny the humanity of our brothers and sisters, as we have seen throughout our history and over the past year, the inevitable and tragic result is violence. Abortion does undeniable violence to the baby and undeniable violence to the mother. Thankfully, looking back at the past decade, we have made significant strides toward building a culture that respects, values, and even protects all human life, especially the simplest, earliest stages of development. Many States have ensured that public funds are directed toward pregnancy health centers, rather than abortion facilities, providing life-affirming alternatives to families in need. And in just the last decade alone, States have passed more than 400 pro-life laws—more than one-third of all pro-life laws that States have passed since Roe v. Wade was decided. This is indeed reason for hope.

Through our laws and with our lives, we ought to affirm the truth that the lives of both the mother and the baby matter and that healthcare should heal, protect, and preserve both of those lives. I have introduced legislation to help our laws affirm that very truth. Through my bill, the Abortion Is Not Healthcare Act, we have a chance to stop the tax deductibility of abortions, which is currently categorized as “medical care” by the IRS, because we must be serious: Whatever else it may be, of course, elective abortion is not healthcare. That is why physicians literally take an oath to do no harm. The government should not offer tax benefits for a procedure that kills hundreds of thousands of unborn children each and every year.

We also have the chance to prematurely stop the use of American foreign aid—from funding or promoting abortions overseas and perpetuating violence against women and of children abroad, especially baby girls.

The Protecting Life in Foreign Assistance Act will save countless lives across the globe, and it affirms the truth that the lives of all unborn children, regardless of where they are from, have dignity and worth. As the lyrics of a children’s song in my church—a song that I sang in Sunday school as a child—say about each one of us, I am a child of God. We are all one human family, all children of God—these littlest among us, too, who cannot yet sing for themselves, but they will soon. They will soon.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeds 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.

**FILIBUSTER**

Mr. BARRASSO. Mr. President, in the 2020 elections, Americans chose an evenly-divided Senate—half Republican, half Democrat. Evenly divided. Since the Vice President is able to break a tie when it comes to specifically organizing the Senate, Democrats have the majority.

Now some Democrats want to lower the threshold for all the votes so that to pass anything, all they would need to do in case of a tie vote would have the Vice President be the tiebreaker. That is the way that a majority works. When there is a tie and the Vice President is in one party, they get to break the tie in that direction, of course.

We know that when the press and sometimes folks in Congress say it is hard to pass a law, it is not supposed to be easy. It takes discussion. It takes negotiation. It brings people together.

That is the idea of needing 60 votes—to bring people together to get bipartisan consensus so that all the voices are heard; that there is a majority, and the minority voice is heard, and it forces us to find common ground.

Frankly, I think there is too little of finding common ground in Washington already. The last thing America needs is even more divisiveness. This is a big, diverse country. We don’t need 50 percent of the country plus one to run roughshod over all the others. That is why our Founders were so careful to protect the rights of the minority.

That is why they created the Bill of Rights, why they created the electoral college, and why they created the U.S. Senate. The Founding Fathers didn’t want the Senate to be a copy of the House. We are intended to be a check on the House.

There is a story that President Washington compared the Senate to a bathroom used to cool down a cup of tea. President Madison compared it to a fence. We are not supposed to be a smaller version of the House of Representatives. The Senate is supposed to cool things down. We are supposed to think things through. We are supposed to stop bad ideas and stop the House from moving too fast. Changing the rules of the Senate would make that impossible.

Lowering the bar to 50 votes could also be a blatant power grab, which is 50 votes and the Vice President. The Democrats could even add States to the Union—specifically States that would elect more Democrats to the Senate. It would give them even more power, and give them a permanent majority in the Senate.

With 50 votes plus the Vice President, Democrats could also pack the Senate. The evidence is only getting plainer by the day.

When we deny the humanity of our brothers and sisters, as we have seen throughout our history and over the past year, the inevitable and tragic result is violence. Abortion does undeniable violence to the baby and undeniable violence to the mother. Thankfully, looking back at the past decade, we have made significant strides toward building a culture that respects, values, and even protects all human life, especially the simplest, earliest stages of development.

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I yield the floor.

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

The senior assistant legislative clerk proceeds to call the roll.

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I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeds 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.
that they want to make the U.S. Senate more partisan, more divided. Do they really want to take power away from individual Senators and give it to whoever has 50 votes and the tiebreaker at the moment? If it is hard for Democrats to pass laws, then they should try talking with us. Proposed bipartisan solutions to our Nation’s challenges. Persuade your colleagues. Make progress together.

As my friend, former Senator Lamar Alexander, said in his farewell address just last week he said: ‘We don’t need a change of rules. The Senate needs a change of behavior.’

I urge my Democratic colleagues to reject this blatant power grab. Stop this rush to take more and more power. Come to the center. Reach across the aisle. Find common ground.

Senate Republicans are ready to work together to help the American people, to get people back to work, to get our kids safely back to school so they can also safely return to their friends and to get the virus behind us. Join us. Let’s work together. Let’s do what is right for the people we serve.

I yield the floor.

CONFIRMATION OF JANET LOUISE YELLEN

Mr. PAUL. Mr. President, I voted against the confirmation of Janet Yellen to be Treasury Secretary. Dr. Yellen is well known as an academic, as an economic policy adviser to President Clinton, and as Chair of the Federal Reserve. In all of these positions, she has proven herself to be wrong on fiscal, monetary, and economic policy.

At her confirmation hearing, she vigorously supported the additional $2 trillion stimulus package President Biden has put forward. Her argument is that this time is different—but since the great recession, big spenders have generated more growth than interest rates.

Modern monetary theory is nothing more than window dressing on a deep-seeded desire to always spend more, no matter what, and its proponents hope to reap electoral benefits now and to leave office before the bill comes due. Well, the bill is coming due. The Congressional Budget Office already estimates that interest on our current debt will increase by nearly 22 percent annually in just 6 years. What does that mean? Higher taxes or Venezuela-style inflation—probably both. I simply cannot support a candidate who seeks to inflict such pain on the American people in just a few short years.

Modern monetary theory is nothing more than modern monetary theory.
CONFIRMATION OF ANTONY JOHN BLINKEN

Mr. VAN HOLLEN. Mr. President, I rise today in strong support of the nomination of Antony J. Blinken to be U.S. Secretary of State.

Mr. Blinken has decades of experience in foreign policy, beginning in the early 1990s as the Special Assistant to the Assistant Secretary for European and Canadian Affairs. He has since risen to senior foreign policy positions on Capitol Hill and in the executive branch, including as Democratic Staff Director on the Senate Foreign Relations Committee, and as Principal Deputy National Security Adviser and Deputy Secretary of State in the Obama administration. I have had occasion to work with him over the years and can testify to his professionalism, diligence, and good judgment.

Mr. Blinken faces an enormous task. The last 4 years have been rife with chaos, confusion, and the renewed emphasis on unilateralism. Under the so-called slogan of “America First,” President Trump turned his back on allies and emboldened our adversaries, leaving the United States weakened, vulnerable, and alone. Mr. Blinken must not only reverse the damage done by President Trump; he must reinvigorate U.S. leadership in a manner that meets the challenges we face today—from the existential threat of climate change, to a more aggressive and confrontational China.

To begin, Mr. Blinken must restore our alliances, rebuild our global partnerships, expand our commercial ties, and reinforce international agreements and organizations recklessly abandoned by President Trump. Already President Biden has reversed Trump’s Muslim ban, rejoined the Paris climate accords, and recommitted to the Vision Health Organization. In the coming months, Mr. Blinken must work with our allies to develop a united front to counter the threats posed by adversaries such as China, Russia, and Iran. He must reaffirm our commitment to NATO. He must continue to assert our presence in the Middle East. He must work with our allies and partners to establish U.S. leadership in providing development and humanitarian assistance around the world, reasserting U.S. values of democracy, human rights, and the rule of law.

As importantly, Mr. Blinken must restore the State Department itself. The Trump administration routinely undermined and smeared our dedicated career foreign and civil service officers. Rebuilding the morale of our talented public servants will be imperative for the successful execution of our foreign policy.

Given the breadth of his knowledge and experience, I am confident Mr. Blinken will be the person most capable of leading America’s foreign policy challenges, and I support his confirmation as U.S. Secretary of State.

59TH INAUGURAL CEREMONIES

Mr. BLUNT. Mr. President, I request to have printed in the CONGRESSIONAL RECORD my full remarks delivered on January 20, 2021, at the 59th inaugural ceremonies.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Mr. President, if I should have known when Senator Klobuchar got involved, at least there would be a touch of snow up here this morning. Of all the things we considered, I don’t think snow was on my agenda until I walked out theoksen again.

But thank you, Senator Klobuchar, and thanks to the other members of the Joint Congressional Committee on the Inauguration as we officially begin the 59th Inaugural Ceremony. I also want to thank the Joint Committee staff and our partners, particularly our security team, that they have dealt with unprecedented circumstances.

When I chaired the Inauguration four years ago, I shared President Reagan’s 1981 description of this event as commonplace and miraculous. Commonplace because we’ve done it every four years since 1789. Miraculous because we’ve done it every four years since 1789.

Americans have celebrated this moment during war, during depression, and now, during pandemic. The three branches of our government come together as the Constitution envisions. Once again, we renew our commitment to “Our Determined Democracy, Forging a More Perfect Union.”

That theme for this Inauguration, “Our Determined Democracy, Forging a More Perfect Union,” was announced by the Joint Committee on the Inauguration—this week—with the belief that the United States can only fulfill its promise and set an example for others if we are always working to be better than we have been.

The Constitution established that determined democracy with its first three words, declaring the people as the source of the government. The Articles of Confederation hadn’t done that. The Magna Carta hadn’t done that. Only the Constitution says the government exists because the people are the source of the reason it exists. They immediately followed those first three words with the words “to form a more perfect Union.”

The Founders formed a more perfect Union. They did not claim that in our new nation. They did not claim that in our new nation. They did not claim that in our new nation. They did not claim that in our new nation. They did not claim that in our new nation. They did not claim that in our new nation. They did not claim that in our new nation. They did not claim that in our new nation.

The freedoms we have today, the nation we have today, is not here just because it happened, and they aren’t complete.

A great democracy, working through the successes and failures of our history, striving to be better than it has been. And we are more than we have been and we are less than we hope to be.

The assault on our Capitol at this very place just two weeks ago reminds us that a government designed to balance and check itself is both fragile and resilient.

During the last year, the pandemic challenged our front and open society and called for extraordinary determination and sacrifice—and still challenges us today. Meeting that challenge head on have been and are health care workers, scientists, first responders, essential front-line workers, and so many others we depend on in so many ways.

Today, we come to this moment. People all over the world are watching and will watch what we do here.

Our government comes together. The Congress and the Courts join the transition of executive responsibility.

One political party more pleased today, and on every inaugural day, than the other.

But this is not a moment of division. It’s a moment of unification. A new administration begins and brings with it a new beginning. And with that our great national debates forward and democracy will continue to be essential in pursuit of a more perfect Union and a better future for all Americans. What a privilege for me to join you today.

Thank you.

TRIBUTE TO CHAD METZLER

Mr. KING. Mr. President, if you ask 100 Americans what qualities they want in a public servant, I bet there are a few common words that would come up. Smart. Dedicated. Bipartisan. Honest. Trustworthy. Humble. Simply put, they will describe Chad Metzler—my legislative director for the past 8 years and one of the finest public servants I have ever met. That is why today I rise with a heavy heart to wish Chad well as he prepares to embark on a new adventure.

Each of us in this body understands that the Senate’s work is not entrusted solely to Senators. Our names may be on the door, but we can’t claim successes on our own. Our staffs play a central role in our efforts to navigate the complex challenges facing the Nation and serve the American people. That is why hiring the right people is one of the most important decisions any Senator makes. If a Senator is lucky, they will find someone who can do all of the above, they have hit the jackpot.

When Chad Metzler joined my team as legislative director in 2013, I and the people of Maine hit the jackpot because he is all of those things and more.

Over the past 8 years, I have had the privilege to have Chad lead my legislative team. Sadly, good fortune only lasts for so long. As Chad transitions into a new, exciting opportunity, I am confident that he will continue to make vital contributions to the American people in his new role, but before he leaves us, I want to take a moment to reflect on all his contributions to the Senate and the country.

From my early days in the Senate, Chad’s experience was invaluable. Prior to joining my office, he spent 17 years serving for Senator Herb Kohl, from his home State of Wisconsin. Throughout that tenure, Chad spearheaded a number of important, varied responsibilities—from the Senator’s legislative director, to holding the position of staff director on the Senate Special Committee on Aging, to
managing Senator Kohl’s portfolio on the Appropriations Committee. That combination of skills made Chad a rare breed—an experienced Senate staffer who possessed both a generalist’s understanding of the big picture and a specialist’s ability to get into the weeds of thorny policy issues.

Chad’s background was invaluable in helping to bring me up to speed on the Senate’s parliamentary procedures and the body’s unique, frustrating quirks. As a freshman, I faced the unenviable task of shifting from the executive role to being just 1 of 100. As an Independent used to relying on bipartisan coalitions, the Senate’s often rigid partisanship presented its own challenges. Chad responded with creative thinking and dogged persistence, and the results were quickly apparent.

Just a few short months after I came to Washington, Chad helped me lead a bipartisan compromise on student loan rates that is projected to save taxpayers over the next 10 years and an estimated $30 billion for students over the following 4 years. That legislation set the tone for our office—a focus on rolling up our sleeves, bipartisan work, coalition building, and commonsense solutions to the problems that plague the American people.

In the years that followed, Chad and his legislative team helped to build on that mission through level-headed, analytical thinking. Among other successes, we have worked across the aisle to pass legislation that confronts the opioid epidemic sweeping our communities; improves America’s insufficient cyber defenses; helps more working families access childcare; and addresses the $12 billion maintenance backlog at America’s national parks. Each of these legislative successes came about through hard work and bipartisan discussions. More importantly, each made life better for our constituents.

Obviously, Chad is a talented legislative craftsman, but somehow, he was an even better leader and person. For the past 8 years, Chad has guided my legislative team with a steady hand, helping dozens of young public servants in my office grow and thrive. He treats everyone he meets with respect and kindness, never once talking down to someone with less experience or a different perspective. Just as important, his sense of humor has remained intact through a quarter century of Senate service, ensuring that even in the midst of serious work, we don’t take ourselves too seriously.

When I was Governor, I said I always was looking for staff who demonstrate both competence and kindness. You can have some with one trait, some with the other, a few with neither, but when you find folks with both, you invite them onboard immediately. Chad doesn’t just have those qualities; he possesses them.

As you can gather from my remarks, Chad is an irreplaceable part of my team, and the Senate is poorer for losing him. But, as Chad always does, I feel the need to take a step back and analyze the entire situation. In doing so, I find a few key reasons for gratitude.

I am grateful that even though Chad is moving on, he leaves behind a team that is well-educated in the Metzler School of Public Service. His years of mentorship have crafted our team into one of the sharpest, most dedicated staffs on Capitol Hill, and I know his influence and example will be felt in our office for years to come.

I am grateful that although our body is losing a dedicated public servant, the country is not. In the days ahead, Chad will bring a new opportunity that will put his skills to good use. This new role will allow him to continue fighting for pragmatic, principled solutions that move our country forward. Now more than ever, we need folks like him working on tough problems.

Finally, I am grateful that even though Chad will no longer be on my staff, he will forever remain a trusted adviser and friend. Chad’s intellect, professionalism, and warmth are rare attributes; two of those qualities, while still remaining humble and even-keeled, is even rarer. I consider myself extremely fortunate to know him and look forward to continuing that association.

Mr. President, I have a simple philosophy of leadership that has guided me throughout my life: Hire good people, and take credit for what they do. When I hired Chad Metzler, I made one of the smartest leadership decisions of my life—bringing on the ideal partner to break bipartisan logjams and make life better for the people of Maine. I am saddened to say goodbye to my adviser and friend today, but I know that his best is yet to come. I can’t wait to see what is next.

ADDITIONAL STATEMENTS

**TRIBUTE TO NEVA FRICKE BELL**

- **Mr. YOUNG.** Mr. President, I rise today to celebrate the 106th birthday of a proud Hoosier, Neva Fricke Bell, born on January 26, 1916. Neva lived through the 1918 Spanish flu pandemic, two World Wars, the Great Depression, and many other tragedies, as well as great celebrations, including her marriage to Simeon Bell for 61 years, the birth of her four loving children, grandchildren, great-grandchildren, and great-great-grandchildren. A Bollerman through and through, Neva’s tenacity and great style are a testament to all Hoosiers and all Americans that our great State and Nation can and must continue to pass on the mantle of generosity. The Gorham Middle and High School Sophomore Student Council as December’s Granite Staters of the Month. When a vendor accidentally sent extra chocolate as part of the Sophomore Student Council’s fundraiser, the students launched a new effort. Instead of reselling the surplus chocolate to benefit their school’s food pantry, one of the participants in the fundraiser, the aunt of Sophomore Student Council Representative Emma LaPierre, bought three boxes of chocolate to benefit her niece’s class. However, instead of receiving the expected three boxes of chocolate, she received three entire cases of chocolate. The vendor, World’s Finest Chocolate, was alerted to the mistake, but due to safety concerns around the COVID–19 pandemic, said that they could not take the chocolate back. Emma, along with other members of the Sophomore Student Council, decided that rather than sell the extra chocolate to profit their class, they would use the additional funds to benefit their school’s food and supply pantry. After selling the chocolate at a reduced rate, the students successfully raised $200 for the pantry, which provides weekend meals, snacks, and school supplies to any student in need. Following the students’ efforts, a local newspaper published an article about the fundraiser, which inspired a couple in the community to send a $100 check to the school to benefit their food and supply pantry.

Emma and the other students in Gorham’s Sophomore Student Council exemplify the way that small acts of kindness can make a big difference in a community. Their selfless decision to raise money on behalf of a community-wide resource, rather than keep the funds for their class, helped to spur other acts of kindness in the community from which the whole school and community benefited. I am honored to recognize their efforts and proud that their efforts reflect the Granite State’s core value—the belief that individuals should step up when they see a problem—and that when they do, their actions have a ripple effect that strengthens the entire community. The Gorham Sophomore Student Council has done just that.

**RECOGNIZING: 48EAST**

- **Mr. RISCH.** Mr. President, as a senior member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today I am pleased to honor 48 East in Meridian as the Idaho Small Business of the Month for January 2021.
Established by Cheryl Jones and her daughter Kayloni Perry, 4East specializes in home goods and gifts. Cheryl and Kayloni’s shared love for crafting gifts and home decor items inspired their entrepreneurial success. With the support and encouragement of their friends and community by sourcing one-of-a-kind and specialty products from other small businesses in the Treasure Valley and Pacific Northwest.

Like many small businesses, 4East faced an uncertain future during the early months of the COVID-19 pandemic. Confronted with the possibility of permanent closure, Cheryl and Kayloni quickly adapted 4East’s business model and began offering their products virtually through a social media campaign called “Live at 5 to Survive.” Soon, customers began flocking to 4East’s social channels to purchase their products. “Live at 5 to Survive” did more than just ensure the continued survival of 4East; it introduced hundreds of customers to the business and resulted in a swell of new sales. Today, 4East continues to host virtual “Live at 5 to Survive” campaign and has since reopened its doors, instituting health safety measures to protect its customers. 4East’s resourcefulness is a testament to Idaho’s entrepreneurial spirit.

Congratulations to Cheryl, Kayloni, and all of the employees of 4East on being selected as the Idaho Small Business of the Month for January 2021. You make our great State proud, and I look forward to your continued growth and success.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION ON JANUARY 25, 2021

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. BLUMENTHAL, and Mr. MARKET)

S. 36. A bill to require certain helicopters to be equipped with safety technologies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the “Kobe Bryant and Gianna Bryant, Helicopter Safety Act.”

I’m pleased to be joined today by Senators SCHUMER, BLUMENTHAL, and MARKET in reintroducing this bill.

Nearly one year ago today, on January 26, 2020, a helicopter carrying nine Californians flew into foggy weather and crashed minutes later. Los Angeles and the world soon learned that among the crash victims were basketball legend Kobe Bryant and his daughter Gianna.

After the crash, we soon learned the names and stories of John, Alyssa, and Keri Altobelli; Sarah and Payton Ches-

Christina Mauser; and Ara Zobayan. These were spirited friends and family members connected by their love of sport, traveling to a weekend basketball tournament.

The sudden and shocking nature of the accident touched many, and the public learned about the tragic loss of Kobe Bryant and Gianna.

But this tragedy is one that could have been averted. A preliminary report by the National Transportation Safety Board indicate the helicopter was flying through thick clouds and fog, yet was not equipped with a terrain awareness and warning system. This technology provides pilots with real-time, inflight warning signals and an image of surrounding terrain.

Since 2006, the National Transportation Safety Board has recommended to the Federal Aviation Administration (FAA), that all new and existing helicopters capable of carrying six or more passengers be equipped with terrain awareness and warning system technology. However, FAA has only required these warning systems for air ambulances.

Nevertheless, this technology has become standard on new helicopters from Airbus, Bell, Leonardo, and Sikorsky since December 2018. But older helicopters remain vulnerable.

Our bill also offers a common-sense approach to preventing further accidents like this one. It would simply direct the FAA to implement the NTSB’s recommendations to require terrain awareness and warning systems and flight data and voice recorders on all helicopters carrying six or more passengers.

I appreciate the hard work of the National Transportation Safety Board in developing these important recommendations, and it is long past time that the FAA heeds its call.

My thoughts continue to be with the victims and their loved ones impacted by this heartbreaking accident. It is critical that Congress pass our bill swiftly to ensure that such loss of life was not in vain.

Thank you, Mr. President. I yield the floor.

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–45. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Regulatory Capital Treatment for Investments in Certain Unsecured Debt Instruments of Global Systemically Important Financial Companies (G-SIBs)” (RIN 3155–AE38) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2021, to the Committee on Banking, Housing, and Urban Affairs.

EC–46. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Licensing Amendments: Technical Corrections” (RIN 3155–AE16) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2021, to the Committee on Banking, Housing, and Urban Affairs.

EC–47. A communication from the Associate General Counsel for Legislation and Regulations, Office of the General Counsel, Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Revised Uniform Residential Loan Form: Safe Lending Standards” (RIN 3581–AD49) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2021, to the Committee on Banking, Housing, and Urban Affairs.

EC–48. A communication from the Acting Assistant Secretary of Legislation and Regulatory Affairs, Department of State, transmitting, pursuant to law, the report entitled “Report to Congress on the National Emergency Regarding Prohibition of Weapons of Mass Destruction”; to the Committee on Banking, Housing, and Urban Affairs.

EC–49. A communication from the Director of Congressional Relations, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of the Comptroller’s 2020 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–50. A communication from the President’s Office, Department of the Treasury, pursuant to law, a report relative to the designation for Overseas Contingency Operations/Global War on Terrorism all funding including the rescissions designated by the congress, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, for the enclosed list of accounts; to the Committee on the Budget.

EC–51. A communication from the Director of the Congressional Relations, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Phenol, Isopropylated Phosphate (3:1) Diester, Regulated, Bioaccumulative, and Toxic Chemicals under TSCA Section 6(h)” (FRL No. 10018–88–6P) received in the Office of the President on December 31, 2020; to the Committee on Environment and Public Works.

EC–52. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Penachichlorophenol (PCP) (Regulation of Persistent, Bioaccumulative, and Toxic Chemicals under TSCA Section 6(h)’’)” (FRL No. 10018–89–OC5PP) received in the Office of the President on December 31, 2020; to the Committee on Environment and Public Works.
EC–53. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Decabromodiphenyl Ether (DecaBDE); Regulation of Persistent, Bioaccumulative, and Toxic Chemicals under TSCA Section 8(h)’’ (FRL No. 10018–90–OCSPP) received in the Office of the President of the Senate on December 31, 2020; to the Committee on Environment and Public Works.

EC–54. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Seafood Inspection and Traceability Program; Approvals for Use of Seafood Inspection and Traceability Plans; Approval and Promulgation of Implementation Plans: Utah; Infrastructure Requirements for the 2015 Ozone National Ambient Air Quality Standards; Correction’’ (FRL No. 10018–61–OCSPP) received in the Office of the President of the Senate on December 31, 2020; to the Committee on Environment and Public Works.

EC–55. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘National Primary Drinking Water Regulations: Lead and Copper Rule Revisions’’ (FRL No. 10019–25–OW) received in the Office of the President of the Senate on December 31, 2020; to the Committee on Environment and Public Works.

EC–56. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Update to the Power Plant-Abatement Clearance Levels’’ (FRL No. 10018–61–OCSPP) received in the Office of the President of the Senate on December 31, 2020; to the Committee on Environment and Public Works.

EC–57. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘National Primary Drinking Water Regulations: Lead and Copper Rule Revisions’’ (FRL No. 10019–25–OW) received in the Office of the President of the Senate on December 31, 2020; to the Committee on Environment and Public Works.

EC–58. A communication from the Assistant Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Quality Designations for the 2010 Primary Sulfur Dioxide (SO2) National Ambient Air Quality Standard—Round 4’’ (FRL No. 10018–98–OAR) received in the Office of the President of the Senate on December 31, 2020; to the Committee on Environment and Public Works.

EC–59. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Quality Designations for the 2010 Primary Sulfur Dioxide (SO2) National Ambient Air Quality Standard—Round 4’’ (FRL No. 10018–98–OAR) received in the Office of the President of the Senate on December 31, 2020; to the Committee on Environment and Public Works.

EC–60. A communication from the Assistant Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Air Quality Designations for the 2010 Primary Sulfur Dioxide (SO2) National Ambient Air Quality Standard—Round 4’’ (FRL No. 10018–98–OAR) received in the Office of the President of the Senate on December 31, 2020; to the Committee on Environment and Public Works.

EC–61. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘2015–2020 Momentum Report to Congress’’ received in the Office of the President of the Senate on January 13, 2021; to the Committee on Environment and Public Works.

EC–62. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act; Correction’’ (FRL No. 10019–02–OAR) received in the Office of the President of the Senate on January 13, 2021; to the Committee on Environment and Public Works.

EC–63. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Updated Aging Management Criteria for Reactor Vessel Inertial Components for Pressurized-Water Reactors’’ (SLR-15G–2020-01-PWRVR1) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2021; to the Committee on Environment and Public Works.

EC–64. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Rusty Patched Bumble Bee’’ (50 CFR Part 17) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2021; to the Committee on Environment and Public Works.

EC–65. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Revisions to the Proposed Revisions to the 2015 National Ambient Air Quality Standards: Ozone’’ received in the Office of the President of the Senate on January 13, 2021; to the Committee on Environment and Public Works.

EC–66. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulations, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ‘‘Migratory Birds Permit; Management of Conflicts Associated with Double-Crested Cormorants (Phalacrocorax auritus) Throughout the United States’’ (FRL No. 10018–2103) received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2021; to the Committee on Environment and Public Works.

EC–67. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ‘‘Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Rusty Patched Bumble Bee’’ (50 CFR Part 17) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2021; to the Committee on Environment and Public Works.

EC–68. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulations, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ‘‘Updated Aging Management Criteria for Reactor Vessel Inertial Components for Pressurized-Water Reactors’’ (SLR-15G–2020-01-PWRVR1) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2021; to the Committee on Environment and Public Works.

EC–69. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulations, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ‘‘Updated Aging Management Criteria for Reactor Vessel Inertial Components for Pressurized-Water Reactors’’ (SLR-15G–2020-01-PWRVR1) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2021; to the Committee on Environment and Public Works.

EC–70. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ‘‘Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Sonoyta Mud Turtle’’ (RIN1018–BB06) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2021; to the Committee on Environment and Public Works.
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December 31, 2020; to the Committee on Finance.

EC-101. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Notice: Guidance on Sections 102 and 103 of the SECURE Act With Respect to Safe Harbor Plans’’ (Notice 2020–86) received in the Office of the President of the Senate on December 31, 2020; to the Committee on Finance.

EC-102. A communication from the Disclosure Support Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Work Opportunity Tax Credit (WOTC) Transition Relief under Internal Revenue Code Section 51’’ (Notice 2020–79) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2021; to the Committee on Finance.

EC-103. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Source of Income From Certain Sales of Personal Property’’ (RIN1545–BP16) received in the Office of the President of the Senate on December 31, 2020; to the Committee on Finance.

EC-104. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Administrative Appeals Procedures for Tax-Advantaged Bonds’’ (Rev. Proc. 2021–10) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2021; to the Committee on Finance.

EC-105. A communication from the Disclosure Support Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘MACStats: Medicaid and CHIP Data Book, December 2020’’; to the Committee on Finance.

EC-106. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Final Regulations on Rollover Rules for Qualified Plan Loan Offsets’’ (RIN1545–BP46) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2021; to the Committee on Finance.

EC-107. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Beginning of Construction for Section 45 and 46; Extension of Certain Harbor for Recreational Projects’’ (Notice 2021–5) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2021; to the Committee on Finance.

EC-108. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Revenue Procedure 2021–5’’ (Rev. Proc. 2021–5) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2021; to the Committee on Finance.

S. 45. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen school security; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUTZ, Mr. HIRONO, and Mr. SCOTT of Florida: S. 46. A bill to authorize the Coral Reef Conservation Act of 2000 and to establish the United States Coral Reef Task Force, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO: S. 47. A bill to require software marketplace operators and owners of covered foreign software to provide consumers with a warning prior to the download of such software, to establish consumer data protections, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DAINES: S. 48. A bill to reduce a portion of the annual report of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE: S. 49. A bill to prohibit the Bureau of Consumer Financial Protection from overseeing lending institutions participation in the Paycheck Protection Program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ (for himself, Mr. DURbin, Mr. LEAHY, and Mr. BOOKER): S. 50. A bill to provide for the forgiveness of Venezuela under section 244(b) of the Immigration and Nationality Act to permit eligible individuals and organizations to act as agents of such foreign countries and to the extent

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Nomination was reported with recommendation that it be confirmed sub-

ject to the nominee’s commitment to respond to requests to appear and test-

ify 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. TOOMEY (for himself, Mr. JOHNSON, Mr. TILLIS, Mrs. BLACKHURN, Mr. RISCH, Mr. BLUNT, Mr. COTTON, Mr. GRASSLEY, Mr. TUBERVILLE, Mr. PAUL, Mr. RYAN, Mr. DAINES, Mr. FISCHER, Mr. BOOZMAN, Mr. BRAUN, and Mr. CORNYN):
nationals of Venezuela to be granted temporary protected status; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Mr. VAN HOLLEN, Ms. BALDWIN, Ms. BROWN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CASEY, Mr. COONS, Ms. CORETZ, Mr. DURBIN, Ms. DUCKWORTH, Mr. FEINSTEIN, Mrs. GILLIBRAND, Mr. HAHN, Ms. HIRONO, Mr. Kaine, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKS, Mr. HENENZENDE, Mr. MEEKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. PADILLA, Mr. PETERS, Mr. RIEH, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUM, Ms. SMITH, Ms. STARKEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 51. A bill to provide for the admission of the State of Washington, D.C. into the Union; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HASSAN (for herself, Mr. YOUNG, Mr. KAIN, and Ms. COLLINS):

S. 52. A bill to establish a career pathway grant program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself, Mrs. MURRAY, Ms. SCHUMER, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CASEY, Mr. CASEY, Ms. DUCKWORTH, Mr. DURBIN, MR. FEINSTEIN, Mrs. GILLIBRAND, Mr. HAHN, Ms. HIRONO, Mr. Kaine, Ms. KLOBUCHAR, Mr. LEAHY, Mr. LUVAN, Mr. MARKY, Mr. MERKLEY, Mr. MURPHY, Mr. PADILLA, Mr. PETERS, Mr. OSOF, Mr. REID, Ms. ROSEN, Mr. SCHATZ, Ms. SMITH, Ms. STARKEN, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNock, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 53. A bill to provide for increases in the Federal minimum wage, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. RUBIO):

S. 54. A bill to address health workforce shortages and disparities highlighted by the COVID-19 pandemic through additional funding for the National Health Service Corps and the Nurse Corps, and to establish a National Health Service Corps Emergency Service demonstration project; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of Florida (for himself, Mr. HAWLEY, and Mr. BRAUN):

S. 55. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER:

S. Res. 16. A resolution to provide for related purposes concerning the articles of impeachment against Donald John Trump, President of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Montana (Mr. DAINES) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 13, a bill to establish an advisory committee to make recommendations on improvements to the security, integrity, and administration of Federal elections.

S.J. Res. 4

At the request of Mr. RUBIO, the names of the Senator from Idaho (Mr. RISCH), the Senator from Utah (Mr. LEE) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S.J. Res. 4. The resolution is providing an amendment to the Constitution of the United States to require that the Supreme Court of the United States be composed of not more than 9 justices.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. DURBIN (for himself and Mr. RUBIO):

S. 54. A bill to address health workforce shortages and disparities highlighted by the COVID-19 pandemic through additional funding for the National Health Service Corps and the Nurse Corps, and to establish a National Health Service Corps Emergency Service demonstration project; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD, there being no objection, the text of the bill ordered to be printed in the RECORD, as follows:

S. 54

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘‘Strengthening America’s Health Care Readiness Act’’.

SEC. 2. ADDITIONAL FUNDING FOR THE NATIONAL HEALTH SERVICE CORPS.

(a) ADDITIONAL FUNDING.—Section 10503(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)) is amended—

(1) by adding at the end the following:

''(i) PRIORITY.—In selecting eligible individuals for funding under subsection (b) of section 10503(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)) the Secretary shall provide increased funding to entities that provide services to underserved communities and that are comprised of health professionals that correspond in health care professions, including racial and ethnic minorities and individuals from low-income urban and rural communities. To carry out the requirements of this subsection, the Secretary may coordinate with entities receiving funding under section 254b–2 of the Public Health Service Act (42 U.S.C. 254c) to provide mentorship and support, and recruit such eligible applicants.

(c) NATIONAL HEALTH SERVICE CORPS EMERGENCY SERVICE DEMONSTRATION PROJECT.—

Part B of title XXVIII of the Public Health Service Act is amended by inserting after section 2812 (42 U.S.C. 300hh–11):''

SEC. 2812A. NATIONAL HEALTH SERVICE CORPS EMERGENCY SERVICE DEMONSTRATION PROJECT.—

(a) IN GENERAL.—For each of fiscal years 2022 through 2026, from the amounts made available under section 10505(b)(3) of the Patient Protection and Affordable Care Act, to the extent permitted by, and consistent with, the requirements of applicable State laws, the Secretary may make grants of up to $50,000,000 to establishing, as a demonstration project, a National Health Service Corps Emergency Service (referred to in this section as ‘‘emergency service’’) which a qualified individual currently or previously participating in the National Health Service Corps agrees to engage in service through the National Disaster Medical System established under section 2812, as described in this section.

(b) PARTICIPANTS.—

(i) NHSC ALUMNI.—

(A) QUALIFIED INDIVIDUALS.—An individual may be eligible to participate in the emergency service under this section if such individual participated in the Scholarship Program under section 338A or the Loan Repayment Program under section 338B, and who satisfied the obligated service requirements under such program, in accordance with the individual’s contract.

(ii) PRIORITY AND INCREASED FUNDING AMOUNTS.—

(I) PRIORITY.—In selecting eligible individuals to participate in the program under this paragraph, the Secretary shall give priority to individuals who—

(aa) first, to qualified individuals who continue to practice at the site where the individual fulfilled his or her obligated service under the Scholarship Program or Loan Repayment Program through the time of the application to the program under this section; and

(bb) secondly, to qualified individuals who continue to practice in any site approved for obligated service under the Scholarship Program or Loan Repayment Program other than the site at which the individual was approved.

(ii) INCREASED FUNDING AMOUNTS.—The Secretary may grant increased award amounts to certain participants in the program under this section based on the site where a participant fulfilled his or her obligated service under the Scholarship Program or Loan Repayment Program.

(b) CRITERIA FOR USE OF ADDITIONAL FUNDING.—The Secretary may make grants of additional funding to the National Health Service Corps Scholarship Program under section 338A of the Public Health Service Act, the National Health Service Corps Loan Repayment Program under section 338B of such Act, and the National Health Service Corps Emergency Service under section 2812A of such Act (as added by subsection (c)) who are members of groups that are historically underrepresented in health care professions, including racial and ethnic minorities and individuals from low-income urban and rural communities. To carry out the requirements of this subsection, the Secretary may coordinate with entities receiving funding under section 254b–2 of the Public Health Service Act (42 U.S.C. 254c) to provide mentorship and support, and recruit such eligible applicants.

(c) NATIONAL HEALTH SERVICE CORPS EMERGENCY SERVICE DEMONSTRATION PROJECT.—

Part B of title XXVIII of the Public Health Service Act is amended by inserting after section 2812 (42 U.S.C. 300hh–11) the following:
participate in the program under this section while fulfilling the individual’s obligated service under such program.

(3) Clarkeifications.—Notwithstanding any provision of law or any contract with respect to service requirements under the Scholarship Program or Loan Repayment Program, an individual fulfilling service requirements described in subsection (c) shall not be considered in breach of such contract under such Scholarship Program or Loan Repayment Program, provided that the individual is in advance and reasonable notification to the site at which the individual is fulfilling his or her obligated service requirements described in subsection (c) shall not be considered in breach of such contract under such Scholarship Program or Loan Repayment Program, provided that the individual is in advance and reasonable notification to the site at which the individual is fulfilling his or her obligated service requirements described in subsection (c) shall not be considered in breach of such contract under such Scholarship Program or Loan Repayment Program.

(4) Participants as Members of the National Disaster Medical System.—

(1) Participants as Members of the National Disaster Medical System described in subsection (c)(1) shall be considered toward satisfying the period of obligated service under the Scholarship Program or Loan Repayment Program.

(2) Participants as Members of the National Disaster Medical System described in subsection (c)(2) shall be eligible to receive a loan repayment payment under theLoan Repayment Program pursuant to a contract entered into at the same time under section 338B(1) in a manner similar to the manner in which payments are made under such section, pursuant to a contract entered into with respect to service requirements under the National Health Service Corps.

(4) Participants as Members of the National Disaster Medical System described in subsection (c)(4) shall be eligible to receive a loan repayment payment under the Loan Repayment Program pursuant to a contract entered into at the same time under section 338B(1) in a manner similar to the manner in which payments are made under such section, pursuant to a contract entered into with respect to service requirements under the National Health Service Corps.

(6) Contracts for Certain Participating Individuals.—An individual who is participating in the emergency service program under this section shall receive loan repayments in an amount equal to the sum of—

(A) the total of the amounts paid by the United States under such contract on behalf of the individual for any period of such service not served;

(B) an amount equal to the product of the number of months of service that were not completed by the individual, multiplied by $3,750;

(C) the interest on the amounts described in paragraphs (A) and (B), at the maximum legal prevailing rate, as determined by the Treasurer of the United States, from the date of the breach;

(D) the effects of such program on the National Disaster Medical System’s response capability, readiness, and workforce strength; and

(E) recommendations for improving the demonstration project described in this section, and any other considerations as the Secretary determines appropriate.

SEC. 3. FUNDING FOR THE NURSE CORPS SCHOLARSHIP AND LOAN REPAYMENT PROGRAM.

There are hereby appropriated, out of amounts in the Treasury not otherwise appropriated, $1,000,000,000 for fiscal year 2021, for purposes of carrying out section 846 of the Public Health Service Act (42 U.S.C. 297n), to remain available until expended, except that—

(1) of the amount appropriated under this heading and made available for scholarships and loan repayments, not less than 40 percent shall be allocated for eligible applicants who are members of groups that are historically underrepresented in health care professions, including racial and ethnic minorities and individuals from low-income urban and rural communities; and

(2) to carry out the requirements of paragraphs (3) through (5), the Secretary may cooperate with entities receiving funding under section 821 to identify, recruit, and select individuals to receive such scholarships.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 16—TO PROVIDE FOR RELATED PROCEDURES CONCERNING THE ARTICLE OF IMPEACHMENT AGAINST DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

Resolved, That:

(1) pursuant to rules III and IV of the Rules and Procedures and Practice When Sitting on Impeachment Trials, on Tuesday, February 9, 2021, the Senate shall proceed to the consideration of the article of impeachment and the House of Representatives may file a replication with the Secretary of the Senate that the Secretary of the Senate shall notify the House of Representatives of the time and place fixed for the Senate to proceed upon the impeachment of Donald John Trump in the Senate Chamber;

(2) under rule VIII of the Procedure and Guidelines for Impeachment Trials in the United States Senate

(A) the summons shall be issued in the usual form to Donald John Trump, provided that he may have until 12:00 pm on Tuesday, February 2, 2021, to file his answer with the Secretary of the Senate;

(B) the House of Representatives may have until 12:00 pm on Monday, February 8, 2021, to file its replication with the Secretary of the Senate;

(C) if the House of Representatives wishes to file a trial brief, it shall be filed by 10:00 am on Monday, February 8, 2021;

(D) if Donald John Trump wishes to file a trial brief, it shall be filed by 10:00 am on Monday, February 8, 2021; and

(E) if the House of Representatives may file a rebuttal brief no later than 10:00 am on Tuesday, February 9, 2021;
(3) the Senate directs the parties, in addition to addressing the charge of incitement of insurrection in the Article of Impeachment approved by the House on January 13, 2021, to address in their trial briefs whether Donald John Trump is subject to the jurisdiction of a court of impeachment for acts committed as President of the United States, notwithstanding the expiration of his term in said office; and

(4) the Senate directs the parties to be prepared to address at the commencement of the trial on February 9, 2021, whether Donald John Trump is subject to the jurisdiction of a court of impeachment for acts committed as President of the United States, notwithstanding the expiration of his term in said office.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MENENDEZ. Mr. President, I have 2 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 COMMERCE, SCIENCE, AND TRANSPORTATION
The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, January 26, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, January 26, 2021, at 10 a.m., to conduct a hearing on nominations.

The PRESIDING OFFICER. The majority whip.

ORDERS FOR WEDNESDAY, JANUARY 27, 2021

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Wednesday, January 27; further, that following the prayer and the Pledge of Allegiance, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in day, and the Senate 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.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

Thereupon, the Senate, at 5:39 p.m., adjourned until Wednesday, January 27, 2021, at 10:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate January 26, 2021:

ANTONY JOHN BLINKEN, OF NEW YORK, TO BE SECRETARY OF STATE.
HIGHLIGHTS

Senate confirmed the nomination of Antony John Blinken, of New York, to be Secretary of State.

Senate

Chamber Action

Routine Proceedings, pages S133–S156

Measures Introduced: Fourteen bills and one resolution were introduced, as follows: S. 42–55, and S. Res. 16.

Measures Passed:

Impeachment Organizing Resolution: By 83 yeas to 17 nays (Vote No. 9), Senate agreed to S. Res. 16, to provide for related procedures concerning the article of impeachment against Donald John Trump, President of the United States.

Impeachment of Former President Trump: Senate continued consideration of the Article of Impeachment against Donald John Trump, former President of the United States, taking the following actions:

Administering The Oath To The President Pro Tempore: Pursuant to Rule IV of the Senate Rules on Impeachment and the United States Constitution, Senator Grassley, President pro tempore emeritus administered the oath to Senator Leahy, President pro tempore.

Administering the Oath to Senators: In conformance with Article I, section 3, clause 6 of the United States Constitution, and the Senate Rules on Impeachment, the President pro tempore administered the oath to the Members of the United States Senate.

By 55 yeas to 45 nays (Vote No. 8), Senate agreed to the motion to table the Senator Paul point of order against the proceedings as being in violation of the United States Constitution, and the point of order was not sustained.

A unanimous-consent agreement was reached providing that the Senate sitting as a Court of Impeachment adjourned until 1 p.m., on Tuesday, February 9, 2021.

Nomination Confirmed: Senate confirmed the following nomination:

By 78 yeas to 22 nays (Vote No. EX. 7), Antony John Blinken, of New York, to be Secretary of State.

Executive Communications:

Executive Reports of Committees:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Authorities for Committees to Meet:

Quorum Calls: One quorum call was taken today. (Total—2)

Record Votes: Three record votes were taken today. (Total—9)

Adjournment: Senate convened at 10 a.m. and adjourned at 5:39 p.m., until 10:30 a.m. on Wednesday, January 27, 2021. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S156.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nomination of Gina Marie Raimondo, of Rhode Island, to be Secretary of Commerce, after the nominee, who was introduced by Senators Reed and Whitehouse, testified and answered questions in her own behalf.
BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Secretary of Homeland Security.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet in Pro Forma session at 9 a.m. on Thursday, January 28, 2021.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 27, 2021

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: business meeting to consider the nomination of Peter Paul Montgomery Buttigieg, of Indiana, to be Secretary of Transportation, 10 a.m., SR–325.

Committee on Energy and Natural Resources: to hold hearings to examine the nomination of Jennifer Mulhern Granholm, of Michigan, to be Secretary of Energy, 9:30 a.m., SD–106.

Committee on Foreign Relations: to hold hearings to examine the nomination of Linda Thomas-Greenfield, of Louisiana, to be the Representative of the United States of America to the United Nations, with the rank and status of the Ambassador, and the Representative of the United States of America in the Security Council of the United Nations, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations, 10 a.m., SD–G50/VTC.

Committee on Veterans’ Affairs: to hold hearings to examine the nomination of Denis Richard McDonough, of Maryland, to be Secretary of Veterans Affairs, 3 p.m., SD–106.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2 p.m., SVC–217.

House

No hearings are scheduled.
Next Meeting of the SENATE
10:30 a.m., Wednesday, January 27

Senate Chamber
Program for Wednesday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES
9 a.m., Thursday, January 28

House Chamber
Program for Thursday: House will meet in Pro Forma session at 9 a.m.