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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado.

PRAYER

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

Let us pray.

Eternal God, who protects us like a mighty fortress, thank You for providing our lawmakers with Your wisdom, guidance, and strength. Lord, continue to bless them, for You know their needs, motives, hopes, and fears. When our Senators grow faint and weary and the night overtakes them, renew their strength and enable them to soar on wings like eagles. May the different approaches expressed by both parties contribute to greater solutions to the problems in our Nation and world.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 30, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4350, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 4350) to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Reed/Inhofe Modified Amendment No. 3867, in the nature of a substitute.

Reed Amendment No. 4775 (to Amendment No. 3867), to modify effective dates relating to the Assistant Secretary of the Air Force for Space Acquisition and Integration and the Service Acquisition Executive of the Department of the Air Force for Space Systems and Programs.

RECOGNITION OF THE MAJORITY LEADER

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

H.R. 4350

Mr. SCHUMER. Mr. President, after spending—this is on NDAA. After spending months insisting that the Senate should take swift action on our annual Defense bill, last night, Republicans mounted a partisan filibuster, blocking this Chamber from moving forward on the NDAA.

For the information of all, before the vote closed last night, I changed my vote to ''no'' and then entered a motion to reconsider the cloture vote so we could find a path forward on this important bill.

Now, we have heard over and over and over again from Republicans, in some form or another, that the Senate must act on NDAA and must act quickly. One Republican colleague called it a core duty, a bare minimum. Yet another colleague said it was ''the best way to thank our soldiers and sailors for their service.''

But, last evening, Republicans blocked legislation to support our troops, support their families, keep Americans safe, and support jobs across the entire country. Republican dysfunction has again derailed even bipartisan progress on our annual defense bill—an outrageous outcome that shows how the Senate and Republican leadership have changed in recent years.

Previous leaders, knowing that Democrats had offered Republicans a whole lot of amendments, would have said: ''Let's vote cloture''—but not this leader, not yet.

And there should be no mistake: The process that Democrats, and particularly my colleague Chairman REED, have offered Republicans on NDAA has been more than fair and reasonable. For months, my colleagues in the Armed Services Committee have been working to produce a bipartisan product that could come to the floor for a vote.

The bipartisan Reed-Inhofe agreement—a Reed-Inhofe agreement—was what we brought to the floor yesterday to vote on.

During the markup, Members considered 321 amendments and adopted 143

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

bipartisan ones before reporting the bill out of committee by a vote of 23 to 3—23 to 3, bipartisan.

In preparation for the Senate floor, the managers worked on a substitute amendment, which had at least 50 amendments—27 of them, the majority, from Republicans. Senator INHOFE, the ranking member of the Armed Services Committee, worked with Democrats and had agreed to this.

And on top of all that, Senators REED and INHOFE also reached a bipartisan agreement to hold votes on 19 amendments here on the floor before Republicans blocked that proposal 2 weeks ago.

Nineteen amendment votes—19—that is more than the total number of amendments to NDAA that received votes under the Republican majority and under Leader MCCONNELL when we debated this bill in 2017, 2018, 2019, and 2020—not more than in each year, more than all of them put together.

We just had 2 amendments on NDAA in 2017, when MCCONNELL was majority leader. We had 5 in 2018, when MITCH MCCONNELL was majority leader; 3 in 2019; and 7 in 2020. Adding that up, that is a total of 17. That is over 4 years.

This year, we offered 19 amendment votes, including bipartisan measures to combat ransomware, repeal the 2020 Iraq AUMF, and support improved cyber defense of our critical infrastructure. But when we tried to get consent to move on this package of amendments, our Republican colleagues came down to the floor and objected not once but seven times.

So we have had ample debate. This has been a fair and reasonable process that has showed respect to the other side. But this is a new Republican Party, unfortunately, and it was not good enough for them even on the Defense bill.

Passing the annual Defense bill should not be in question, and Republicans' blocking this legislation is harmful to our troops, to their families who sacrifice so much, and to our efforts to keep Americans around the world safe.

Now, we Democrats are not going to let Republican intransigence stop us. We are going to keep working forward on a path forward, and we hope our Republican colleagues, as they discuss this among themselves, will see the light and come up with a fair proposal to allow this bill to go forward.

Nineteen amendments—a total of 17 on all the other NDAA bills—to say that we are being unfair, to say that we are not giving enough amendments is poppycock, and they know it.

Let's move forward. Let's move forward.

GOVERNMENT FUNDING

Mr. President, now on government funding, there is another critical priority that the Senate must also address before the week's end: passing a continuing resolution that will keep the government funded beyond the December 3 deadline.

As soon as tomorrow, the House is expected to take action to pass a CR that will fund the government into next year. Senate Democrats are ready to pass this legislation and get it done as quickly as possible.

To avoid a needless shutdown, Republicans will have to cooperate and approve the government funding legislation without delay. If Republicans choose obstruction, there will be a shutdown entirely because of their own dysfunction.

We cannot afford to go down that road. As winter begins, the last thing Americans need right now is an avoidable, Republican-manufactured shutdown that will potentially harm millions of Federal workers, harm their families, and harm local communities that rely on an open and functioning Federal Government.

Democrats are going to work all week to make sure no government shutdown comes to pass, and we urge our Republican colleagues to work with us.

DEBT LIMIT

Mr. President, on debt limit, also, soon the Senate must take action to assure that the United States does not—does not—default on its sovereign debt for the first time in history. I recently had a good conversation with the Republican leader about this issue, and I expect to continue those talks on achieving a bipartisan solution to addressing the debt limit.

By now we know the dangers of an unprecedented default. Secretary Yellen has warned that failure to extend the debt ceiling would ''eviscerate'' our economic recovery and says our country could yet again slip into ''a deep recession.''

Both parties know that this is simply unacceptable, and so I look forward to achieving a bipartisan solution to addressing the debt limit soon.

BUILD BACK BETTER

Mr. President, finally, on Build Back Better, before we hit Christmas Day, it is my goal to have the Senate take action to debate and pass President Biden's Build Back Better legislation.

This week, Senate Democrats will focus on continuing to meet with the Parliamentarian so we can finish making the technical and procedural fixes necessary for reconciliation. Once that is complete, it will be time to bring Build Back Better here to the floor of the Senate.

I have said many times before that nobody should expect legislation of this magnitude to be easy. We have been at the task for several months, but we need to take a step back and recognize that we are, hopefully, less than a month away from acting on the largest investment the American people have seen in generations.

Here is what we are going to do in this bill: lower the cost of childcare, make pre-K universally accessible, cut taxes for parents and working and middle-class families, and take the next bold step in our fight against the climate crisis.

All this we want to tackle before the Christmas break. So we will keep working this week and until we get it done.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip.

REMEMBERING MAJOR IAN FISHBACK AND GUANTANAMO BAY CLOSURE

Mr. DURBIN. Mr. President, earlier this month, while we were all home for the Thanksgiving recess, an American patriot passed away. His name was MAJ Ian Fishback.

During his life, Major Fishback defended our Nation during four tours of duty in Iraq and Afghanistan. He was an accomplished scholar, with degrees from both West Point and the University of Michigan, and a lifelong champion of justice.

Tragically, like too many of our Nation's veterans, Major Fishback's life ended far too soon. He died at the age of 42. Though his time on Earth was short, he left behind a legacy. He changed our Nation for the better. He inspired the Members of the Senate to make a historic stand against injustice.

You see, in 2005, while Major Fishback was serving as captain in the U.S. Army infantry, he spoke out against America's inhumane treatment of detainees after 9/11. In a letter to then-Senators John McCain and John Warner, Major Fishback wrote: ''I have been unable to get clear, consistent answers from my leadership about what constitutes lawful and humane treatment of detainees. I am certain that this confusion contributed to a wide range of abuses including death threats, beatings, broken bones, murder, exposure to elements, extreme forced physical exertion, hostage-taking, stripping, sleep deprivation and degrading treatment. I and troops under my command witnessed some of these abuses in both Afghanistan and Iraq.''

Major Fishback's courageous letter shed light on the atrocities that were being committed shamefully in the name of our Nation, and he felt that he had ''failed'' the servicemembers under his command. The reality is, our leaders failed Major Fishback.

In the wake of 9/11, the Bush administration tossed aside our constitutional principles as well as the Geneva Conventions. By condoning torture, they dishonored our Nation and actually endangered our servicemembers.

After reports emerged about horrific abuses at Abu Ghraib in Iraq, I tried for a year and a half to pass legislation to make it clear that cruel, inhuman, and degrading treatment of detainees was illegal. Two military heroes, my former colleague Senator John McCain and Major Fishback, turned the tide in this effort.

In speaking out, Major Fishback rallied the Members of this Chamber to support a torture amendment authored by Senator McCain and myself, which was added to the defense spending package for that year over a veto

threat from the George W. Bush administration. That provision explicitly banned inhumane treatment of any prisoner held by the American Government—on American soil or overseas. It set us on a course to restoring American values that were cast aside after 9/11—work that is still ongoing 20 years later.

We have a defense bill before us on the floor with many things in it that are positive, and I will vote for it. But it is a moment to also reflect that this bill does more than protect our Nation and help our troops; it also protects our values. That is why I have an amendment to this bill, which I hope we will have a chance to offer, that will close the detention facility at Guantanamo Bay once and for all.

Since the first group of detainees was brought to Guantanamo in January of 2002, four different Presidents have presided over the facility. In that time, the Iraq war has begun and ended, and the war in Afghanistan, our Nation's longest war, has come to a close. A generation of conflict has come and gone. Yet the Guantanamo detention facility is still open, and every day it remains open is an affront to our system of justice and the rule of law. It is where due process goes to die. That is precisely why military officials, national security experts, and leaders on both sides of the aisle have demanded its closure for years.

The facility was virtually designed to be a legal black hole where detainees can be held incommunicado—beyond the reach of law—and subjected to unspeakable torture and abuse. In the words of a former senior official in the Bush administration, Guantanamo existed in ''the legal equivalent of outer space.''

It was created to circumvent the Geneva Conventions. What are those conventions? We know. They were the internationally accepted standard of humane treatment for detainees and prisoners. Guantanamo was designed to circumvent it and other longstanding treaties. This subversion of justice has harmed detainees, it has undermined our moral standing, and it has failed to deliver justice, which it promised.

For two decades, the families of Americans who died on 9/11 have waited for the alleged conspirators, who are being detained in Guantanamo, to be brought to justice. For 20 years, they have been waiting, but the case still hasn't come to trial. Imagine. If justice delayed is justice denied, how can this be justice at Guantanamo? Instead, the facility has become a symbol for human rights abuse, lawlessness, and everything Major Fishback decried in his letter to Senator McCain.

The stories out of Guantanamo and CIA black sites are shocking. Let me tell you one of them.

Last month, Guantanamo detainee Majid Khan testified before a military jury about the abuse he suffered in the facility and in CIA black sites. It was the first time a detainee has described his torture at a CIA black site.

Let's be clear. Majid Khan is a former member of al-Qaida who should be held accountable for his actions, but there is no justification for torture.

Mr. Khan recounted being abused in unspeakable, unthinkable ways by our government, including being waterboarded and shackled to a ceiling until his ankles swelled with blood. In one part of his testimony, he described a CIA medic sexually violating him with a garden hose.

As Mr. Khan shared the excruciating details of his torture, the members of the jury listened closely. But pay heed: These weren't average citizens sitting on the jury; they were Active-Duty, senior military U.S. officials on the jury. When the hearing concluded, these high-ranking military leaders did something unheard of. Seven of the eight jurors signed a handwritten letter recommending clemency for Majid Khan. This is what they concluded, and I want to quote it word for word: ''Mr. Khan has been held without the basic due process under the U.S. Constitution. . . . [He] was subjected to physical and psychological abuse well beyond approved enhanced interrogation techniques, instead being closer to torture performed by the most abusive regimes in modern history. . . . [T]his abuse was of no practical value in terms of intelligence or any other tangible benefits to U.S. interests.''

Remember, I have just quoted these senior U.S. military officials who sat on a jury where this man was being tried, and they, in a handwritten letter, wrote what I just read.

Now, that last point is crucial. The human rights abuses committed in Guantanamo and CIA black sites are not merely inhumane; they don't work. They are ineffective.

Khan testified: ''I lied just to make the abuse stop.''

Torturing him brought us no clarity, brought us no truth, and brought us no closer to eradicating terrorism. Instead, stories about the torture of prisoners at Guantanamo have only galvanized America's enemies. They have been packaged into propaganda and recruitment tools for terrorism, which in turn endangers our service men and women as well as our allies.

These accounts of abuse have also diminished our international standing. How can we claim credibility as a nation? How can we hold authoritarian dictators accountable if they can point to our own legacy of cruelty and indefinite detention? The man was held for 20 years, and others are still being held without being brought to trial.

Worse yet, the degrading conditions at Guantanamo are being funded by American taxpayers. How much is the cost of Guantanamo? Astronomic, that is how high it is. We spend more than $500 million a year to keep Guantanamo open—$500 million. Half a billion dollars a year American taxpayers are wasting to detain how many people for half a billion dollars? Thirty-nine. Thirty-nine prisoners, $500 million, and 13 have already been approved for transfer. That works out to nearly $14 million a year on each prisoner like Majid Khan—$14 million a year. Let me put that in perspective for a moment. That is enough money to expand Medicaid coverage to 1.5 million Americans over 10 years.

Setting aside the cost, we have to acknowledge the larger truth. Guantanamo does not reflect who we are or should be. Indefinite detention without charge or trial is antithetical to America's values. Yet more than two-thirds of the people detained in Guantanamo today have never been charged with a crime. How can that be any form of justice?

With or without the amendment I have introduced to this year's Defense authorization, we must accelerate the timeline to finally close Guantanamo. As I mentioned, 39 prisoners, $500 million a year?

President Biden transferred his first detainee earlier this summer, but that pace—one every 6 months—is not going to set us on course to finally close Guantanamo. Like the war in Afghanistan, America's failures in Guantanamo must not be passed on to another administration or to another Congress. Can this Senate summon the courage to finally close this detention facility? I would like to test it on the floor of the Senate. As a matter of fact, isn't that why we are elected—to test a basic question like that?

Next week, the Judiciary Committee is going to hold a hearing on how we can close Guantanamo once and for all. There are more steps the Biden administration can take to accelerate this closure. One is by appointing a special envoy to the State Department to negotiate transfer agreements for those inmates who are scheduled to be transferred—13 of the 39—to transfer them to other nations.

We must also reach swift resolution in the remaining cases where charges have been brought, instead of moving forward with military commissions. Let's finally accept the obvious: Military commissions are not the answer in Guantanamo and have not been for 20 years. If there is one lesson we can learn from the shameful legacy of Guantanamo, it is that we need to trust our system of justice. The use of torture and military commissions that deny due process have hindered our ability to bring terrorists to justice. Going forward, we should adhere to the long-held values of humane treatment and the rule of law.

Our Federal courts have proven more than capable of handling even the most serious, complex terrorism cases. Since 9/11, hundreds of terrorism suspects have been tried and convicted in our Federal courts, and many are now being safely held in Federal prisons. Compare that to the military commission case against the alleged conspirators behind 9/11. It still hasn't come to trial more than two decades after that horrendous attack. The families who

lost loved ones on that day deserve better. America deserves better. And American patriots like Major Fishback deserve better as well.

We all deserve better than these black holes that violate our national values and make true legal accountability impossible.

As Major Fishback wrote to Senator McCain all those years ago, ''If we abandon our ideals in the face of adversity and aggression, then those ideals were never really in our possession.''

It is time to live up to those ideals that our troops have risked their lives to defend.

It is time, at long last, to face reality and honestly say, Close the detention facility in Guantanamo. Let's put this dark chapter behind us once and for all.

And in the memory of Major Fishback and the U.S. officials on that jury who spoke out, I thank them. I know it wasn't easy. It is far easier to remain silent and to avoid the obvious. But they showed courage in disclosing to the American people what occurred at Guantanamo.

Now, do we even have the courage to even debate this issue and vote on it on the floor of the Senate?

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

H.R. 4350

Mr. MCCONNELL. Mr. President, yesterday, a bipartisan majority of Senators rejected the Democratic leader's efforts to shut down debate on the National Defense Authorization Act and block new measures to get tougher on Russia.

The Democratic leader wants to block the Senate from fully and robustly debating a number of important issues—from how to manage the fallout from the reckless Afghanistan retreat to how to respond to China's dramatic and destabilizing military modernization, to how to restore deterrence against an emboldened Iran.

The NDAA is supposed to be the bipartisan forum for debating and acting on these kinds of issues. Months ago, the Armed Services Committee moved this process forward—listen to this—23 to 3, but the Democratic leader has botched the floor process.

It is especially bizarre to see the Democratic leader so focused, so intent, on blocking the Senate from dealing seriously with the growing aggression from Putin's Russia. He seems downright desperate to block new bipartisan action on Nord Stream 2. It is really quite strange to see. Senators Risch and Cruz have proposed language concerning this Putin pipeline that the House was able to pass almost unanimously. Unlike the House provision, the Risch-Cruz amendment includes a waiver provision that would give the President more flexibility, which makes the Democratic leader's effort to shut the process down and block their amendment all the more baffling.

If there is opposition to the amendment—if it can be improved with modifications—then, by all means, let's have a public debate.

Likewise, Senator PORTMAN has been a leading voice for bolstering our European partners and delivering more meaningful support to Ukraine's military. As Putin amasses forces on Ukraine's border, the Senate should debate how to help the Ukrainians defend themselves. The Democratic leader is trying to shut that down as well.

So the NDAA is not finished yet. So the Senate cannot be finished yet either. We need the same kind of normal, robust, bipartisan amendment process that always characterizes this bill, and we need the Democratic leader to stop trying to block the Senate from sanctioning Putin's cronies.

INFLATION

Now, Mr. President, on an entirely different matter, 88 percent of Americans are concerned about inflation—most of them are very concerned—and 77 percent of Americans say inflation has affected them personally. We have a big and diverse country. It is hard to get that many Americans to agree on anything. But President Biden did promise he would unite the country, and on the Democrats' watch, under the Democrats' policies, the American people are united in their fear and frustration at runaway prices, falling purchasing power, and all the consequences of inflation. The men and women of this country are spending 20 percent more than last year for beef at the grocery store, 50 percent more to fill up the gas tank, 26 percent more for less choice in used cars.

One recent article in the New York Times suggested that perhaps Americans should forget about trying to buy their family members normal gifts and settle for exchanging handwritten promises to tackle household chores, such as ''washing out the reusable plastic bags.'' I guess the Grinch is doing some ghostwriting in his spare time.

Some weeks back, the White House Press Secretary tried to laugh off reporters' questions about the supply chain and inflation crises. She literally laughed at the idea that anybody would be worried about the ''tragedy of the treadmill that's delayed.''

Well, the President's staff are yukking it up, but working parents aren't laughing. Middle-class families aren't laughing.

A Kentuckian named Mike Halligan isn't laughing either. He runs a big food bank in Lexington called God's Pantry. They distribute more than 40 million pounds of food every year at the local pantries all across my State.

Here is what he says:

> We've seen the cost of our ''sharing Thanksgiving basket'' go up this year by 14.5 percent. . . . We've seen our costs go up by about 50 percent. The transportation component of that is literally doubled.

And he also explained that, since inflation is also hammering his contributors, charities and nonprofits may face ''donor fatigue'' at precisely the time they cannot afford a fall-off. The Democrats' inflation is hitting, literally, every part of our society.

A famous economist once said that inflation is the only form of tax that can be levied without any legislation, but what is remarkable about 2021 is that Democrats did directly legislate a big chunk of this inflation into existence. It is unusually traceable to deliberate policy decisions they have made.

One of the most famous Democratic economists in the country, Larry Summers, tried to warn them. On February 4, he wrote that the Democrats' stimulus could ''set off inflationary pressures of a kind we have not seen in a generation.'' He said the same thing all springtime long.

So did President Obama's CEA chair:

> Jason Furman . . . said that the American Rescue Plan is definitely ''too big for the moment,'' stating, ''I don't know of any economist that was recommending something the size of what was done.''

But Washington Democrats had already decided months ago they would try to use the temporary pandemic as a Trojan horse for permanent socialism.

Remember last spring, when one of the senior-most House Democrats called it a ''tremendous opportunity to restructure things to fit our vision'' or, earlier this fall, when President Biden himself said the pandemic ''does present us with an opportunity.''

For Democrats, this go-around, it has never been about what families need; it has only been about what activists want.

So we got the first massive spending bill in the springtime, and now a majority of Americans ''worry they won't be able to afford what they need during the holidays due to inflation.''

President Biden inherited an economy that was primed and ready for a historic comeback—a fantastic inheritance. Since then, they have had less than a year at the controls, and we have got more than half the country actively worried their checking accounts might not even get them through the holidays.

But Democrats aren't offering the country any contrition, any apology, or, more importantly, any course correction. Amazingly enough, they want to come back around for an even bigger bite at the apple. They want to try to inflate their way out of inflation.

Our colleagues have spent months huddled behind closed doors, neglecting the most basic governing duties, writing another reckless taxing-and-spending spree that even the most conservative estimates say would add about $800 billion to deficits over the next 5

years alone. They want to take the inflationary fire they helped start and pour jet fuel on it. Even the CBO, which has to swallow most of the Democrats' gimmicky math, estimates this bill would spend nearly $2 trillion and pile almost hundreds of billions more onto deficits over the next decade.

Perhaps more realistic are the outside, nonpartisan estimates that actually account for what we all know: Democrats would never let the new entitlements in their bill expire. Those more realistic estimates put the total cost—listen to this—just short of $5 trillion, at a time when Chairman Powell, who has been willing to let the country run hot, is now warning that current uncertainties could keep inflation elevated to a troubling level.

Now, I could talk all day about how the actual contents of this bill would hurt American families even more, about how it would take another big step toward socialized medicine and pour cold water on the innovations and cures that save lives, how it would incinerate huge chunks of our energy sector and the jobs it supports in order to keep pace with green preferences of California liberals, how it would wrestle authority over intimate decisions about childcare away from American families and put it in the hands of Washington bureaucrats, but the overall picture is impossible to mistake: Inflation is hurting the American people, and Democrats want to print, borrow, and spend trillions more—the most out-of-touch agenda you could possibly imagine.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

ABORTION

Mr. THUNE. Mr. President, tomorrow the Supreme Court will hear oral arguments in the Dobbs case, which deals with a Mississippi law that would prohibit most abortions after 15 weeks of pregnancy. This case offers the best opportunity in many years to see Roe v. Wade overturned or modified—something that is long overdue.

Roe v. Wade was a bad decision that should long ago have been reversed. Legal scholars from across the ideological spectrum have criticized the decision, noting, in the words of one expert:

> As constitutional argument, Roe is barely coherent. The court pulled its fundamental right to choose more or less from the constitutional ether.

As another legal scholar put it, Roe is ''a very bad decision . . . because it is bad constitutional law, or rather because it is not constitutional law and gives almost no sense of an obligation to try to be.''

Now, I should note that both of the individuals I just quoted are actually supportive—supportive—of abortion. But like many others, both recognize that Roe is simply bad law.

In the Roe decision, the Supreme Court reached far beyond the Constitution in the Court's interpretive role to impose a new abortion regime on the entire country, and it is past time for this unconstitutional decision to be overturned and for the Court to return jurisdiction over abortion to the States.

It is important to note that overturning Roe would do just that: return jurisdiction over abortion to the States and to elected officials who can be held accountable for the decisions and ultimately to the American people.

Many assume, incorrectly, that overturning Roe would somehow automatically ban abortion nationwide. It would not. It would simply return jurisdiction to the people's elected representatives.

Abortion law would become the domain of States and Congress, instead of the domain of unelected, activist members of the judiciary.

Members of the radical pro-abortion lobby, which controls the abortion policies of the Democrat Party, are, of course, up in arms over the Dobbs case. They are terrified—terrified—that the Supreme Court will overturn Roe, and I suspect that the root of that fear is the knowledge that they need an activist Court for the radical abortion agenda.

Why? Because the American people do not agree with the radical abortion lobby on abortion.

For all its efforts to paint abortion on demand at any time up until the moment of birth as the only possible position, the pro-abortion lobby has completely failed to convince the American people.

Polls consistently show that a strong majority of the American people support at least some restrictions on abortion. Gallup has been polling on abortion for decades, and in all that time, the percentage of Americans who believe abortion should be legal under any circumstance has always remained under 35 percent. In fact, for most of the past several decades, that number has remained squarely under 30 percent.

An Associated Press poll from this June found that 65 percent of Americans believe that abortion should generally be illegal in the second trimester—or from about 13 weeks of pregnancy—while a whopping 80 percent of Americans believe that abortion should generally be illegal in the third trimester. And it is no surprise.

Despite the abortion lobby's attempts to dehumanize unborn children and portray them as nothing more than clumps of cells or unwanted growths, most Americans are well aware that an unborn child is a baby, a human being, an innocent human being.

And because Americans generally gravitate toward justice and the defense of human rights and vulnerable human beings, they remain—despite the best efforts of the abortion lobby—fundamentally uncomfortable with unrestricted abortion.

And so I think the root of the abortion lobby's outrage is the knowledge that if Roe is overturned, their radical abortion agenda is unlikely to prevail nationwide because the American people simply do not agree with them on abortion.

The pro-abortion lobby and its allies in the Democrat Party would like Americans to believe that Mississippi's 15-week abortion ban is extreme, radical legislation. Well, nothing could be further from the truth.

In fact, the United States of America—the United States of America—is a radical outlier on abortion. We are one of only seven countries in the world that allows elective abortion past 20 weeks—one of just seven countries in the entire world. Among those other countries are China and North Korea, not exactly the kind of company you want to be keeping when it comes to defending human rights.

Forty-seven out of fifty European countries—47 out of 50—either require women to have a specific reason for seeking an abortion or limit elective abortion to 15 weeks or earlier. Thirty-two European countries, including France, Denmark, Switzerland, Norway, and many others, limit elective abortion to at or before 12 weeks' gestation.

Now, let's consider that for just a minute. A substantial majority of European countries limit abortion to at or before 12 weeks. In other words, Mississippi's 15-week abortion law is not on the radical fringe when it comes to abortion; it is squarely in the mainstream for Western democracies, and it is, in fact, more permissive than the abortion laws of a majority of European countries. And yet the abortion lobby would have us believe that Mississippi is pushing some kind of extreme abortion legislation.

Let's talk about unborn babies at 15 weeks. Fifteen-week-old unborn children have fully developed hearts that have already beaten more than 15 million times. They yawn. They make facial expressions. They suck their thumbs. They respond to taste and touch. Scientific evidence suggests that they can feel pain.

Pro-abortion activists may not like to hear it, but scientific evidence shows that the neural connections necessary to transmit pain are fully in place by around 20 weeks and that babies may actually begin to experience pain as early as 12 weeks.

So when we are talking about a 15-week-old unborn baby, we are talking about a baby who may very well already be able to experience pain and will certainly be able to experience it a few weeks later, if she can't now. Yet in this country, it is perfectly legal to kill unborn children who are able to

feel pain and kill them with an abortion procedure so brutal and barbaric it is difficult to even describe.

Yet it needs to be mentioned because we need to acknowledge the reality that we are killing unborn babies in this country capable of feeling pain, using a widely employed abortion procedure that involves dismembering the unborn child. As I said, it is incredibly hard—in fact, it is heartbreaking, really—to even talk about it.

The abortion lobby would like to draw a veil over what happens inside abortion clinics, but the truth is that abortions are brutal and inhumane—certainly to the baby but, in many respects, to the mother as well.

Since the Supreme Court handed down the Roe v. Wade decision, there have been an estimated 62 million-plus abortions in the United States. That number is so big, it is pretty much unfathomable. To put it in some kind of perspective, 62 million is nearly three times the population of the entire State of Florida. That is how many unique, unrepeatable human beings we have lost to abortion since Roe.

We are better than this, and we have to do better than this. Our country was founded to safeguard human rights. We haven't always lived up to that promise, but we have never stopped trying. And it is time for us to continue that work by standing up for the most vulnerable human beings among us: the unborn children, whose human rights are not protected and whose lives can be taken away at any time.

Thanks to medical advancements, it is possible for babies born at 22 weeks to survive outside their mothers. It is also perfectly legal to kill unborn children at 22 weeks. Now, something is radically wrong with that picture.

How can an unborn child of 22 weeks be regarded as a human being worthy of protection in one case and in the other case be regarded as nothing but a clump of cells to be disposed of in an abortion clinic?

The cognitive dissonance is mind-boggling.

The more we learn about unborn children, the more we see their humanity. It is impossible to look at an unborn baby kicking her feet and sucking her thumb on an ultrasound and see her as anything but the human being that she is. Science, medical advancements, and plain old common sense all point inexorably to the humanity of the unborn child.

And human beings deserve to be protected. A good place to start would be with laws like Mississippi's, laws that would bring us into the mainstream of abortion laws worldwide. As I have said, the United States is one of just seven countries in the entire world, including China and North Korea, that allow elective abortion past 20 weeks of pregnancy. I would like to think that we can do a better job of protecting unborn children's human rights than China and North Korea.

So I hope that the Supreme Court will uphold Mississippi's law and open the door to greater protection for unborn children. But win or lose—win or lose—I and many, many, many others will continue to stand up for the human rights of unborn Americans; and I am confident that, in the end, right and justice and life will prevail.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

(The remarks of Mr. BARRASSO pertaining to the introduction of S. 3287 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BARRASSO. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF COREY HINDERSTEIN

Mr. KING. Mr. President, I have the responsibility and the privilege to be the chair of something called the Strategic Forces Subcommittee of the Committee on Armed Services.

Strategic forces is a euphemism for nuclear weapons, and it is one of the most serious threats that we continue to face. We face threats all over the world from pandemics, from terrorism, from a rising China, from a belligerent Russia, but one of the most serious that sometimes gets lost in the discussion is the unthinkable catastrophe that would be a nuclear exchange.

Throughout the last 70-plus years, our principle strategy for dealing with that threat has been deterrence, the idea that if you use nuclear weapons against the United States of America, you will pay the heaviest of prices, and that deterrence has worked. There hasn't been a use of nuclear weapon since 1945, and there are now several—I can't say the exact number for classification reasons—but there are a number of nuclear countries in the world, nuclear-armed countries, China and Russia among them. China is expanding its nuclear capability exponentially. Over the past several years, they have been embarked on an enormous buildup of their nuclear capability.

But I want to talk about a nuclear threat today in the context of the nomination that I am going to move in a few moments that, to me, is one of the most terrifying because it is a nuclear threat that deterrence doesn't work on—a nuclear threat that deterrence, the fundamental strategy of our prevention of nuclear conflict for 70 years, doesn't work.

What is that threat? The threat of nuclear terrorism. If you are not representing a country and if you don't care about dying, then the idea of a nuclear response doesn't scare you. It doesn't deter you from taking that kind of action.

How do we defend against that? What is deterrence 2.0 in the current world where international terrorism—although it has not been on the front pages recently—is still there?

ISIS-K, ISIS, al-Qaida, al-Qaida in the Arabian Peninsula are all still there. Boko Haram in Africa—they are all still there. They are all plotting. They are all working on ways that they can attack the West and the United States of America.

If they could get ahold of the nuclear technology and nuclear building block, which is enriched uranium, they would use it. The terrorists who killed 3,000 people on September 11 would kill—would have killed 3 million if they could have.

And so keeping nuclear materials and nuclear technology out of the hands of terrorists is, to me, one of the most important functions that our government can perform.

And that brings me to the nomination of Corey Hinderstein for the position of Deputy Administrator for Nuclear Nonproliferation. She is immensely qualified and has worked in this field for almost 20 years; has worked on nuclear proliferation and nonproliferation issues for most of those years, both in the government and in the private sector. I would venture to say there is probably no one in the United States who knows as much about this subject as she does.

Ms. Hinderstein will be responsible for a major part of the budget—$1.9 billion—but she is responsible for controlling the proliferation of nuclear materials, and that is so critical in light of the threat of nuclear terrorism. The only way we can keep them from attacking us is intelligence, knowing what is coming, and keeping these materials out of their hands; and that is why this job is so important.

She was approved by the committee and recommended to the Senate 40 days ago. It is time to move this nomination. Nominations can be held up for a variety of reasons and some policy reasons, and I understand that, but not in this case. And I am happy to report that it appears that this nomination will not be held up because I think all of our colleagues realize how important this function is in the government.

The most—the best nuclear strike is the one that doesn't occur. The only way to prevent that is to stop the proliferation of nuclear materials. This problem is only growing. We know that Iran is now enriching uranium to a much higher extent than they did under the JCPOA. We know that North Korea is pursuing its own nuclear ambitions. India, Pakistan both have nuclear programs. So this is a clear and present danger to the United States of

America, and that is why this nomination is so important.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. KING. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination, Calendar No. 475; that the Senate vote on the nomination; the motion to reconsider be considered made and laid upon the table; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the Record; and that the President be immediately notified of the Senate's action and the Senate then resume legislative session, all with no intervening action or debate.

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

The clerk will report the nomination.

The legislative clerk read the nomination of Corey Hinderstein, of Virginia, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Hinderstein nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022—Continued

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

Mr. KING. Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

BUILD BACK BETTER

Mr. CORNYN. Mr. President, our Democratic colleagues in the House and, to some extent, here in the Senate have talked about how the so-called Build Back Better legislation is popular, but I think the main reason it is popular is because, frankly, many Members of Congress and certainly the public at large don't know what is in it. So I would like to spend just a few minutes talking about that.

First of all, there is the size of the bill. Originally, the Budget Committee chairman, the Senator from Vermont, floated a $6 trillion spending bonanza. This, of course, was on top of about $5 trillion we spent last year in a bipartisan fashion dealing with the COVID–19 pandemic. But, of course, this $6 trillion more was designed to be passed with a pure party-line vote through the reconciliation process.

After some pushback, the $6 trillion figure that Chairman SANDERS proposed was cut back to 3.5, and now our colleagues in the House and elsewhere are touting a new pared-down bill which spends only—and I underline the word ''only''—$1.75 trillion. I dare say that is a number that none of us can fully comprehend given its magnitude, but it has become—sort of rolls off our tongues like everybody understands what a trillion dollars is like everybody knows what a million is or a thousand or a hundred or ten dollars. But it is an enormous number.

As our colleagues have slimmed and trimmed this bill to reach a pricetag that could get consensus in the House, some of their favorite provisions have fallen off the chopping block. They realize that programs like free college actually cost a whole lot of money. So to live within this new number, which I will talk about in a moment, Democrats in the House kept cutting and cutting, but they found—instead of real cuts, they found another solution to their problem of a topline. What they have basically done is to create the illusion of a lower pricetag without making any real, substantive, long-term cuts. How do you do that? Well, it is the old-fashioned way; it is called budget gimmicks.

Rather than remove these expensive programs entirely, they chose to create a number of arbitrary cliffs, sunsets, and expirations. That way, they could pretend to pass these bills at a lower cost with the tacit promise to continue them at another time and on another day.

One example of this was the expanded child tax credit. Our Democratic colleagues originally crafted this as a temporary measure in their partisan bill that became law in March, just 8 months ago. The first payments had barely gone out the door when they decided to call for making those temporary provisions permanent in the BBB, the so-called Build Back Better bill. Our colleagues knew that a permanent extension and expansion would have been far too expensive to meet their topline, so they pretended to cut it by making it a temporary extension.

Earlier drafts of this bill would have extended this policy through 2025. As time went on, the pricetag was still too high, so it was scaled back to a 1-year extension. But the truth is, nothing has really changed. Calls to make the expansion permanent have not gone away. I have seen no indication that our colleagues across the aisle are content to let this extension expire after just 1 year.

The same is true of the earned income tax credit, which also was expanded in March. A number of our colleagues have spoken here on the Senate floor about the need to make this expansion of the earned income tax credit permanent.

But the not-so-temporary extensions don't end there. This bill extends the Affordable Care Act's premium tax credits through 2025, which our colleagues claim will enable more Americans to afford healthcare coverage. But at the same time, this bill cuts funding to safety net hospitals and States that did not expand Medicaid. If their goal was to expand access to low-income individuals under the Medicaid Program, their bill cuts that funding to safety net hospitals in States like mine that did not expand Medicaid. These cuts specifically target hospitals that treat underinsured and uninsured patients.

In short, our colleagues are manipulating the budget process in a way that appears to extend access to healthcare while at the same time cuts funding to our most vulnerable patients—all in the cause of pushing America closer to a single-payer system, something like Medicare for All. I have no doubt that our colleagues across the aisle will, if possible, not let these temporary provisions expire.

In the immortal words of Ronald Reagan, though, ''The closest thing to eternal life on earth is a [temporary] government program.''

We have seen this movie before, time and again. It is smoke and mirrors. It is budget gimmickry. It is starting new programs and claiming to cut them off after a year, knowing that, inevitably, Congress will be tempted to extend them much, much longer.

Well, before this bill comes to a vote in the Senate, I hope our Democratic colleagues will agree with me that we need to know precisely how much this bill will cost the American people. We know that our colleagues across the aisle have struggled to try to make a $6 trillion bill appear to be a $3.5 trillion and now a $1.75 trillion bill, but I don't think anybody is really fooled or confused. Because they have strategically chosen start dates, sunsets, and expiration dates to make it appear that these programs cost less, we know that eventually, if they have the votes, they will be extended through eternity.

Our colleagues gamed the Tax Code to partially fund the bill while handing out massive tax breaks to millionaires and billionaires. I am glad to see the chairman of the Budget Committee say that we really shouldn't be focused on tax cuts to millionaires and billionaires in blue States and cities like New York or San Francisco, which is exactly what the Democratic bill tries to provide—tax cuts to millionaires and billionaires in blue States.

This bill is really chock-full of inconsistencies. It claims to extend access to healthcare while cutting off access to Medicaid or some of the safety net programs in States like mine. It claims that, well, we are going to tax the rich folks while at the same time providing

tax cuts to millionaires and billionaires in blue States by lifting or eliminating the SALT deduction—the State and local tax deduction—which allows taxpayers, these millionaires and billionaires in blue States, to deduct their State and local taxes, which means not only do they get a tax cut, but the rest of us end up subsidizing them because, in order to get the revenue needed, that means regular working folks are going to have to pick up the gap.

The best evidence of this maneuvering is the fact that there is not a single year over the next decade in which each tax provision would be used at the same time. Let me say that again. Of all of the gaming in the Tax Code, the fact is, under the proposal by the House of Representatives—that we at some point will consider here—the fact is there is not a single year over the next decade in which each of these tax provisions would be used at the same time. This is nothing but gimmicks and sleight of hand accounting.

In my previous life, I was the Attorney General of Texas. We had something called the Consumer Protection Division. If anybody in the private sector would falsely advertise, like the Federal Government and Congress are trying to do in this so-called Build Back Better bill, we would go after them with a vengeance for defrauding consumers. Unfortunately, that doesn't apply to Congress. I wish it did.

We often talk, at least intermittently, about needing to know what is in a bill before we actually vote on it. At one time or another, Senators on both sides of the aisle have griped about voting on thousand-page bills that were completed just hours before the vote. Knowing the true cost of this legislation is no different. Before voting on it, we have the duty to understand how it will impact our debt and deficits and how big of a bill the American people will be stuck with.

There is also this ugly animal rearing its head called inflation. Seventy percent of the public said—I think in a recent public opinion poll I have seen—that inflation is eating away more and more of their income and is actually reducing their standard of living. It is a silent tax on working families. I would think that, if we are concerned about the welfare of those families, we ought to be very concerned about making inflation worse by pouring more and more money into our economy, chasing fewer and fewer goods and services.

That is part of the problem now. There is so much money sloshing around as a result of the spending by Congress—much of it associated with COVID–19, but not all of it. Some of it is with the American Recovery Act that was passed with the $1.9 trillion in the early days of the Biden administration. But the truth is inflation is eating our lunch, and we should not be making it worse by spending a lot more money, as our Democratic colleagues are proposing we do in the Build Back Better bill.

So we need a cost estimate by the Congressional Budget Office, the official scorer of these spending bills, because we know that what we have seen so far is full of gimmicks, tricks, phony cliffs, phony expiration dates, as I have said, and is, basically, a misleading of the public and Congress into knowing what exactly is in this bill and how much it will cost.

Well, the cost estimate provided by the CBO, we know, given these phony assumptions, is not an accurate statement of the true cost of the bill. This isn't a reflection of the folks who work at the CBO but of the scoring rules they must follow. So, despite the fact that our Democratic colleagues have explicitly said that temporary programs will be extended at the first opportunity beyond the terms laid out in the bill, the Congressional Budget Office has to play along and act like that is true, but we know it is not true.

Fortunately, there are groups on the outside that have conducted their own analysis. Assuming all of these phony cliffs and expiration dates and the 1-year creation of programs that will later be extended, they don't have to buy this sort of smoke-and-mirrors approach to the budget. These groups have conducted their own analyses and have told us what they think the true cost of this $1.75 trillion bill, so-called, that passed the House will be.

For example, the budget experts at the University of Pennsylvania's Wharton School of Business have analyzed this legislation as if these temporary provisions would be made permanent, which, I think, is the safest assumption to make. So, instead of $1.75 trillion, they have pegged the cost as close to $4.6 trillion over 10 years—more than 2½ times the amount the Democrats have claimed.

Then there is the Committee for a Responsible Federal Budget that thinks that the number could even be a few hundred billion higher than that. They estimate the true cost of this bill, now claimed to be $1.75 trillion, to be approximately $5 trillion. This is a massive, massive jump from what the Democrats have said the cost of this bill will be.

Even one of our colleagues on the other side of the aisle has acknowledged that this is disingenuous—and I would just use the word ''false''—advertising. The true cost of this legislation is much closer to Chairman SANDERS' original $6 trillion request than the so-called scaled-back proposal of the current bill.

Before this legislation comes to the Senate floor, we need to see a true cost estimate based on reasonable assumptions, not a fairy tale scenario. It defies all common sense to vote on a bill without knowing how much it is going to cost ahead of time.

To this end, last week, I sent a letter to the leaders of the Congressional Budget Office and of the Joint Committee on Taxation requesting an updated estimate based on more reasonable assumptions. If the temporary provisions of this bill are extended—and I fully expect them to be if our Democratic colleagues have the votes to do it—this legislation will cost a whole lot more than what the American people have been told; and we need to know, as close as we can, exactly how much that will be.

Well, it is obvious what is going on here. These not-so-temporary provisions won't expire in a year or 4 years or 10 years. We need to operate under rational assumptions that our Democratic colleagues, when the chance is provided to them, will make these programs permanent and come up with a true and honest score for the bill. If this legislation is all of a sound investment as our Democratic colleagues claim, they shouldn't have anything to be afraid of.

We do have a duty, I believe, as Members of Congress, in voting on legislation of this magnitude, to know what we are doing before we are asked to vote on it. I don't think anybody, really, should have anything to be afraid of, unless they are afraid of a true accounting as opposed to the smoke and mirrors we see so far on this phony, gimmickry bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

RECESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate stand in recess.

There being no objection, the Senate, at 12:27 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022—Continued

The PRESIDING OFFICER. The Senator from Arkansas.

HONORING DEPUTY FRANK RAMIREZ, JR.

Mr. BOOZMAN. Madam President, I rise today, along with my friend and colleague from Arkansas Senator COTTON, to honor Independence County Deputy Sheriff Frank Ramirez, Jr.

Deputy Ramirez called Batesville, AR, home and was proud to help protect his community. Sadly, that service was required, and this requirement was making the ultimate sacrifice when he died in the line of duty on Thursday, November 18, in an early morning crash that occurred while he was responding to a call.

He leaves behind a wife and two children, among many other loving family members, as well as his brothers and his sisters in law enforcement who admired him deeply and felt honored to serve alongside him.

Frank Ramirez, Jr., graduated from Batesville High School and was formerly an officer with the Batesville Police Department before joining the

Independence County Sheriff's Department as a patrol deputy.

He had a passion for serving and protecting, and he followed through on that desire by becoming a law enforcement officer, sworn to uphold the law and safeguard the vulnerable.

Those who knew him, both in uniform and out, consistently described him as a good man. Even for someone so young, there is no better compliment to be paid than that. It is a testament to the way he lived his life—doing the right thing, meeting his obligations, and showing genuine care and compassion for others.

Although his passing did not come at the hands of a suspect, it stings just the same. It should remind us of the harrowing, uncertain fate that awaits every man or woman who wears a badge.

These citizen servants are not guaranteed comfort or safety or the opportunity to see the next day when they clock in, but they choose to shoulder the risk, put on their uniform, and step out the door, reporting for duty to protect and serve and do good in ways that are just as often unseen as seen.

While danger comes in different forms throughout a shift or career, it nevertheless always lurks nearby. No assignment is ever completely without hazards or without jeopardy. Yet our police, sheriffs, and troopers do the job anyway because they have been called to and because they understand the need is great, even if the odds are long or the numbers are too few.

That is what sets Deputy Ramirez and his colleagues apart. They run toward danger and uncertainty when the rest of us flee. We must always remember and honor these fallen heroes and pray the character they embody carries on to new generations.

But today, we are here to reflect on the life and sacrifice of one, Deputy Frank Ramirez, Jr., a noble, brave, public servant, a devoted husband and father, a protector of this community, and as so many have already remembered, a good man.

On behalf of all Arkansans, we are grateful for his dedication and his sacrifice. Our prayers are with his loved ones and the brothers and sisters in blue left to go on without him after his End of Watch.

The thin blue line is without one more courageous officer today, but Deputy Ramirez's legacy will help instill even greater pride and passion among its ranks because of the life he lived and gave for the benefit of so many others.

May he rest in peace, and may God comfort all who mourn him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Madam President, I sadly join my colleague and friend Senator BOOZMAN to honor the life and service of Frank Ramirez.

Every time that a police officer kisses his or her family goodbye before their shift, every time they strap a side arm on or put on their badge, they know that it may be the last time they see their loved ones. These heroes accept that danger because the love of their families, neighborhoods, and communities is greater than any fear they may face on the job.

Our men and women in blue don't just talk about doing good, they actually do it each and every day. Sadly, far too many of them have had to make the ultimate sacrifice in the course of their service.

One such hero was Arkansas Sheriff's Deputy Frank Ramirez. A week before Thanksgiving, Deputy Ramirez was working after midnight when a call went out there was an accident. He answered the call and quickly drove toward the scene. But it was raining hard that evening. Roadways were slick. And as Deputy Ramirez rounded a left turn on Highway 14, he lost control of his car, ran into a culvert, and was sadly killed in the resulting crash.

This heartbreaking tragedy has brought countless Arkansans to their knees in prayer. Deputy Ramirez was serving his community when he died. There are few causes more noble, and we recognize his supreme sacrifice and promise to remember him.

Deputy Ramirez was a husband of 5 years and a father of two young children, a son and a daughter. He is also survived by both his parents and several loving brothers and sisters.

My prayers, Senator BOOZMAN's prayers, and the prayers of all Arkansans go out to his family. They, too, have paid an unbelievable price in the service of our State, our communities, and our safety.

Deputy Ramirez was only 29 years old. He served in the Batesville Police Department and the Independence County Sheriff's Office. He was in law enforcement for nearly 2½ years. In that short time and at his young age, Deputy Ramirez sacrificed more for his communities than many police veterans who have been on the force for much longer. I join them in saluting his service and honoring his sacrifice.

May God bless Frank Ramirez, may God bless his family, and may God bless all the brave men and women in law enforcement in Arkansas and around our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

TRIBUTE TO LIEUTENANT COLONEL JOHN MEYER

Mr. HAWLEY. Madame President, LTC John Meyer joined my office as our defense fellow this past January. It is hard to overestimate in the months since just how much he has contributed.

Time and again, John has drawn on his rich background and his experiences in the Middle East, the Pacific, and with some of the Army's most elite units to inform our work on defense and national security.

More than that, he has consistently stepped up, even when he didn't have to, to help those in need—from veterans and servicemembers at home in Missouri to those affected by the bombing in Kabul over the summer.

For all of these reasons and more, it has been a real privilege to have John as a part of our team this year. We are going to miss him when he goes all too soon here, but I am confident he will continue to serve our Nation with the utmost distinction wherever his career takes him.

I want to take this opportunity, in light of all of that, to request floor privileges for John as a small gesture of my gratitude for his service to my office, to Missouri, and to our Nation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

H.R. 4350

Mr. MARKEY. Madam President, 60 years ago, President Dwight David Eisenhower warned Americans about the unwarranted influence of the military-industrial complex. He told us of the relentless defense interests that would use their lobbying muscle to keep money flowing into the coffers of the Pentagon. While our adversaries and competitors have changed in the past six decades, the military-industrial complex's revolving door is as well greased as Ike warned our country.

Today, Congress is set to vote to increase the already-bloated defense budget in the same year that we ended our longest war—the latest proof that the military-industrial complex is alive and well and banking on a pay raise, all while Americans struggle to afford groceries and gasoline.

Here is the simple truth about the defense budget we are debating this week: We plan to spend $768 billion to fuel the military-industrial complex even in our moment of relative peace. Yet many in this Chamber are relentlessly attacking the Build Back Better act despite this spending bill being four times its size in new spending.

What we are hearing in this Chamber this week are Cold War echoes—words that sound like talk of the bomber and the missile gap with the former Soviet Union that drove an arms race that brought us to the brink of annihilation.

Our top military general recently called China's most recent hypersonic test a ''Sputnik moment.'' That is our top military general. But how in the world can it be a ''Sputnik moment'' if we are set to spend more on defense than the next 11 countries combined, many of which are U.S. allies and partners? There is no technological or military gap that we need to close. We have the strongest military in the world.

Our rivals, our adversaries are not 10 feet tall. We are the country that is 10

feet tall, and they are looking up at us militarily. We should just understand this, as people bad-mouth our military. It is not accurate. They are afraid of us. We are technologically superior to them, whoever they may be.

But wait. As if we weren't spending enough, Congress has tossed in an additional $25 billion that was not even requested by the Pentagon in this year's budget. You heard that right—an additional $25 billion. How many kids could go to pre-K for that? How many seniors could get dental or vision coverage? How many public housing units could we build with that, with the money that has not even been requested by the Pentagon?

We should not accept the logic that says we can afford to build a $100 billion intercontinental ballistic missile that will never be used but we cannot possibly afford paid family leave that Americans desperately need.

Universal prekindergarten is too expensive, but padding the wallets of defense firm executives with taxpayer dollars is money well spent. That is insane. That is immoral.

We should not have to fight tooth and nail to meet our commitment to replenish the Green Climate Fund to help save the planet while being told to accept the need for new weapons systems that could lead to global annihilation.

It is time we stop thinking of national security solely in terms of our inventory of bombers and missiles and submarines. Trillions in defense spending did nothing to spare Americans from the greatest security threat in generations: COVID–19. We have to stop pretending that there are military solutions to the national security challenges that we face. The defense a family needs right now is protection from eviction, hunger, electricity shut off, and pollution.

Being strong on defense means learning critical lessons from the two-decade-long war in Afghanistan. Being strong on defense means that we do not shy away from telling the military-industrial complex and its army of lobbyists that we do not need to outspend our adversaries into oblivion.

Nowhere has the gold-plated defense industry been harder at work than in gilding the whopping $1.5 trillion we are projected to spend through 2046 on upgrading our nuclear weapons enterprise. Say that again—$1.5 trillion on more nuclear weapons. There is one thing this country and this world does not need, and that is more nuclear weapons.

We know that fear and distrust of an adversary's intentions empower voices in the defense bureaucracy to sell new capabilities that spur the other side to justify weapon systems of their own. But we must avoid a rerun of the Cold War, where worst-case military planning leads to thousands of missiles pointed at Washington, Moscow, and Beijing, once again casting a terrible shadow over humanity.

That is why I introduced amendments to the NDAA that would trim $75 billion off the nuclear weapons enterprise, commit to robust diplomacy with Russia and China, and prevent the President—any President, Democratic or Republican—from firing the first shot, the first nuclear weapon in a nuclear war. The United States should never be first to launch a nuclear weapon against another country—ever. That should just be our policy. We will not be the first to use nuclear weapons when we have not been attacked with nuclear weapons. That is immoral. That is wrong. It must be the policy of our country that we will not do that.

If it is true what Ronald Reagan said—that a ''nuclear war cannot be won and must never be fought''—then surely we should agree to shelve Donald Trump's new sea-based warfighting nuclear weapons.

We could play Russian roulette with our future or we can adopt a saner nuclear policy, one that says we do not need the rubble to bounce over and over and over again to deter our adversaries and reassure our allies; one, through the President's Nuclear Posture Review, that rejects the military-industrial complex efforts to make the world safe for nuclear weapons rather than from nuclear weapons.

In 2020, the amount of money that one of the five biggest defense contractors received from the Pentagon—$75 billion—was nearly double the entire development and diplomacy accounts at the State Department and the U.S. Agency for Development.

As President Biden noted in Glasgow at the international climate summit earlier this month, we have an obligation to help the developing world leapfrog the fossil fuel economy to reach a green economy. Lower and middle-income countries deserve to develop and seek a higher standard of living, but we know that they can't use the dirty fuels that powered our growth if we hope to keep global warming at 1.5 degrees Celsius. My climate amendment will help those countries least to blame for the climate crisis to adapt to the impacts that they are already overwhelmingly and disproportionately experiencing.

The first of its kind National Intelligence Estimate, released in October, warned us that the intensity of wildfires and the force of hurricane winds and unrelenting droughts are a mere preview of the extreme weather events to come. The Pentagon's own report warns us of the cascading security impacts if we fail to answer the national security challenge of our generation: Governments that are unable to meet the basic needs of their people risk collapse. Driven by the climate crisis, water, food, and resource scarcity will lead millions to flood across borders as stateless climate refugees. That will lead to destabilization of countries. That will lead to national security crises in country after country as a result of the climate crisis.

We have to just deal with the reality that the CO_2 is still red, white, and blue that is up there. We are the leader historically, and the rest of the world wants us to be the leader historically right now in dealing with that crisis.

My climate amendment says that we can avoid that grim future. We can redirect a mere 1 percent from the Pentagon topline towards global climate accounts to fight the climate crisis. We can come to grips with the fact that the greatest adversary we face is not a foreign army, navy, or air force; it is the transnational threats of the climate crisis, of pandemics, and of nuclear weapons.

We are not in a new Cold War. We are in a war for our common survival.

Yesterday, in an act of political gamesmanship, Senate Republicans joined me to vote against moving forward with this abominable $768 billion Defense bill. While I wish we could stop here and reassess the waste of three-quarters of a trillion dollars spent on defense, this was, sadly, just a Republican ploy to add even more pork onto this already fatty legislation.

Now, I urge my colleagues to support Senator SANDERS' and my amendment to return the defense budget to the level requested by the President—a level of spending which is greater than we spent during the Korean war, the Vietnam war, and at the height of the Cold War.

Additionally, I urge my colleagues to support my amendment—co-sponsored by Senators WARREN, PADILLA, BOOKER, MERKLEY, and SANDERS—to make a 1-percent cut to the Defense authorization to increase our support for global climate accounts.

If we do not adopt these changes, I cannot, in good conscience, support that budget. It is time we stop funding the military industrial complex, whose profit is based in conflict and annihilation. That is not an investment in our future; it is an invitation to destruction.

The bottom line is we are either going to live together or we are going to die together; we are either going to know each other or we are going to exterminate each other.

This is a period where we should be talking to our rivals. We should be negotiating with our rivals. We should be trying to reduce the nuclear arsenals. We should be trying to reduce the tension; reduce the paranoia; reduce the threat that, by accident, we can actually fight a nuclear war.

That is what we should be debating here and not just putting all of the additional new weapons systems that have been on the blueprints of the defense industry for a generation into this budget. That takes us in the wrong direction, towards less safety, more risk.

The correct vote here is to deal with the reality that we have too many nuclear weapons already and we haven't sufficiently dealt with the threat which the climate crisis is going to

pose as a national security risk to our country and the rest of the planet.

Madam President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, our Nation exists today in a time of relative peace, with limited and manageable active hostilities threatening U.S. national security.

On the horizon, the United States faces a militarily ambitious and formidable but not yet insurmountable opponent in China and in its quest for regional dominance in the Pacific.

Yet in the face of this new age of great power competition, U.S. grand strategy continues to operate with outdated goals and across all regions of the globe, lacking prioritization and desperately needing scale.

After the botched withdrawal from Afghanistan and the corresponding diplomatic, military, and humanitarian disaster, one would think the instinct would be to jettison decades of military-industrial groupthink.

One would think the American people, and certainly our men and women in uniform, deserve a thorough, exhaustive review of what is working and the huge swaths of what is failing in our military and defense strategy, infrastructure, and planning.

One would think that Congress would reclaim powers assigned to it by the Constitution to make serious reforms to protect the security and prosperity of the United States.

One would think we would reform our procurement process and trim the bloated, perversely incentivized military-industrial complex.

One would think we would prioritize resources toward the largest and most imminently looming threats to U.S. national security.

One would think we would burden share with our allies where our security interests align.

One would think we, here in the U.S. Senate, would take specific steps to make sure that failures like the withdrawal from Afghanistan don't happen again, whether in the Middle East or in any other emerging theater of conflict.

Unfortunately, this year's National Defense Authorization Act fails to put the interests of U.S. citizens first. This is not the introspective or retrospective bill that the American people should be able to expect and largely continues the failed—the failed—policies of many decades past. The American people and the brave men and women of our military deserve better.

We are, thank heavens, in a time of peace, with limited active hostilities. Despite that, we remain intimately entangled in the affairs of too many nations abroad. Our troops and equipment scatter every region of the globe. We spend billions of dollars supporting, supplying, and training allies who, in many cases, contribute little to their own self-defense, let alone ours.

We face an ambitious opponent in China, as it seeks military dominance in the Indo-Pacific region. There is no question that while Xi Jinping remains in power, the PLA and the PRC will not shy away from bold moves and the quest for regional hegemony. But the U.S. strategy should not presume unrestrained, offensive intervention; rather, targeted and scaled deterrence should frame the mission set across all U.S. forces postured in the region. Further, the United States should accordingly rescale resources in the war zones of yesteryear to appropriately prioritize protecting the U.S. homeland and military personnel from tomorrow's threats.

Congress is responsible for raising and supporting armies, of making war, and of ratifying treaties. This bill neglects those responsibilities.

Regarding Afghanistan, the NDAA includes funding and new authorities for the nonexistent Afghan security forces, along with reimbursements to coalition partners for supporting U.S. operations and a sense of the Senate on future U.S. counterterrorism posture postwithdrawal, with little eye toward reforming or removing outdated and overbroad authorizations for the use of military force.

Perpetuating funding and authority to support a nonexisting defense force is as much bad foreign policy as it is bad fiscal responsibility. We must do better. The American people expect and deserve for us to do better.

Additionally, this NDAA fundamentally changes the purpose and the scope of the military draft. The new purpose is greatly expanded to ''ensure a requisite number of personnel with the necessary capabilities to meet the diverse mobilization needs of the Department of Defense during a national emergency.''

Instead of being a seldom-used tool only for the most extreme cases of compelling national defense, the draft could be morphed into compulsory national service in the face of any emergency.

Even more troubling is the mandatory registration of women for the draft. Look, all are immensely grateful for the incredible contribution women make to our Armed Forces, but that participation should never be forced. This bill paves that dangerous road without due consideration given to its impact on young families and single parents.

Further, the policy provides no guarantee that women would not be sent directly to the frontlines of combat, alongside and simultaneously with able-bodied men.

While I am opposed to all of the NDAA's changes to the draft, at the very least, this body should consider a reasonable amendment, a few reasonable amendments on this front, including one of mine that would prohibit the disturbing scenario of mothers and fathers being conscripted simultaneously out of the same family, leaving their children stranded without either parent. It also provides a similar exemption for single parents.

I hope this body will consider and pass this amendment in the near future. I also hope that the body will make that unnecessary by, first, passing an amendment striking that provision altogether. We don't need to be expanding the draft, and we shouldn't be making the draft applicable to women.

This bill further reduces our military end strength by over 7,000 servicemembers. Troublingly, the biggest cuts come from the Marine Corps and the Air Force. And in the face of an aggressive China, the Navy also faces reduction in Active Forces when it arguably should be the first contender for an increase in end strength, not a cut.

As we pivot toward the Indo-Pacific, our naval and our air superiority are both vital. We need them. Our withdrawal from the Middle East should reduce the level of Active-Duty Army personnel deployed overseas, and yet the Army faced a less than 1-percent reduction in that specific category.

This bill places us on a dangerous footing regarding future mutual defense commitments. This bill would provide a vague, near-authorization for the use of military force to defend Taiwan against an invasion from China. The question of war deserves here, as always, its own debate by Congress, rather than a haphazard statement of policy that may be abused by the executive branch in order to bring us into a new conflict, into a new conflict without the people's duly elected representatives whose job it is to decide whether we go to war to make that decision under the light of day and with full debate that the American people can witness.

Like NDAAs of old, this bill appropriates more funds to procurement than anywhere else, with no reforms to the bureaucratic barriers that make procurement so costly and so inefficient.

Finally, this NDAA does not sufficiently bolster our defensive position in this hemisphere. The goals outlined by this bill are vague and equate to an abdication of Congress's responsibility to give the Defense Department instructions for a strategic approach to the Western Hemisphere.

It provides blank check authority for the Department of Defense to support programs and activities for purposes including institution-building to countercorruption and to serve humanitarian infrastructure needs. This attempt at nation-building is misguided, and it will not be helpful to us in our efforts to deter China.

Thankfully, there are a few positives in this bill for U.S. national defense and for the security of the people of Utah.

This bill continues to support the development of fifth-generation air power capabilities in the F–35 Program, continuing a critical investment in our air defense—something that is also becoming even more important.

This bill also fully funds the modernization of our ground-based nuclear

deterrent, protecting the U.S. homeland for generations to come. This important work will largely be done by the people of Utah and our dedicated servicemembers at Hill Air Force Base.

The House version of the NDAA also includes my Military Spouse Licensing Relief Act. It is important to note here that one in four military spouses currently face unemployment or are actively seeking work largely because of frequent moves due to their spouse's military orders, which keep them moving from place to place on a pretty routine basis. This provision in the House version of the bill would also allow spouses of our military servicemembers to work in their chosen profession, wherever military orders may take them in the United States, without having to navigate the complicated requirements of State occupational licensing.

My State, the State of Utah, led the way with this commonsense type of reform that makes life and achieving prosperity easier for those families who serve our Nation. It should become law. We need it. Our military families need it. Our military and the American people generally would be much better off with it.

We could have done more. This National Defense Authorization Act could be a pivot point where we reexamine our defensive stance in the world and reclaim our constitutional arrangement here at home.

This NDAA could have been a turning point in which we in Congress reasserted our authority over war-making powers. My National Security Powers Act that I have introduced with Senator MURPHY and Senator SANDERS would clarify and update and modernize the War Powers Resolution.

The bill would also restore congressional authority over arms exports. It would additionally require congressional approval of emergency declarations and prevent the President from misusing emergency powers.

The National Security Powers Act would rein in Presidential abuses of the war power and make our Nation safer and more aligned with the Constitution. It is bipartisan. It is exactly the type of reform that belongs in the NDAA.

We must also make reforms to our emergency war spending. Though President Biden thankfully didn't request, and Congress didn't provide, the OCO slush fund in this bill, there is much that needs to be done to restore Congress's power of the purse in the defense environment specifically.

The Cost of War Project estimates that post-9/11 war spending totals $8 trillion from 2001 to 2022. Of the $8 trillion, OCO and interest on OCO funds accounts for $3.3 trillion. That is real money, and a lot of it.

My Restraining Emergency War Spending Act would define emergency war funding and require the Department of Defense and Congress to limit spending set aside for emergencies to the purpose for which it was authorized.

We also need to return accountability to our defense alliances by requiring wealthy and capable Nations to contribute their fair share of their defense. In the NATO alliance alone, only 11 of the 13 NATO member countries meet the 2 percent defense spending requirement.

This means that 63 percent of the alliance shown here in red consists of countries that don't foot their share of the bill. They are not holding up their end of the agreement.

So my Allied Burden Sharing Report Act would help us know just how much or just how little our allies are contributing. Now, this report used to be published annually. It should be still. This NDAA would have been an ideal venue in which to legislate the return of that report.

We also must use these legislative opportunities to prepare the Department of Defense for future defense focused on the technology, the reforms, and the regions of the future.

Our defensive position regarding China and in the Indo-Pacific should focus on deterrence. Spreading our forces and our expensive equipment to the ports and the shores of allies in the region is ineffective and could prove more of a vulnerability than an advantage against Chinese strike capabilities. A deterrent posture would combine defensive strategy and operations to fend off possible attacks from a position of strength and limit risk to U.S. personnel and assets.

Further, we must prioritize recruitment and retention for the future fight. We need to provide a suitable and welcoming environment for those in uniform and for their families. We need to end the President's sweeping vaccine mandate and give our servicemembers the respect they deserve.

After a disastrous withdrawal from Afghanistan and the end of our Nation's longest war, this NDAA could have been—should have been—an opportunity to debate, rethink, and reform our Nation's defenses.

The National Defense Authorization Act—U.S. defense and security broadly—is one of the few items this body regularly considers that is explicitly, unambiguously within the enumerated powers of Congress. Consequently, it is something that deserves due consideration and significant debate on the floor in order for Members to be able to raise issues like those that I have described today.

Yesterday, this body attempted to close debate on this bill without consideration of a single amendment—not a single one.

While this bill does make key progress in limited areas, it does not get to the heart of many of our national defense problems. It does not restore Congress's role in our national defense. It does not provide a holistic strategy to defend the United States and the people of Utah—or the people of any other State.

This bill and the floor process yet remain missed opportunities, and I am going to continue to fight for both necessary policy reforms and for an open process generally on the floor. Anything less, particularly in this critical area, amounts to an abdication of the duties of this body to the detriment of the citizens we serve. We can and we must do better.

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

ABORTION

Mr. LANKFORD. Mr. President, tomorrow morning at 10 a.m., the Supreme Court of the United States will hear oral arguments on a case out of Mississippi commonly known now as the Dobbs case.

That case is all about a Mississippi law, where Mississippi passed a law saying, at 15 weeks, a child in development in the womb can be protected after that time period.

That strikes right at the heart of Roe v. Wade, where, in the arbitrary ruling from the Supreme Court in 1973, they made up a new rule saying when a child is viable—not something that is in law at any spot. It created that out of whole cloth.

Tomorrow morning, the Supreme Court will reopen that conversation about viability. It is an important discussion for us to be able to have as a nation, and it is vital that we talk about it here as well. As it is being discussed across the street at the Supreme Court, there are issues that we should discuss as well.

So, for the next few moments, there are multiple different Senators who are going to speak on this one issue: When is a child a child, and when should States have the rights to protect their own citizens' lives?

The Supreme Court has made that murky and has the option tomorrow to be able to make that clear. This conversation, though, will circle around what should that legal standard be and how should we protect the lives of every citizen, no matter how small they are.

There will be multiple Senators who will be speaking on this, the first of which will be Senator STEVE DAINES, who leads the Pro-Life Caucus in the U.S. Senate.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I rise today ahead of one of the most important moments in our decades-long battle to protect life.

When our Founding Fathers laid out the Declaration of Independence, they talked about life, they talked about liberty and the pursuit of happiness. They called them certain unalienable rights endowed by our Creator. The reality is you can't have liberty and the pursuit of happiness without first having that unalienable right given by God, and that is the right to life.

Tomorrow, the U.S. Supreme Court will hear oral arguments on the Mississippi late-term abortion case Dobbs

v. Jackson Women's Health Organization.

This puts our Nation at the crossroads of history. Our Nation has a moment to finally modernize our laws. We have got the aptitude to catch up with the great advancements seen in science, in technology, and medicine that indisputably show the humanity of unborn children.

We have the opportunity to end an extreme judicially imposed abortion regime that is aligned with nations such as China and North Korea. The United States is just one of seven nations that allows late-term abortions.

We have the opportunity to write a new chapter of American history where the people's elected representatives get to decide abortion policy in this country.

The Supreme Court of the United States has the chance to right a historic injustice and finally overturn Roe v. Wade. Our Court's nine Justices have the opportunity to reconsider a wrongly decided case.

And, by the way, that wrongly decided case that became case law, it was nine men in black robes that really have overruled the will of the people. It wasn't a State legislature. It wasn't the U.S. House. It wasn't the U.S. Senate. It was nine men in black robes in 1973 that has since resulted in the death of over 62 million innocent babies—62 million.

They have the opportunity to reverse this horrific decision that imposed abortion on demand until the moment of birth across the United States. They have the opportunity to recognize that Roe was based on flawed and outdated science and that the right to abortion, which Roe invented, has no support in the text, the history, or the structure of the Constitution.

The Supreme Court has an opportunity to restore the Constitution and defend our most fundamental right, and that is a right to life.

Now, let's go back to 1973, when Roe was decided. Many things were different than they are today. Why? Well, one reason is because science and technology—and certainly fashions—have advanced greatly.

Our phones in the 1970s went from large brick-like devices with antennas—in fact, the first cell phone call was placed in 1973, the very year that Roe v. Wade was decided. They were called bricks. They were about 2½ pounds. Compare that to these thin, touchscreen smartphones that we fit in our pockets today that are less than 6 ounces in weight.

In the 1970s, computers were the size of an entire desk, and now we have laptops that can be as thin as literally a child's story that I read to my grandchildren over the Thanksgiving holidays.

Now, when we drove in the seventies, compare that to what we drive today. I am thankful that has changed.

And in the seventies, if you were a woman at the doctor getting an ultrasound at 15 weeks of pregnancy, you would have seen something like this. That is hard to recognize, but that was the technology that some ultrasounds had—the best—back in the seventies.

But, today, an ultrasound of a baby at 15 weeks, when they are using the latest 4D technology, looks like this. You literally can see this little one here at 15 weeks sticking her tongue out—15 weeks.

A baby this size is who Mississippi's historic, lifesaving law would protect from the brutal violence of a late-term abortion. That is a 15-week baby. If you don't believe me, take out your smartphone, google ''15-week baby,'' and click on—images.—

Roe and Casey made it illegal for States like Mississippi to enforce laws that protect babies like this one on the grounds that this baby could not survive outside the womb. It was a point called viability.

Roe and Casey's viability line is arbitrary. It is unscientific. It is morally repugnant because, in 1973, babies could survive outside of the womb at 28 weeks of pregnancy. Today, babies are surviving outside the womb as early as 21 weeks but not yet as early as 15 weeks.

It is barbaric to deny lifesaving protections to a helpless, pre-born child like this one simply because she cannot survive outside the womb.

The reality is, even a full-term, 40-week-old baby needs nurturing, care, and medical assistance to survive outside the womb. A full-term baby delivered at 40 or 41 weeks still requires the nurturing and the care of the parent to survive outside the womb. They have got to be fed. They have got to be kept warm. They have got to be taken care of. They can't do it on their own.

Martin Luther King once said: ''Injustice anywhere is a threat to justice everywhere.''

This is also true in the case of the Supreme Court's prior unjust decisions on abortion. In fact, the logic of Roe and Casey's viability test undermines the moral coherence of civil rights protections for everyone who is unable to survive without assistance from others. That includes infants, young children, the elderly, and persons with disabilities.

A pre-born child is not a ''potential life,'' as Roe so wrongly concluded. This precious child and all children inside the womb, at any stage of development, are whole. They are distinct. They are living human beings. They are fully human and fully living. They are beautifully living children made in the image of God, who should be protected by the law.

Now, we have come a long way since 1973. Our laws must now do the same. As you just saw, at the time that Roe v. Wade was decided, it was very hard to clearly see a baby in the womb. But because of science and technology today, it is impossible to ignore the humanity of this growing baby.

If I took this image and we had the American people say, ''What is that?'' they would say, ''That is a baby.''

At 15 weeks, a baby has arms and legs, can hiccup, can yawn. The heart is fully developed. At 15 weeks, the heart has already beaten 15 million times. That baby has distinct facial expressions. It can hear the voice of the mother and respond. It can taste, suck a thumb, and, as you can see in that other image I had, even stick out her tongue.

I am a father of four and grandfather of two. We have another grandchild coming any day. Our daughter's due date is December 3. It is Friday. My wife and I, who have been married now 35 years, have our favorite way of tracking our grandbaby's growth. This didn't happen in 1973, but today we have apps on our phones. I have been using an app called Sprout. There are several out there. I downloaded it. I can see how my little grandson is doing in each week of the pregnancy. It is remarkable—remarkable. We have been following this little baby now since week 8. We are at week 40 here this weekend. This cutting-edge technology is at the tip of our fingers—something we couldn't imagine 50 years ago. We have that at the tip of our fingers. Our laws must catch up with the advancement of science and technology.

It is very important that we are clear about what overturning Roe would mean for our country because there is a lot of misinformation out there. Let me state this as clearly as I can. Overturning Roe will not—let me say that again—will not ban abortion nationwide, as many on the left like to claim in an attempt to mislead Americans. That is absolutely false. It will not ban abortions nationwide. Instead, it returns the power to the States. It returns the power to Federal lawmakers, allowing them to protect the most vulnerable and act on behalf of the people they are elected to represent, because today under Roe, State lawmakers are robbed of their ability to represent the values of their constituents. Yet, because of Roe, the will of the people of Mississippi to protect life is obstructed.

According to a recent Marist poll, 80 percent of Americans are opposed to abortions after the first 3 months—that is 12 weeks—of pregnancy. That is an overwhelming majority of the American people, but because of Roe, their voices are being silenced.

It is time for the Supreme Court to allow the States and Federal lawmakers—those of us who are elected, who are held directly accountable by the people—to protect the most vulnerable among us. It is time that we, as the United States of America, a nation that is supposed to be a leader in the world on human rights, recognize that innocent babies in the womb deserve equal protection under our laws.

I am sure many of my colleagues and most Americans would agree that nations like communist China and North

Korea egregiously violate human rights. Yet when it comes to abortion, sadly, America stands with them. There are just seven countries, and we are on that list. The United States is a global outlier on abortion. We are just one of seven nations that allow abortions on demand past the point where a baby feels pain, all the way up, in fact, until the moment of birth. Standing with North Korea and China on abortion is horrifying. It is a disgraceful place for the greatest country in the world to be. We must do better.

I want to thank Mississippi Attorney General Lynn Fitch, her entire team, and the Mississippi Legislature for their unwavering support of life. We stand with you. Millions of Americans stand with you, young and old. They are praying for this momentous moment that will be occurring before our Court tomorrow.

As we stand here today, we are mere hours away from a pivotal point in our Nation's history. I pray that we remember tomorrow as the turning point that closes a really dark chapter of our Nation's history and heralds the dawn of truly a new day in America for those who have no voice to finally have a voice; one that honors the human dignity, the God-given potential of all life; one that positions the United States as a leader in the world, that stands up and puts an end to the horrific violence of abortion, especially painful late-term abortions. I pray that we see the Supreme Court of the United States correct a historic injustice, that they would uphold Mississippi's 15-week abortion law and send Roe v. Wade to the ash heap of history.

For the pro-life movement, overturning Roe is not the end but just the beginning.

As I stated earlier, this does not ban abortions nationwide. What it does is it will return the decisionmaking back to the States.

No matter how the Court rules, we will continue to fight on the State and Federal level to pass laws to end the violence of abortion. We will not rest until the day that every life is protected under laws from conception until natural death.

I want to thank my colleagues for being here today to talk about the importance of the Dobbs case. I want to thank my friend Senator LANKFORD for helping me with this fight for life. I am grateful to the two Senators from Mississippi, where this case originated, this law originated. I am grateful for Senator WICKER, who is here today, and I know he has some comments he wants to share as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. I congratulate my friend from Montana for his passionate and analytical and, in my view, correct assessment of this issue.

I rise this afternoon in support and encouragement of the public officials and the attorneys who will bring this case before the Supreme Court in argument tomorrow. I rise, as does my colleague from Mississippi, Senator HYDE-SMITH, in appreciation for the State legislature, where she and I both served before coming to Congress, and in appreciation for the Governor and the legislature enacting the Gestational Age Act, which is the subject of this Dobbs case which will be argued tomorrow.

This is a serious issue. It is an issue that will determine whether millions of American children have an opportunity to be born and to enjoy the good life in this, the greatest system of representative government that the world has ever seen. It is a serious issue.

I am happy today. I am encouraged and hopeful today. One of the reasons that I am so encouraged is that the American people steadily over the decades have been moving in the direction of protecting life. This has not always been the case. As my friend from Montana so accurately pointed out, we just know so much more. Science knows so much more today in 2021 than science knew and Americans knew and the world knew back in 1973, so we see more and more people becoming pro-life.

Since 1995, the share of Americans who identified themselves as pro-life has jumped to 47 percent from 33 percent. You say: Well, that is not that great. Of course, it leaves some folks undecided. But when you sort it out and become more specific, two out of three Americans support a ban on second trimester abortions. This is what the Mississippi law does. This is the law that will be allowed to stay in effect if the Supreme Court rules in favor of Mississippi based on the argument tomorrow.

Four out of five Americans oppose late-term abortions.

My friend the distinguished Senator from Montana encouraged people within the sound of his voice to take their smartphones out and type in ''15-week-old baby.'' I did that. I don't know if the rules quite permit that yet on the floor, but I dare say it is not the first time that has been done, so I did that. I clicked on ''15-week-old baby,'' and that very picture, along with other photographs, came up. As the gentleman says, it is every much, every bit a human baby—no question about it.

I am encouraged that the American people are moving in the direction of life because they have seen these pictures, because they listen to the science, and we know more than we did in 1973. The Supreme Court knows more than it did in 1973.

After 15 weeks, an unborn baby has more than 90 percent of its body parts that it will ever have. They have been formed, and almost every organ is functional at the 15-week period. That is a baby. That is a human, American baby. The child's heart is pumping 26 quarts of blood per day at 15 weeks and has already beaten approximately 15.8 million times by 15 weeks. That is a human. That is a baby. Babies at this stage respond to touch and taste, and a dominant hand begins to emerge. We know at that point—15 weeks—whether that baby is right-handed or left-handed. And, of course, we know that baby can feel pain. That baby deserves the constitutional rights that the gentleman from Montana mentioned of life and the pursuit of happiness as an American.

I do want to congratulate our friends across the sea for actually being ahead of us on this. We like to think that sometimes we know best and we are ahead of the curve, but it happens that almost every European country has legislation in place, rules in place, that are very much like the Mississippi law that will be in question tomorrow in the hearing.

Germany and Belgium have banned elective abortions after 14 weeks. Now, this law in Mississippi has set that at 15 weeks, but Germany and Belgium, 14 weeks. Denmark, Norway, France—a very ''live and let live'' country if ever I heard of it—draws the line at 12 weeks—12 weeks. So when the Supreme Court hears this case tomorrow, they will have an opportunity to decide to place the United States of America in the broad mainstream of international thought on this.

There are so many reasons why I am happy today and encouraged today that we have this opportunity to make a case based on the facts.

I will say this: My heart and my thanks go out to the millions of Americans right this minute who are doing what some think is a quaint thing—performing an act that many people are skeptical about at this point. But I stand with those millions and millions of Americans who are right at this moment praying for the Supreme Court, praying for wisdom in these nine appointed and confirmed figures. They are praying for the right words to be said by the attorneys, and they are praying for the future of our great country.

This is our opportunity, and we have every reason to believe that we are on the right side of history. I stand with the people who are bringing this case, and I stand with the people of Mississippi and the millions upon millions of Americans who are praying for the right decision.

I yield to my good friend from across the river, the junior Senator from Louisiana. I know that my friend from Mississippi is also waiting to speak.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, we talk a lot in this Chamber, as well we should, about the least among us, about how we can protect and lift up the powers. And that is a good thing. I can't think of any person who has less power than a potential human life, than an unborn baby. Now, Roe v. Wade is, of course, about abortion. We know that. But it is also about something

else. Roe v. Wade is also about—it is about federalism.

Roe v. Wade is also about the American people. Roe v. Wade is about whether a finite group of the managerial elite—and by the ''managerial elite'' I mean the entrenched politicians, the bureaucracy, the media, the academics, the corporate phonies, all of whom think they are smarter and more virtuous than the American people—should have the right to make moral decisions for the American people, instead of the American people making those decisions for themselves.

That is really what Roe v. Wade is about.

Now, I am pro-life and I am anti-Roe v. Wade. So I want to say up front: I do have an opinion.

But even pro-choice legal scholars who believe in legalized abortion on demand understand, as does every fair-minded person who knows a lawbook from a J. Crew catalog, that Roe v. Wade is one of the most arbitrary, it is one of the most ad hoc, and it is one of the most poorly reasoned decisions in the history of the United States.

In Roe v. Wade, as you know, Mr. President, the U.S. Supreme Court held that a generalized right to privacy, not explicit in the Constitution, means that a woman has the virtually unfettered discretion to terminate a human life—some, to be fair, would say a potential human life—before viability.

What is viability? As my colleagues talked about, that is a really, really good question.

But I digress.

Anyone who knows a lawbook from a J. Crew catalog also knows that there is absolutely no foundation—not in the text, not in the structure, not in the history, not in the tradition of the Constitution—for a constitutional right to abortion, and certainly not on the basis of some unmoored general right to privacy that is not enunciated in the Constitution.

And don't even get me started on Roe v. Wade's trimester analysis and the ruling. Try to find ''trimester'' in the U.S. Constitution. You won't. You can't.

The truth is—and people on both sides of this issue who are fairminded and reasonably objective—and by that, I mean can see the other point of view. The truth is that Roe v. Wade's constitutional right to an abortion is a 48-year-old, judge-invented rule that represents the U.S. Supreme Court winging it.

Now, I know what we were told. We were told back in the 1970s: Look, we have got to have a national rule to settle this issue. Only Washington, DC, can settle this issue. We have to have a rational rule. We need some peace in the land. We need consensus.

How is that working out for us?

Roe v. Wade didn't settle anything.

Now, in the Dobbs case, which the U.S. Supreme Court is about to hear, the U.S. Supreme Court has a really rare opportunity to say, as Justice Scalia wrote in one of his opinions, that value judgments made on behalf of people should be voted on by those people and not dictated from Washington, DC.

In the Dobbs case, the United States Supreme Court has the rare opportunity to say what we all know, and that is that America is this big, wide-open, diverse, sometimes messy, sometimes dysfunctional, sometimes imperfect, but always trying-to-get-better group of good people. That is what America is.

And we don't always agree—especially not on value judgments, especially not on the ultimate value judgment—like when it is appropriate to take a human life. That is why we get to vote. That is why we get to vote, and that is why we have elected representatives who oftentimes vote on our behalf—elected representatives who also can be unelected if we don't like how they vote.

And, finally, in Dobbs, the U.S. Supreme Court has the rare opportunity to defederalize and deconstitutionalize abortion and return the issue to the States, where it was before Roe v. Wade.

The U.S. Supreme Court, in Dobbs, does not have the opportunity—and this is important—to say ''no right to an abortion in America.'' Let me say that again because some of the proponents of Roe v. Wade, I think, have shaded the truth on this. At issue before the Supreme Court in Dobbs is not the right to have an abortion. It is the right—the issue before the Supreme Court in Dobbs is, What is the appropriate political form to make these value judgments? Is it the government or is it the people?

And I hope that the U.S. Supreme Court takes advantage of this rare opportunity before it.

I yield to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi.

Mrs. HYDE-SMITH. Mr. President, I join my colleagues today highlighting the momentous occasion for not only my home State of Mississippi but for our entire Nation. Senator ROGER WICKER and I could not be prouder of our State.

Tomorrow, the U.S. Supreme Court will hear oral arguments in Dobbs v. Jackson Women's Health Organization, a challenge to a Mississippi law banning most abortions after 15 weeks. This law, the Gestational Age Act, was introduced by my friend, Mississippi State Representative Becky Currie, and was signed into law by Mississippi Governor Phil Bryant in 2018.

This case presents a once-in-a-generation opportunity for the Court to reconsider decades of misguided abortion law that began with Roe v. Wade and has continued under Planned Parenthood v. Casey.

There is no doubt that this case is the most significant pro-life legal opening in half a century and, certainly, in my lifetime. I am very proud that my State of Mississippi is in the center of this.

In the 48 years since the decision in Roe v. Wade, 62 million unborn babies have lost their lives. This is a terrible moral stain on our Nation that we have a chance to reverse at long last.

There are many reasons for the Supreme Court to reconsider its course. For one, medical technology has made significant advances—especially with ultrasound technology—making clear what those of us in the pro-life movement already knew: that unborn children are human beings.

Thanks in large part to the ultrasound technology, we now know that, by 15 weeks, an unborn baby has a fully developed heart with a strong heartbeat, responds to touch, and can make facial expressions, yawn, hiccup, and suck their thumbs.

For another, the United States is a real outlier in the world when it comes to the abortion issue. We are one of only seven countries that allow abortions on demand up until the moment of birth, along with the likes of China and North Korea.

The Supreme Court should uphold Mississippi's law, bringing our Nation closer to the international consensus on human rights for the unborn.

As a legislator, I am confident in saying it is time for our laws to reflect what the rest of the world has already figured out: that life exists before birth and it needs to be protected. The only difference between a fetus and a first grader is 6 years.

Since the Supreme Court announced it would take up the Dobbs case, I have been earnestly praying for this case. I pray for the Members of the Supreme Court to be open to the legal and moral arguments against Roe v. Wade. May God grant them the wisdom for the task and grace for the unborn.

I have also been praying for my friend Mississippi Attorney General Lynn Fitch, our State's solicitor general, Scott Stuart, and the many others in the AG's office who have worked tirelessly to represent our State so well in this case.

With the oral arguments scheduled for tomorrow morning, I pray that God would grant them all confidence and courage, as well as the right words to say in the Court.

Most of all, I have been praying for all the unborn children whose right to life hangs in the balance of this case.

Throughout this time, I have kept the words of I Samuel 1:27 close to my heart: ''For this child I have prayed, and the Lord hath given me my petition, which I asked of him.''

So today, tonight, and tomorrow morning, I will be praying without ceasing. I hope each of you will join me in prayer for this historic court decision that started in Mississippi.

May the Dobbs case restore the sanctity of life and reverse the moral stain of Roe v. Wade.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, for nearly 50 years, Roe v. Wade has been a disaster for our country and its citizens. Sixty million unborn lives have been lost to abortion, and our politics have been distorted by a ruling that deprives the American citizen—the voter—of the right to determine questions on which there is constitutional ambiguity.

The Senate confirms individuals to the judicial branch to be judges. They are to judge, not to legislate. Listening to those whom we represent and proposing legislation on their behalf is our job here in the Capitol and the job of our representatives in State legislatures throughout all 50 States. The separation of these powers is crucial to how our democracy functions.

Yet previous iterations of the Supreme Court have seen fit to usurp this legislative power, particularly as it relates to abortion.

In doing so, a majority of these unelected judges and Justices have relied upon specious jurisprudence to eviscerate State laws that protect the unborn.

You don't need to take the word of a conservative Republican from Kansas. Writing when she was a circuit court judge, the late Ruth Bader Ginsburg explained:

> Roe v. Wade . . . invited no dialogue with legislators. Instead, it seemed entirely to remove the ball from the legislators' court.

One more liberal law professor acknowledged that ''Roe short-circuited the democratic deliberation that is the most reliable method of deciding questions of competing values.''

These assessments are exactly right. The fallout of Roe, and affirmed by Planned Parenthood v. Casey in 1992, is obvious. A vacancy to the Supreme Court has become a cage match—a fight here in the U.S. Senate. Someone as eminently qualified as Amy Coney Barrett should have been confirmed unanimously.

Today, many of my Democratic colleagues support packing the Supreme Court with more Justices because they believe the Court will block their agenda, which is ironic because for nearly a half century, virtually every State ever to provide protection to unborn babies has been foiled by the judicial branch. Something terribly wrong has happened to our democracy when so much energy is focused on the Court.

Again, quoting then-Justice Ginsburg on Roe's attempt to put the issue of abortion to bed, she said in 1985, the Court's ''heavy-handed judicial intervention was difficult to justify and appears to have provoked, not resolved, conflict'' and in 1993 declared that the ruling ''prolonged divisiveness and deferred stable settlement of the issue.''

Given these examples of our polluted discourse, no one can reasonably say that the politics of abortion have improved since then. In fact, it has only gotten much worse.

What has improved, however, is our understanding of the science of embryology. Regrettably, it is not enough to say a unique human life begins at the moment of conception for it to receive protection. But we know when unborn babies feel pain; we know when they can survive outside the womb; and a remarkable 4D ultrasound reveals what we already knew: These unborn babies are fully human and deserve the right to life, and yet our legal regime denies them that right.

Because of Roe, a child in America can be terminated for any reason—any reason—up to the moment of its birth. That places the United States in the company of China and North Korea. Surely, a democracy founded on the belief that all people ''are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness'' has a greater respect for human life than these brutal communist regimes.

Tomorrow's Mississippi case will test that proposition. However, there is no doubt that the reversal of Roe will not end the practice of legal abortion. Several States have already enacted permissive abortion laws that would remain even on Roe's demise.

The point here is that my effort and the effort of my colleagues and millions of other Americans to defend life will continue regardless of how the Supreme Court rules in the coming months, including in my State of Kansas. These efforts will depend on civil persuasion of our neighbors and responsive State and Federal legislators. We will need legislation that protects the unborn and assists new families in caring for their child.

Tomorrow, the Supreme Court will hear the most significant abortion case in the last 30 years. Dobbs v. Jackson Women's Health Organization. This case provides the Court the opportunity to relinquish the legislative power it has assumed and return it to the people and their representatives. The Court will be better for it, and so will our politics. And most importantly of all, millions of future voices will get to have their say in the process too.

I now yield the floor to my colleague, the Senator from Nebraska, Senator FISCHER.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, Dobbs v. Jackson Women's Health Organization, the case that will come before our Nation's highest Court on December 1, is truly a historic case. It is about a law the State of Mississippi passed in 2018 to ban almost all abortions after 15 weeks of pregnancy.

When I was a member of the State legislature in Nebraska in 2010, we passed the Pain-Capable Unborn Child Protection Act. Nebraska's bill banned most abortions after 20 weeks, the point when science at that time told us that unborn babies start to be able to feel pain. We were the first State in the country to pass a law of this kind, and in our Nebraska unicameral, we passed it with 44 ''yes'' votes and just 5 ''no'' votes.

Nebraska has a unicameral—1 House, 49 Senators. We have pro-choice, pro-life, Republicans and Democrats that voted for this bill. We had pro-choice Republicans. We had a number of pro-life Democrats. In fact, we had a former Democratic National Committeeman vote for this bill. All we cared about was protecting the most vulnerable people in our society—unborn children.

I was proud to support Nebraska's bill. I was proud that pro-life Democrats, pro-choice Republicans, put their differences aside to vote for it. And I am proud today to stand with Mississippi as their law comes before the U.S. Supreme Court.

Back in July, I joined more than 200 of my colleagues in the Senate and the House of Representatives in filing an amicus brief supporting Mississippi's bill. In our brief, we argued that the precedence the Supreme Court set in Roe v. Wade and a later case, Planned Parenthood v. Casey, are outdated. When Roe was decided nearly 50 years ago, babies born before 28 weeks were not expected to survive. Today, the miracles of modern medicine have allowed babies born much earlier to not only survive but to go on to live full and happy lives.

Just last year, a little boy was born right next door to Mississippi, in Alabama, at 21 weeks. He was 132 days premature, and he weighed just 14.8 ounces. Fifty years ago, it would have been unthinkable—unthinkable—for him to live beyond a few days. But this July, he celebrated his first birthday.

Fifty years ago, ultrasounds and sonograms were not widely available. Today, they are an essential part of prenatal care. The pictures that these technologies enable families to see of their unborn children, even at the early stages of pregnancy, are often nearly identical to the newborns they will soon become. The advancements of the last 50 years have left no doubt about the humanity of the unborn. And as science continues to progress over the next 50 years, new developments are going to keep allowing babies born earlier and earlier to survive and to thrive.

The laws of just about every developed country have kept up with this rapid progress, but here in the United States our laws are stuck in the past. The United States is one of only four nations on Earth where certain States allow abortions up to the day of birth. That puts us in the uncomfortable company of China, North Korea, and Vietnam. Ninety percent of countries around the world limit abortion at 15 weeks, the same point as Mississippi's law, and some even earlier. In Europe alone, there are eight countries with laws that are stricter than Mississippi's. That includes Germany, where abortion is illegal in most cases just after 12 weeks. Women seeking

abortions before 12 weeks in Germany also have to go through a 3-day waiting period and a mandatory counseling session.

Mississippi's law isn't that different from Germany's. In some ways, it is even more lenient, but it is still being challenged in our court system based on legal decisions from decades ago.

Our laws are outdated, and America's unborn children are paying the price. Since 1973, more than 60 million abortions have taken the lives of more than 60 million American children, many of whom could have survived outside the womb.

It is past time for the United States to move into the 21st century. The Supreme Court has a chance to help us do that by upholding Mississippi's law in the Dobbs case, and I hope they will.

With that, I would yield to my colleague from Kansas, Senator MARSHALL, who is also a doctor, a gynecologist, and obstetrician.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Mr. President, I want to start by thanking the Senator from Nebraska for helping to bring to light the significance of the Dobbs Supreme Court case.

For some 30 years, I had the honor, the privilege of delivering a baby most every day of my life. Some 5,000 babies in residency and another 5,000 babies in private practice. Some days, I delivered none. Other days, it was one or two. There were days when I delivered 10, 11, 12 babies a day.

Some of those babies I could fit in the palm of my hand. Other babies—I delivered several babies over 15 pounds.

It has now been almost 4 years since I delivered my last baby, but I am still often asked: Do I miss obstetrics; and let me tell you, boy, do I miss it.

My favorite part of the whole process, as I recall, though, was after a hard, long labor, seeing that baby emerge from the mother, holding that baby in my hands and waiting for it to cry. Sometimes it was crying as it entered into this world, other times it took 5 seconds, sometimes 30 seconds, sometimes a minute or two would go by as we worked on the baby. But my favorite part of every pregnancy was taking that crying baby and handing it over to a new mom and dad. It was absolutely the most spiritual moment of my life—the closest I ever got to seeing what God was truly like, to see a newborn baby in the hands of its mom and dad, with this just total agape love—this unconditional love. It was just the honor of my life to experience that almost on a daily basis.

But today I want to talk about my favorite OB visit which came at 15 weeks, typically. At about 15 weeks after conception, moms would come in for maybe their third or fourth visit. My first question was always: Are you feeling the baby move? And the mom's eyes would light up. Maybe she had had a miscarriage before or maybe it was an infertile couple or maybe this was her third or fourth baby, but when I asked them: Are you feeling the baby move yet, her eyes would light up.

And mom would lie down on the bed, and I would put my hands on her abdomen and feel the size of her uterus to assess how big the baby was. And so often as I put my hands on her skin, I could feel the baby pushing back or kicking back.

And then we put the Doppler on the mom's abdomen and listened to the baby's heartbeat, and usually if there was a brother or sister in the room, that baby's big brother or big sister would squeal: Mommy, what is that noise? What is that noise? And almost every time, as I heard the sibling ask mom that question, you could hear the baby's heart rate increase with excitement. That baby inside the womb knew that was its brother or sister there that was talking, and it was excited to hear that voice. And the mom would respond: Darling, that is your little baby brother or sister. And as mom spoke, the baby's heart rate would slow back down to what it was before—that calming voice.

So that brings me to the Dobbs case. The Mississippi Dobbs case protects life after that 15-week visit I just described.

I recognize and believe that life begins at conception, but maybe not all of America agrees with me on that. But I do believe with all my heart that a huge part of America agrees, we should not allow abortions on babies that can feel pain or that can respond to their mom's voice or their sibling's voices. Right?

Ask yourself that same question. An unborn baby that can feel pain, that knows its mom's voice, should that baby be deprived of life outside the womb?

I struggle as I watch America be one of seven nations that allows abortions after 15 weeks. And I point out that all these other nations are agnostic or totalitarian nations for the most part. And I struggle as I recall the moms and dads who lost a baby at 15 weeks or at 18 weeks or at 23 weeks. I recall their mourning. I recall their tears.

I recall how, in our hospital, we might be struggling to preserve a pregnancy, to save a baby's life, to be resuscitating a baby while in a nearby town the abortion industry is claiming another life at this same gestational age.

I struggle to think we live in a society that allows this barbaric treatment of the unborn. We hope and pray that this landmark Supreme Court case will result in a decision that reflects the values of most Americans and will protect life after 15 weeks.

Unfortunately, because of a 2019 Kansas Supreme Court case, my home State of Kansas has become an abortion destination—an abortion destination. The Kansas Supreme Court has paved the way for unlimited abortions, abortions paid for with tax dollars. That is why, back home, I will be fighting for the Value Them Both Amendment that protects the values of both the mom and the baby.

Look, America does not want an unlimited, unregulated abortion industry. This is not consistent with our values. I believe most Americans value them both. We value both the mom and the baby. I fought my whole life for moms and babies, and I am going to keep fighting for them both.

Mr. President, I yield the floor to my friend and mentor from Texas, who has been leading the fight up here in DC for years. I look forward to his sharing with us what Texans are talking about on the significance of this Dobbs Supreme Court case.

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

Mr. CORNYN. Mr. President, I want to start by thanking my colleagues for being willing to stand up and defend innocent human life.

I remember, recently, watching a young woman walk across one of the downtown bridges in Austin, TX, carrying a sign that read: ''Abortion—any time, any reason.''

That is what she was advocating for. I was shocked when I saw it because I thought even the most ardent advocates of abortion would not take that position of denying the humanity of this unborn child, but, apparently, that is what it has become here—48 years after the Supreme Court first created a right to abortion out of whole cloth as a constitutional right.

You look, in vain, in the Constitution of the United States, as well as in the amendments to the Constitution, for any reference at all to abortion. What you will find, if you read the Declaration of Independence, is a familiar statement to all of us. On July 4, 1776, the 13 States then that made up America wrote: ''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.''

By the way, there is no asterisk—there is no footnote—that says, if you are an unborn human life, that you are denied this unalienable right to life.

Such noteworthy figures as Ruth Bader Ginsburg, who was probably one of the most aggressive advocates for abortion rights on the U.S. Supreme Court, later in life decried the fact that, by the Supreme Court's holding a right to abortion as a constitutional right, it denied the very sort of give-and-take debate by which our differences are resolved in the States and at the national level.

I would just like to point out some of the misinformation that you hear and read about Roe v. Wade.

If Roe v. Wade is no longer the precedent by which abortion rights are decided, it will not mean that abortion will not be available in many, if not all, of the States. What it will mean is that it will be decided, under our Federal system, on a State-by-State basis,

according to the decisions made by elected State leadership, including the legislature.

In 1973, Richard Nixon was inaugurated for the second time as President of the United States. Suffice it to say that a lot has happened since then—a lot. I think it is entirely appropriate that the U.S. Supreme Court revisits its precedents, including Roe v. Wade—decided in 1973—and decide if that precedent has stood the test of time.

By the way, in serving on the Judiciary Committee, we frequently have nominees for the Supreme Court of the United States come before the committee, and many of my pro-choice colleagues will say: Do you agree, Judge or Future Judge, that Roe v. Wade is the precedent of the U.S. Supreme Court?

Of course, that is along with Casey and the other decisions that have been decided since then, but they act as if the U.S. Supreme Court cannot revisit bad decisions and correct those bad decisions.

To act as though Supreme Court precedent is somehow sacrosanct would still leave us with the likes of Dred Scott, which treated African Americans as less than fully human. Obviously, we fought a Civil War, and 600,000 Americans died—that would be the equivalent of 3 million people today—in a bloody Civil War that tore our country apart.

So being able to revisit those precedents, especially in light of the passage of time and over long experience, is entirely within the purview and entirely appropriate for the Supreme Court to do.

Well, we have heard from my other colleagues that, since Roe was decided in 1973, more than 60 million abortions have been performed in the United States. As originally was decided, Justice Blackmun wrote an opinion and established an event he called viability. Basically, the argument by the proponents of Roe is that somehow, in this decision by Justice Blackmun's saying that abortion should be widely available pre-viability, we should not be able to reconsider or take a look at that. The truth is, Justice Blackmun admitted this was an arbitrary standard.

What does ''viability'' mean?

We have heard that seven countries around the world have more permissive or equally permissive abortion laws as the United States. I, frankly, don't want to be in the same company as North Korea or the People's Republic of China, governed by the Communist Party. I would hope that America would aspire to something different and better and more humane, more in line with our fundamental statement about the unalienable right to life.

But, as to the fact that America is only one of seven countries that allows elective abortions after 20 weeks, which, as I said, puts us in the same category as communist China and North Korea, you would think that would raise a huge red flag as to say something is terribly wrong here.

How is it that we are in the same category as communist North Korea and as communist China when it comes to the value we place on unborn life?

Well, unfortunately, we have seen the right to life become a partisan issue in the U.S. Congress when you take a look at the pro-life legislation which has been introduced over the last years.

We saw last year, for example, our Democratic colleagues filibuster legislation to outlaw elective abortions after 20 weeks, which is when science tells us that an infant can feel pain. Then they blocked a bill requiring physicians to provide lifesaving care to infants who survive abortions. This is care that any other newborn baby would receive, and yet our colleagues—so concerned about the backlash among their pro-abortion constituents—blocked it, denying a child born alive after a botched abortion the same sort of care that any other newborn would be entitled to. They blocked it.

And the latest attack on an unborn baby's right to life is the Women's Health Protection Act. This bill would undermine State laws limiting abortion, even after viability, and undercut the Supreme Court's ruling that defines our current definition of ''viability.''

What does ''viability'' mean?

Even at 20 weeks, can an unborn child live without medical attention and support from their mother or medical personnel?

Of course not.

This was an arbitrary line drawn by the Supreme Court in 1973. As we have heard from many of my colleagues, medicine has, thankfully, advanced considerably since that time.

Well, even though the U.S. Congress seems to be stuck when it comes to the issue of abortion and respecting the right to life of unborn babies, thankfully, the States have taken the issue up, which is why States, like Mississippi, have passed their own legislation to protect unborn babies.

Pro-abortion advocates say, well, 15 weeks—which is what the Mississippi law says. They say that a right to abortion only for the first 15 weeks of a pregnancy violates constitutional rights. But it is interesting. It is no less arbitrary than this notion of viability, which suggests that a child can live—which they cannot—outside the mother's womb even if they are 20 weeks or 24 weeks of gestational age. Interestingly, in a number of States, like Massachusetts and Nevada, abortions are restricted after 24 weeks. California, Washington, Illinois are among States that explicitly restrict abortions after viability.

The American people clearly stand behind the protection of unborn life. This summer, a poll found that 65 percent of Americans believe that abortion should be illegal in the second trimester. That is the second 3-month period of a 9-month pregnancy.

Opposition to third-trimester abortion is even stronger, as 80 percent of Americans are opposed to a third-trimester abortion. Indeed, the Supreme Court of the United States upheld a Nebraska law banning late-term abortion, which is essentially producing a delivery while the child is still alive, killing the fetus, and then completing that abortion. The Supreme Court of the United States upheld a ban on that third-trimester, late-term abortion—that brutal and barbaric practice that even the Supreme Court could not abide.

Last June, a baby born at 21 weeks and 2 days, this last summer, celebrated his first birthday. That is what is at stake here when you are dealing with more than just one person—or you are dealing with more than just one person.

The question is: How do you balance and deal with the rights not only of the woman seeking the abortion, but also of the unborn child?

Right now, under its current jurisprudence, that unborn child is not even considered a human.

America cannot be its best if we devalue the lives of the most vulnerable among us. I believe that babies with heartbeats, fingerprints, and taste buds deserve some protection under the law.

I am proud of the efforts led by our colleague Senator LANKFORD and others to make sure that we actually have a discussion about this issue and don't just sweep it under the rug and we don't just let the pro-abortion lobby mischaracterize what we are talking about, as if eliminating Roe would eliminate abortions in America. It would just allow the States to do it on a State-by-State basis.

But, actually, Roe was made up right. It created a constitutional right that is not even stated in the Constitution itself, and it created an arbitrary time limit in which abortions could be performed or not as a matter of constitutional right.

So I join the rest of the body and this country awaiting the Supreme Court's ruling. I believe that it is more than appropriate for the Supreme Court to revisit its precedence that essentially disparaged and denigrated the right to life of an unborn child.

I would yield the floor to my friend from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. In December of 1952 and again in December of 1953, the Supreme Court was packed. There were lines out into the hallway, with people waiting to get in to hear oral arguments. In December, the Court would hear arguments on the legality of segregation brought by Thurgood Marshall, representing the Brown family in Topeka, KS.

Just 56 years before Brown v. Board of Education, segregation was protected by the Supreme Court in Plessy v. Ferguson. They ruled that separate but equal facilities were constitutional, thus enshrining the national

disgrace of segregation into America—an absolutely terrible decision by the Supreme Court that haunted our Nation for decades. It took 56 years before the Supreme Court corrected its wrong.

Now that more than a century has passed since the Plessy v. Ferguson decision, the Nation still celebrates the Court that decided the Brown v. Board of Education case, as Justices righted a great wrong against millions of people. There was a simple lesson in that decision: When the Court made a mistake, it should fix its mistake.

In a lesser known case that affects just about every American now, in 2018, the Supreme Court overturned by a 5-to-4 decision 51 years of precedent on the collection of taxes for businesses called the physical presence rule. Many people now know it as the internet tax rule. It changed the way taxes were collected on the internet.

When they made that decision in 2018, there was great confusion and consternation, statements that it would be impossible to implement it and it would bring certain destruction to internet commerce. In fact, in the dissent in that 5-to-4 decision, the minority in the Court stated this:

> E-commerce has grown into a significant and vibrant part of our national economy against the backdrop of these established rules, including the physical-presence rule. Any alteration of those rules with the potential to disrupt the development of such a critical segment of [our] economy should be undertaken only by Congress.

The Court should not act on this important question of current economic policy solely to correct a mistake it made over 50 years ago. It was handwringing by the Court, the minority there, that they opposed correcting the obvious mistake of the Court from 51 years before because it could hurt the cyber economy. In other words, doing the right thing involved a risk.

Well, yesterday was Cyber Monday. It was one of the largest single days of purchasing online in history. The Court did the right thing, and the economy kept going. There was a simple lesson in that decision: When the Court made a mistake, it should fix its mistake, even if it was 50 years later.

Tomorrow, the Supreme Court of the United States will hear oral arguments in what could potentially be the most consequential case for human rights in 48 years.

Tomorrow at 10 a.m., nine Justices will hear arguments and ask questions of the attorney general of the State of Mississippi and counsel representing an abortion clinic in Mississippi. Tomorrow morning, the Court will consider whether all previability prohibitions on elective abortions are constitutional.

Tomorrow, this Court has the opportunity to uphold the self-evident truth to personhood, the facts of science and of our heart's declaration, the right to life, liberty, and the pursuit of happiness. Simply stated, the Court has an opportunity to correct its mistake from 1973, 48 years ago.

In 2018, the Mississippi Legislature enacted the Gestational Age Act, which limits abortion to 15 weeks of gestation except in a medical emergency and cases of severe fetal abnormality.

Jackson Women's Health Organization, an abortion clinic in Mississippi, sued. Federal courts held that the law was in violation of the Court precedent in Planned Parenthood v. Casey. Now it is known as the Dobbs case. It stands before the Supreme Court at 10 a.m. tomorrow.

This case presents an opportunity for the Court to reconsider Roe v. Wade and turn the role of legislating on the issue of life back to the States, where it was pre-Roe v. Wade.

In Roe v. Wade, as this body knows extremely well, the Supreme Court decided the Constitution guarantees the right to have an abortion until the viability of a child, with very little understanding of the term ''viability.'' Years later, in Planned Parenthood v. Casey, the Court also said that the government couldn't place an undue burden on access to abortion, which has been used to block many laws that aim to protect women and children.

Both decisions were completely arbitrary and not based in constitutional law. ''Viability,'' quite frankly, is impossible to define because children develop at different speeds. One child, Curtis Means, left the University of Alabama at Birmingham Regional Neonatal Intensive Care Unit after he was prematurely delivered at 21 weeks, 1 day—the youngest child to be born ever. Another child, though, may not survive if they were even delivered at 32 weeks. Viability was completely invented by the Court in 1973 as a standard and is impossible to actually track.

America has not forgotten about these children. We have not moved on, and we have not just accepted Roe v. Wade, because when we see a child, as this one is at 15 weeks, we actually see a baby, shockingly enough. Forty-eight years ago, the Supreme Court may have decided that a woman has a right to an abortion, but we never lost track of humanity. Abortion is not just a medical procedure; it is the taking of a human life.

I talked this morning with an abortion survivor. And, yes, they do exist by the thousands. She is in her forties. She has children of her own now. She survived a botched abortion and was actually delivered alive during an abortion procedure. She was taken by a nurse to the NICU unit of that hospital, and she is still alive and thriving today. I sat there with that abortion survivor, thinking that abortion is not about random tissue; it is about a person—quite frankly, this morning, the person who was sitting right in front of me.

Now, I understand full well I am a pastor who is now a Senator. I am fully aware that I have a Biblical worldview. My dedication to children is not just because I am a follower of Jesus and believe that every person is created in the image of God; I also firmly can look at the science. The science is clear to anyone who is willing to get past the talking points and actually look into the womb.

At the moment of fertilization, a new and distinct human being comes into existence. It is not just a fertilized egg; it is a new human. This new cell, which is called a zygote, shows behavior that is unlike the behavior of any other cell around it that is in the woman's body. The DNA inside that cell is different than the DNA inside any other cell in the mom's body. That cell has everything that he or she needs to become a fully developed human being.

Everyone listening to me right now—everyone—was once a single-cell zygote, completely dependent on your mom for nutrition. That is why we encourage moms to eat good foods, take prenatal vitamins, stop smoking, and all those things, because we want to protect the development of her child. Why? Because we all recognize that that is a child, and what a mom does now will affect the future for that child.

As the baby grows in his or her mother's womb, it continues to develop. At 15 weeks, as this baby is—and that is what the Mississippi law is all about, is a baby who looks just like that. At 15 weeks, a baby has a heart, lungs, skin, eyes, a nervous system. By 15 weeks or a little over 3 months of pregnancy, this preborn baby is moving around in response to touch. All of her organs are formed, and she just needs more time for them to grow and develop. Her heart already has four chambers. It has already beaten millions of times and pumps more than six quarts of blood per day. She cannot breathe outside the womb, but she is breathing inside the womb. She has arms and legs. She has 10 fingers and 10 toes and normally by this point already shows a preference for being right-handed or left-handed. She has eyes, lips, a nose, fingernails, eyebrows, even taste buds. She can feel pain.

This decision has ethical, moral, and medical implications. Look in the mirror, anyone in this room. You have fingers and toes and lips and a nose and fingernails and eyebrows and taste buds. You can feel your heart beating. The only difference between you right now and this child is time. That is it.

But for some, it is easy to just close their eyes and ignore the self-evident fact because it is easier to talk about Court precedent or choice, because if we look at each child and recognized this child for who she is, it is hard to process that in the last 48 years, 62 million children have died by abortion in America. And for some, they can't allow themselves to acknowledge what is self-evident because it would be too painful to think about 62 million children.

Can I tell you, 62 million children is the combined population of Vermont, Alaska, North Dakota, South Dakota,

Delaware, Montana, Rhode Island, Maine, New Hampshire, Hawaii, West Virginia, Idaho, Nebraska, New Mexico, Kansas, Mississippi, Arkansas, Nevada, Iowa, Utah, Connecticut, Oregon, Kentucky, Louisiana, Alabama, and Oklahoma—combined.

A Court decision that led to the death of 62 million children is a Court precedent that needs to be discarded.

Prior to 1973, each State had its own laws on abortion. That is what would happen again if the Court overturns Roe v. Wade. We will have a patchwork of laws on abortion, just like we do right now on homicide.

In some States, like mine, if a pregnant mother and her child are killed, the perpetrator faces two charges of murder, one for the mom and one for the child. In other States, the perpetrator would only face one charge of murder because that State doesn't recognize that child's existence at all. I think that is absurd, but that is a law in one State, and it changes from State to State. People can speak to their own State legislators about changing that law in their State and about recognizing the value of every child, even a child in the womb, but until they do, that child is a nonentity in some States. That kind of difference in homicide laws is allowed by the Supreme Court already. This Court should give that same right to every State for every preborn child, not just for some.

The law being debated in the Supreme Court tomorrow reflects the will of the people of Mississippi, just as many pro-life laws in Oklahoma and in our legislature have reflected the will of the people of Oklahoma.

The arbitrary, outdated viability standard established by the Court makes it harder for States to protect women from physical risk that accompany late-term abortions. It makes it difficult to allow States to protect preborn babies in the second trimester, who can experience pain. The viability standard prevents States from banning dismemberment abortion. The viability standard deters States from protecting children diagnosed with Down syndrome, developmental disabilities, and children being aborted simply because they are male or female. It also prevents States from protecting the lives of their own citizens at any stage of development.

I don't understand how infants have become a partisan issue. I really don't.

There are some issues, as I talk to my colleagues on the other side of the aisle, where I can see their perspective and their point of view. I may not agree, but I can understand their point of view.

But on this issue I do not understand how some people see a baby sucking their thumb in the womb and they see them only as medical waste. I don't understand how some people can support an abortion in one moment, but when they talk to a woman who has had a miscarriage, they immediately respond with ''Oh, I am so sorry.'' If a miscarriage is the loss of a child, then what is an abortion?

I don't understand how the same person who fights to protect the right to abort children also brings a gift to a baby shower and celebrates a mom and a baby. How can one child be worth celebrating and the other child be medical waste? I just don't understand that compartmentalization.

Frankly, I don't understand how some people who are pro-abortion justify protecting Bald Eagle eggs in Federal law but have no problem supporting the taking of human life in the womb.

Children are not medical waste. Children are beautiful, innocent, and valuable. Some people who are pro-abortion call pro-life people horrible names, and they say they are trying to limit a woman's choice and her freedom while they work to protect her right to have her own baby literally have its arms and legs torn off in the womb so the child would bleed to death in the womb and then each body part would be suctioned out separately.

I don't consider that freedom. I consider that cruel and inhumane.

They say it is a woman's choice. But when does the child get to choose? Some people in our Nation actually celebrate the death of children like it is some glorious empowerment of a woman that she is able to pick and choose which baby will live or die based on her decision. I don't think that is empowerment. I think that is barbaric.

Mother Teresa stated: ''It is a poverty to decide that a child must die so that you may live as you wish.''

Change begins tomorrow. Tomorrow the Court will have the opportunity to uphold our Constitution; eradicate the outdated, oppressive, and deadly precedent; and turn our discussion about life over to the legislators in each State. Now is the time for this Court to overturn Roe v. Wade.

Our Nation prides itself on human rights and individual liberties, but we have this huge, glaring exception: We deny the obvious fact of a child until they are born. We ignore a child's existence until it is convenient.

I really believe, in the decades ahead, our Nation will catch up and we will look back on these years with grief. We will be shocked that when we saw a pregnancy test that said ''positive,'' somehow we didn't figure out that meant positive for tissue; it meant positive for a baby.

I look forward to the day when the United States will be a beacon of justice for every child and not just a few; when we will be a Nation that protects the weak, not just a Nation that stands up for the strong; when we will lead the world to protect the innocent and speak for those who cannot speak for themselves; when America is a beacon of hope for every child.

Southern slave owners in 1830 denied humanity to their slaves. Men in 1900 denied women a right to vote. The United States rounded up Japanese Americans in World War II and put them into camps.

All three of those were considered legal and appropriate at the time. All three of those were fought tenaciously when they were changed, and all three of them are a national embarrassment now.

There was a time when the Court ruled that separate but equal was justice. Then, six decades later, they reversed course, ending segregation. Justice requires, when the Court gets it wrong, that they correct their own mistake. This time there are millions of children counting on the Court getting it right.

''Blessed are those who have regard for the weak; the Lord delivers them in times of trouble''—Psalm 41, verse 1.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

DURHAM INVESTIGATION

Mr. GRASSLEY. Mr. President, on November 3 of this year, Special Counsel Durham indicted Christopher Steele's primary subsource, Igor Danchenko. He indicted him on five counts of lying to the FBI. He lied about his contacts and the identity of his sources.

One of the more serious lies was about Sergei Millian. The indictment shows that Danchenko alleged a phone call occurred between him and Millian about a Trump-Russia conspiracy. That call was part of the basis that the FBI used to get a FISA warrant on Carter Page.

Now, according to Durham, Steele's source lied about the call because that call never happened. This is yet another stunning, fatal defect against the Obama-Biden administration's fake predicate to investigate Trump—specifically, yet another illustration of Justice Department and FBI failure.

Now, as a result of these failures, this country has been dragged through the mud for years. That statement is well understood at this point, but I have more to explain about it.

The indictment also shows that one of Steele's sources was a ''longtime participant in Democratic Party politics'' and that he ''fabricated'' at least some of the information that he gave to Danchenko.

This source, identified as Charles Dolan, ''actively campaigned and participated in calls and events as a volunteer on behalf of Hillary Clinton'' during the 2016 election.

Another one of Danchenko's sources was also a Hillary Clinton supporter. Charles Dolan gifted to this particular Russian subsource an autobiography of Hillary Clinton signed with these words: ''To my good friend, a great Democrat.''

Now—get this—while the Democrats were smearing Trump with false Russia allegations, they were the ones rubbing elbows with Russians and spreading false information in the media, and, of

course, the media, as we know, gladly ran with that information. For example, President Biden's current National Security Advisor, Jake Sullivan, promoted the false story about the Russian bank called Alfa Bank communicating with the Trump organization, when he worked for the Clinton campaign.

Notably, during congressional testimony, several years ago, Sullivan said that he wasn't sure who Marc Elias represented when he presented Trump opposition research to the campaign. Now, for crying out loud, Elias was the Clinton campaign's general counsel.

My oversight work dating back to December 2016 has focused on the Democratic Party's and Clinton campaign's links to the Steele dossier. Last Congress, Senator JOHNSON and I obtained many records relating to Crossfire Hurricane. We were able to get many of them declassified for the public.

I point you to our April 15, 2020; December 3, 2020; and December 18, 2020, press releases on this information. Some of the declassified records show that the FBI had reports in its hand that showed the Steele dossier was most likely tainted with Russian disinformation.

One document indicates that the FBI received a U.S. intelligence report on January 12, 2017, warning of an inaccuracy in the dossier in relation to Michael Cohen. The report assessed that the material was ''part of a Russian disinformation campaign to denigrate U.S. foreign relations.''

That same day, the FISA warrant against Page was renewed for the first time by Acting Attorney General Sally Yates. This is when the Obama-Biden administration and the Justice Department were still in charge.

A similar U.S. intelligence report arrived on February 27, 2017, undercutting a key allegation against then-President Trump. The report noted claims about Trump's travel to Moscow in 2013 ''were false, and they were the product of Russian intelligence services infiltrat[ing] a source into the network'' of sources that contributed to the dossier. Just over a month later, the FISA warrant against Page was then renewed for a second time.

I would be remiss if I didn't mention that the FBI also opened a counterintelligence case on Danchenko and failed to tell the FISA Court about it. If this fact pattern was a movie script, nobody would believe it.

With Durham's recent indictments, we now have even more proof that the Trump-Russia collusion investigation had the wrong name. It should have been the Clinton-DNC-Russia collusion investigation.

The media and many members of the Democratic Party ought to be ashamed of the falsehoods that they were spreading throughout these years. Our political discourse has been damaged for decades to come because of that scheme.

Recently, the Washington Post had to correct over a dozen articles relating to its previous Russia reporting in light of the extensive errors made by that newspaper—years of errors, I might add. I think it is somewhat unprecedented, and I am sure the Washington Post hated to retract and correct the record.

As Durham proceeds, I would say this: Don't take your eyes off of government misconduct. The Justice Department and the FBI hid critical information from the FISA Court that would have cut against their case. They failed to correct the record when they should have corrected the record. Simply put, the Justice Department and the FBI misrepresented information to the court. That conduct can't be allowed to pass.

REMEMBERING TOM RITER

Mr. President, on another matter, just a short point I want to make about a very important voice in agriculture journalism that has gone silent.

Every Tuesday morning—probably for 52 weeks out of the year—I hold a conference call with agriculture reporters and farm broadcasters to discuss news and issues impacting the 2 percent of the Americans who feed and fuel the world. I am talking about our family farmers.

For the past several decades, the first question each week came from a very familiar voice in the agriculture community: Tom Riter of WNAX out of Yankton, SD.

Sadly, Tom passed away on November 21, just a few days before Thanksgiving.

Tom rarely—and I mean very rarely—ever missed my weekly call. In fact, he always kicked off the discussion that was carried on by probably another dozen people—kicked off the discussion with a smart question about farm policy. Undoubtedly, his reports kept his listeners informed on issues that make a big difference to their lives, their farms, their ranches, and businesses in the American heartland.

He happened to be a native of Rock Rapids, IA, not far from Yankton. He was a fellow University of Northern Iowa Panther. Tom joined WNAX in 1999, so he was around that station for 22 years, I think it adds up to. Ever since, I have looked forward to our weekly discussions.

I am grateful for Tom's dedication to his craft, specifically his work to expand the public's understanding and appreciation of the ag community's contribution to our society—most importantly, that 2 percent of the people in this country who produce the food for the other 98 percent.

My wife Barbara and I extend our sympathies to Tom's family and friends, the WNAX family, and his colleagues in the ag press community. We lost a very big voice for American agriculture. He will be greatly missed.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

GUN VIOLENCE

Mr. MURPHY. Mr. President, our collective heart as a nation is breaking for your State. At Oxford High School today, reports suggest that a 15-year-old turned a semiautomatic weapon on his classmates. Three are dead. Eight are injured.

Our hearts are breaking a little bit harder in Connecticut because we know the pain that ravages a community when a shooting happens at a school. Newtown, CT, will never be the same after what happened there now almost a decade ago.

Reports are that at Oxford High School nearly 100 911 messages came into police during the time of the shooting. It gives you a vision into the terror that happens inside a school when a classmate opens fire. I think about this, first and foremost, as a parent of a seventh grader and a fourth grader who are part of a generation that accepts as part of their childhood the risk of not leaving school at the end of the day because of a violent attack. That is the reality of being a kid in school today. I am angry about it as an American, but I am angry about it as a parent, that my children have to go through active shooter drills because this has become a regular facet of being a child in America—exposure to gun violence.

It sickens me to think that my fourth grader has to worry about this when he goes to school every day.

I understand that my Republican colleagues have very strong views on issues related to abortion, but I listened to my Republican colleagues come down here one after another today and talk about the sanctity of life at the very moment that moms and dads in Michigan were being told that their kids weren't coming home because they were shot at school due to a country that has accepted gun violence due to Republicans' fealty to the gun lobby.

Do not lecture us about the sanctity, the importance of life, when 100 people every single day are losing their lives to guns, when kids go to school fearful that they won't return home because a classmate will turn a gun on them, when it is in our control whether this happens.

You care about life? Then get these dangerous military-style weapons off the streets, out of our schools.

You care about life? Make sure that criminals don't get guns by making sure that everybody goes through a background check in this country.

This only happens in the United States of America. There is no other nation in the high-income world in which kids worry about being shot

when they go to school. It happens here in America because we choose to let it happen.

We are not unlucky. This is purposeful. This is a choice made by the U.S. Senate to sit on our hands and do nothing while kids die.

It doesn't even involve any political risk. The changes we are talking about in order to make our schools safe places, they are supported by the vast majority of Americans, Republicans and Democrats. And yet the gun lobby and the gun industry is more important to half of the Members of the Senate than is the safety of our kids, and that is infuriating.

Make no mistake about it, there is a silent message of endorsement sent to would-be killers, sent to individuals whose brains are spiraling out of control when the highest levels of the U.S. Government does nothing, shooting after shooting. Somewhere in these broken brains, they have convinced themselves that they can right perceived wrongs by firing a gun into a crowd. And when Congress—when the highest, most important, most powerful leaders in the land do nothing, shooting after shooting, you can understand why those broken brains imply that as endorsement. We have become part of the problem. Our silence has become complicity.

And I am here to tell you that there is a very low likelihood that your child will die in a school shooting. It is still a very, very infrequent occurrence in this country, given the number of kids who walk into a school every day. But the very fact that every child fears for their life, the very fact that every parent thinks about this when they send their kid to school, that is both a moral and practical stain on this country because kids' brains can't learn when they fear for their lives. No parent should have to sit down and talk to their kid about why, even though you see this happen in Newtown and you see this happen in Parkland and you see this happen in Michigan and you see this happen in California, it won't happen to you, dear. Because when these kids see it on TV every single day, you can't blame them for coming to the conclusion that it may happen to them.

I remember watching on TV once a young woman in the aftermath of a school shooting. There are so many of them now that I can't even remember which one this was. And she said to the TV reporter who was interviewing her: I just assumed that it would happen at my school eventually.

What a sad state of affairs that this is what it has come to.

I am beyond my tipping point, but I needed to come to the floor today because having sat in that chair listening to my colleagues tell me how much they care about human life—well, you have an opportunity to do something about it. You have an opportunity to save lives right now. Kids that are walking into schools tomorrow need you—need you—to step up and pass laws that are going to make sure that only responsible people own guns. And the guns that are used in these school shootings—the semiautomatic rifles, the AR–15 variants—they stay in the hands of law enforcement.

And even if you don't believe that those laws will have the practical consequence of stopping every school shooting, please acknowledge that there is a moral impact of the actions that we take. By signaling to everyone in this country—but in particular these individuals who are contemplating these evil actions—that we don't accept this level of carnage, there will be an impact. And I tell you that because I know history.

There are two massive declines in the murder rate in this country in the last 100 years. It is not coincidental to the 10-year period after the two most significant antigun violence measures passed by Congress.

The first big decline is in the late 1930s and 1940s, right after Congress passes its first bill regulating the possession of firearms in this country. The second big decline is in the 1990s and early 2000s right after Congress passes the universal background checks law and the ban on assault-style weapons.

That is not coincidental. It is because those laws had a practical effect on crime but also a moral effect as well. The proof is right there in front of you of what can happen, of how many lives can be saved if we stand up and act.

So, please, I beg my colleagues, if you are going to come down here and talk about the sanctity of life, explain to the American people why the gun lobby matters more than the safety of our children who are walking into school every day fearing for their life.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. HASSAN). Without objection, it is so ordered.

EXPRESSING SUPPORT FOR THE DESIGNATION OF NOVEMBER 8, 2021, AS ''NATIONAL FIRST-GENERATION COLLEGE CELEBRATION DAY''

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration and that the Senate now proceed to S. Res. 437.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 437) expressing support for the designation of November 8, 2021, as ''National First-Generation College Celebration Day''.

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

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

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

The resolution (S. Res. 437) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of November 3, 2021, under ''Submitted Resolutions.'')

RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 462, S. Res. 463, and S. Res. 464.

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

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to; that the preambles be agreed to; and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions (S. Res. 462, S. Res. 463, and S. Res. 464) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

MORNING BUSINESS

TRIBUTE TO KEVIN ''ROWDY'' MURPHY

Mr. COTTON. Madam President, I rise today to acknowledge and honor MAJ Kevin ''Rowdy'' Murphy for his dedicated service in the U.S. Air Force and in the Senate as part of the Legislative Defense Fellowship. Major Murphy joined my office in January of this year, where he has expertly served as a trusted adviser and critical member of my team. He is one of the Air Force's finest fighter pilots, having capably flown the F–15E Strike Eagle for the past decade and graduated from the distinguished Air Force Weapons School.

Rowdy served with distinction while assigned to my office. He was instrumental in bringing a partner fighter training mission to Ft. Smith, AR, he helped establish a Defense Department aviation safety council, and he designed legislative defenses against the threat of fiber optic cables from China.

While Major Murphy excelled at his legislative duties, he truly distinguished himself during the evacuation

of Kabul. As Afghanistan collapsed, thousands of Americans and Afghan partners reached out to my office for assistance. Overwhelmed by a flood of stranded civilians a world away, Rowdy snapped into action. He quickly organized a process for triaging and assisting American citizens, green card holders, and Afghans who had fought alongside American forces. He created ''baseball cards'' for isolated Americans in Kabul, which were passed along to the 10th Mountain Division and special forces units. He helped technologically illiterate evacuees navigate the State Department's onerous online registration for evacuation, and in dozens of cases, he alerted the State Department to the presence of American citizens stuck inside a collapsing country. In conjunction with my staff in Arkansas, DC, and even one inside Kabul's airport perimeter, Rowdy worked a long stream of 20-hour days to exfiltrate evacuees.

It is difficult to quantify the number of lives that Major Murphy saved. He provided direct planning support and guidance to 76 evacuees, drawing on his expertise as a fighter pilot to design and execute dozens of successful evacuation strategies. The evacuees ranged from a 1-month-old infant to an 83-year-old cancer patient, all of whom are now safely free of the Taliban's grasp. During the course of these missions, he coordinated directly with Joint Special Operations Task Force and NATO tier-1 units. Rowdy indirectly helped countless others. He received, logged, and relayed innumerable evacuation requests over those 2 weeks and directly passed along the State Department's terror warning prior to the suicide bomb attack on the airport's Abbey Gate. At least 70 people received this notification from Rowdy and took shelter, a testament to his organization and persistence.

Those are the statistics. The personal stories are far more profound. There was Mikey, a brave translator who served alongside U.S. troops. When Mikey's wife and son were shot by the Taliban, Rowdy acted as a personal 911 dispatcher, staying on the line with Mikey's family of four for over 5 days and exhausting countless options to safely deliver them from the throngs outside the airport gates. After nearly a week of constant communication, stopping only to sleep for a few hours a night, Rowdy's direct coordination with U.S. military personnel succeeded in delivering Mikey's family to safety and medical care. When Mikey finally made it through the airport gates, he was crestfallen to learn that Rowdy was in DC, and not there to greet him inside the airport.

My staff described those 2 weeks in August as relentless and exhausting. When Rowdy would take 3 to 4 hours a night to sleep, he would wake to dozens of new messages from people stranded in Kabul, pleading for help. One member of my DC staff, a marine with combat experience in Afghanistan's Helmand province, said the personal toll from 2 weeks of helping desperate people pleading for rescue was more profound and exacting than his wartime service. Yet throughout it all, Rowdy stayed calm, cool, and professional. He kept a relentless focus on his mission. When the final American troops left Afghanistan, Rowdy was instructed to put his phone down for a few days to recover. As a testament to his resilience, he ignored those instructions and kept working on alternate evacuation options for those left behind.

Major Murphy was recently invited to the wedding of one of his evacuees, as a token of deep gratitude and affection for the Air Force major who helped deliver them to safety. His ingenuity, resourcefulness, stamina, and composure under pressure reflect the best that America has to offer.

I want to sincerely thank Rowdy and his wife, Laurel, for a year of exemplary service in my office. But I am especially grateful to him for those 2 weeks in August, when he rose to the challenge that history had thrust upon him. It has been a privilege to watch him work, and he will always have an open door here in my office. It is my sincere hope that the Air Force sees fit to decorate Rowdy after his distinguished service during those dark days. My best to the Murphy family, and ''Banzai!''

ADDITIONAL STATEMENTS

TRIBUTE TO MARK HAGOPIAN AND JAY ANDERSON

● Ms. HASSAN. Madam President, I am proud to recognize Mark Hagopian of Auburn and Jay Anderson of Sandown as November's Granite Staters of the Month. Mark and Jay partnered together to raise COVID–19 relief money for Granite Staters by designing and selling their own special IPA, which they named ''Brain Fog.''

In March of 2020, Mark Hagopian was rushed to Elliot Hospital in Manchester and was immediately admitted to the ICU to be treated for COVID–19. After 3 weeks on a ventilator, Mark miraculously recovered thanks to the hard work of the nurses and medical staff—or ''super heroes,'' as he calls them.

After his recuperation, Mark wanted to help others, which led him to partner with Elliot Hospital to set up the NH COVID–19 Family Relief Fund. Proceeds go to Granite Staters who continue to feel the impacts of the COVID–19 pandemic and can help these individuals with healthcare copays, rehabilitation, groceries, and other costs.

When Mark asked his friend Jay Anderson, owner of From the Barrel Brewing Company in Derry, about teaming up, Jay said it was a ''no-brainer.'' They got to work designing a special IPA with the proceeds going to the NH COVID–19 Family Relief Fund. Since Mark had been a regular customer, Jay knew exactly what type of beer Mark would like, and together, they named the final product ''Brain Fog.''

At the launch event for ''Brain Fog,'' Granite Staters mingled and heard from Mark and Jay about the NH COVID–19 Family Relief Fund. The beer itself was wildly successful, as evidenced by the fact that Mark and Jay sold out of all the cases of ''Brain Fog'' that first weekend. The duo plans to revive the brew and continue fundraising for the Elliot Hospital in the future.

Mark and Jay are shining examples of what it means to be Granite Staters. After undergoing intense medical hardship, Mark turned around and started giving back to his community, and Jay was more than ready to help. Not only did they show impressive innovation and entrepreneurship, but they also brought people together during an especially hard time as our State and country continue to feel the effects of the COVID–19 pandemic. I am honored to name them as Granite Staters of the Month, and I look forward to seeing how their future endeavors continue to make our communities stronger.●

MESSAGE FROM THE HOUSE

At 2:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 44 U.S.C. 2702, and the order of the House of January 4, 2021, the Speaker appoints the following individual on the part of the House of Representatives to the Advisory Committee on the Records of Congress: Mr. Norman Jay Ornstein of Washington, DC.

The message also announced that pursuant to 44 U.S.C. 2702, the Clerk of the House appoints the following individual on the part of the House of Representatives to the Advisory Committee on the Records of Congress: Ms. Danna Bell of Washington, DC.

PRIVILEGED NOMINATION REFERRED TO COMMITTEE

On request by Senator GARY C. PETERS, under the authority of S. Res. 116, 112th Congress, the following nomination was referred to the Committee on Homeland Security and Governmental Affairs: Laurel A. Blatchford, of the District of Columbia, to be Controller, Office of Federal Financial Management, Office of Management and Budget, vice David Arthur Mader.

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–2644. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bifenthrin; Pesticide Tolerances'' (FRL No. 8751–01–OCSPP) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2645. A communication from the Acting Chairman of the Commodity Futures Trading Commission, transmitting, pursuant to law, a report relative to violations of the Antideficiency Act; to the Committee on Appropriations.

EC–2646. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Austin S. Miller, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2647. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Screening the Ready Reserve'' (RIN0790–AL00) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Armed Services.

EC–2648. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13303 with respect to the stabilization of Iraq; to the Committee on Banking, Housing, and Urban Affairs.

EC–2649. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13818 with respect to serious human rights abuse and corruption; to the Committee on Banking, Housing, and Urban Affairs.

EC–2650. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13611 with respect to Yemen; to the Committee on Banking, Housing, and Urban Affairs.

EC–2651. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13959 with respect to the threat from securities investments that finance certain companies of the People's Republic of China; to the Committee on Banking, Housing, and Urban Affairs.

EC–2652. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13667 with respect to the Central African Republic; to the Committee on Banking, Housing, and Urban Affairs.

EC–2653. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13338 with respect to Syria; to the Committee on Banking, Housing, and Urban Affairs.

EC–2654. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency that was declared in Executive Order 12170 of November 14, 1979, with respect to Iran; to the Committee on Banking, Housing, and Urban Affairs.

EC–2655. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency that was declared in Executive Order 12938 of November 14, 1994, with respect to the proliferation of weapons of mass destruction; to the Committee on Banking, Housing, and Urban Affairs.

EC–2656. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency that was declared in Executive Order 13959 of November 12, 2020, with respect to the threat from securities investments that finance certain companies of the People's Republic of China (PRC); to the Committee on Banking, Housing, and Urban Affairs.

EC–2657. A communication from the Sanctions Regulations Advisor, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Ukraine-/Russia-Related Sanctions Regulations'' (31 CFR Part 589) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC–2658. A communication from the Sanctions Regulations Advisor, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Russian Harmful Foreign Activities Sanctions Regulations'' (31 CFR Part 587) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC–2659. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Performance-Based Investment Advisory Fees'' (IA–5904) received in the Office of the President of the Senate on November 15, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC–2660. A communication from the Acting Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Canada, Mexico, and Saudi Arabia; to the Committee on Banking, Housing, and Urban Affairs.

EC–2661. A communication from the Chief of Staff of the Council of Economic Advisers, Executive Office of the President, transmitting, pursuant to law, a report relative to a vacancy in the position of Chair of the Council of Economic Advisers, Executive Office of the President, received in the Office of the President of the Senate on November 15, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC–2662. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; ID; West Silver Valley Redesignation to Attainment for the 2012 Annual PM2.5 Standard'' (FRL No. 8878–02–R10) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Environment and Public Works.

EC–2663. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; California; San Joaquin Valley Air Pollution Control District; Stationary Source Permits'' (FRL No. 8896–02–R9) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Environment and Public Works.

EC–2664. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Arkansas: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 8800–02–R6) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Environment and Public Works.

EC–2665. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances (21–2.B)'' ((RIN2070–AB27) (FRL No. 8585–01–OCSPP)) received in the Office of the President of the Senate on November 16, 2021; to the Committee on Environment and Public Works.

EC–2666. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; California; Antelope Valley Air Quality Management District, Eastern Kern Air Pollution Control District, and Yolo-Solano Air Quality Management District; Combustion Sources; Correcting Amendment'' (FRL No. 8777–03–R9) received in the Office of the President of the Senate on November 16, 2021; to the Committee on Environment and Public Works.

EC–2667. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Plans; 2008 8-Hour Ozone Nonattainment Area Requirements; West Mojave Desert, California'' (FRL No. 8727–03–R9) received in the Office of the President of the Senate on November 16, 2021; to the Committee on Environment and Public Works.

EC–2668. A communication from the Endangered Species Biologist, Branche of Delisting and Foreign Species, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Reclassification of the Humpback Chub From Endangered to Threatened With a Section 4(d) Rule'' (RIN1018–BD47) received in the Office of the President of the Senate on November 16, 2021; to the Committee on Environment and Public Works.

EC–2669. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs; CY 2022 Home Health Prospective Payment System Rate Update; Home Health Value-Based Purchasing Model Requirements and Model Expansion; Home Health and Other Quality Reporting Program Requirements; Home Infusion Therapy Services Requirements; Survey and Enforcement Requirements for Hospice Programs; Medicare Provider Enrollment Requirements; and COVID–19 Reporting Requirements for Long-Term Care Facilities'' (RIN0938–AU37 and RIN0938–AU32) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Finance.

EC–2670. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; CY 2022 Payment Policies under the Physician Fee Schedule and Other Changes to Part B Payment Policies; Medicare Shared Savings Program Requirements; Provider Enrollment Regulation Updates; Provider and Supplier Prepayment and Post-payment Medical Review Requirements'' (RIN0938–AU42) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Finance.

EC–2671. A communication from the Regulations Coordinator, Centers for Medicare

and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs; Omnibus COVID–19 Health Care Staff Vaccination'' (RIN0938–AU75) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Finance.

EC–2672. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; CY 2022 Methadone Payment Exception'' (RIN0938–AU95) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Finance.

EC–2673. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Price Transparency of Hospital Standard Charges; Radiation Oncology Model'' (RIN0938–AU43) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Finance.

EC–2674. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''End-Stage Renal Disease Prospective Payment System, Payment for Renal Dialysis Services Furnished to Individuals with Acute Kidney Injury, End-Stage Renal Disease Quality Incentive Program, and End-Stage Renal Disease Treatment Choices Model'' (RIN0938–AU39) received in the Office of the President of the Senate on November 18, 2021; to the Committee on Finance.

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. BLUMENTHAL (for himself, Mr. SCHUMER, and Mr. LUJÁN):

S. 3276. A bill to prohibit the circumvention of control measures used by Internet retailers to ensure equitable consumer access to products, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. CAPITO (for herself, Mr. INHOFE, Mr. CRAMER, Ms. LUMMIS, Mr. SHELBY, Mr. BOOZMAN, Mr. WICKER, Mr. SULLIVAN, Ms. ERNST, and Mr. GRAHAM):

S. 3277. A bill to enact the Section 401 Certification Rule, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself and Mrs. BLACKBURN):

S. 3278. A bill to protect children and other consumers against hazards associated with the accidental ingestion of button cell or coin batteries by requiring the Consumer Product Safety Commission to promulgate a consumer product safety standard to require child-resistant closures on consumer products that use such batteries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 3279. A bill to extend duty-free treatment provided with respect to imports from Haiti under the Caribbean Basin Economic Recovery Act; to the Committee on Finance.

By Mr. BLUNT (for himself and Ms. KLOBUCHAR):

S. 3280. A bill to establish the Office of Children in Family Security and an Ambassador at Large for Children in Family Security, and for other purposes; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself and Mr. TOOMEY):

S. 3281. A bill to amend the Bill Emerson Good Samaritan Food Donation Act to clarify and expand food donation, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KELLY (for himself and Mr. RISCH):

S. 3282. A bill to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to authorize grants for smart water infrastructure technology, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BOOKER (for himself, Mrs. GILLIBRAND, Mr. SANDERS, Ms. WARREN, and Mr. PADILLA):

S. 3283. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to fully protect the safety of children and the environment, to remove dangerous pesticides from use, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. ROSEN (for herself and Mrs. FISCHER):

S. 3284. A bill to require the Secretary of Veterans Affairs to establish a toll-free telephone helpline for veterans and other eligible individuals to use to obtain information about the benefits and services provided by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOOKER (for himself, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. SANDERS, and Ms. WARREN):

S. 3285. A bill to improve protections for meatpacking workers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3286. A bill to include a Federal defender as a nonvoting member of the United States Sentencing Commission; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself, Mr. DAINES, Mr. RISCH, Mr. CRAMER, Mr. HOEVEN, Mr. LANKFORD, Mr. CASSIDY, Mr. MARSHALL, Mrs. HYDE-SMITH, Mr. LEE, and Ms. MURKOWSKI):

S. 3287. A bill to provide for the development and issuance of a plan to increase oil and gas production on Federal land in conjunction with a drawdown of petroleum reserves from the Strategic Petroleum Reserve; to the Committee on Energy and Natural Resources.

By Mr. WICKER (for himself and Mr. THUNE):

S. 3288. A bill to reauthorize and reform the National Telecommunications and Information Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. DUCKWORTH (for herself, Mr. SULLIVAN, Mrs. MURRAY, Ms. MURKOWSKI, Mr. PADILLA, Mr. DURBIN, and Mr. KING):

S. Res. 460. A resolution designating November 2021 as ''National Runaway Prevention Month''; to the Committee on the Judiciary.

By Mr. BOOKER (for himself and Mr. SULLIVAN):

S. Res. 461. A resolution commemorating and supporting the goals of World AIDS Day; to the Committee on Foreign Relations.

By Ms. SMITH (for herself, Mr. RUBIO, Mr. VAN HOLLEN, Mrs. CAPITO, and Mr. SCOTT of South Carolina):

S. Res. 462. A resolution designating November 2021 as ''National Lung Cancer Awareness Month'' and expressing support for early detection and treatment of lung cancer; considered and agreed to.

By Mr. YOUNG (for himself, Mr. CARDIN, and Mr. BRAUN):

S. Res. 463. A resolution expressing support for the goals of Stomach Cancer Awareness Month; considered and agreed to.

By Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Ms. WARREN, Mr. PORTMAN, Ms. HASSAN, Mr. TILLIS, Mr. MANCHIN, Mrs. HYDE-SMITH, Ms. ROSEN, Mr. RISCH, Ms. SMITH, Mr. MORAN, Mr. WYDEN, Mr. INHOFE, Mr. BOOKER, Mr. CRAMER, Mr. KING, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mrs. BLACKBURN, Mr. BENNET, Mr. THUNE, Mr. CASEY, Mr. BARRASSO, Mr. WHITEHOUSE, Mr. HOEVEN, Mrs. FEINSTEIN, Mr. SCOTT of South Carolina, Mr. BOOZMAN, Mr. COONS, Mr. BROWN, Mrs. FISCHER, Mr. WARNOCK, Mr. BURR, Mr. WICKER, Mr. SCOTT of Florida, Mr. HAWLEY, Ms. LUMMIS, Mrs. CAPITO, Mr. HAGERTY, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. LANKFORD, and Ms. STABENOW):

S. Res. 464. A resolution expressing support for the goals of National Adoption Month and National Adoption Day by promoting national awareness of adoption and the children waiting for adoption, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children; considered and agreed to.

ADDITIONAL COSPONSORS

S. 300

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 300, a bill to address the history of discrimination against Black farmers and ranchers, to require reforms within the Department of Agriculture to prevent future discrimination, and for other purposes.

S. 385

At the request of Mr. BROWN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 385, a bill to improve the full-service community school program, and for other purposes.

S. 697

At the request of Ms. ROSEN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 697, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the Bicentennial of Harriet Tubman's birth.

S. 766

At the request of Ms. CORTEZ MASTO, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 766, a bill to amend the

Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with consumer claim awards.

S. 773

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 773, a bill to enable certain hospitals that were participating in or applied for the drug discount program under section 340B of the Public Health Service Act prior to the COVID–19 public health emergency to temporarily maintain eligibility for such program, and for other purposes.

S. 864

At the request of Mr. KAINE, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 864, a bill to extend Federal Pell Grant eligibility of certain short-term programs.

S. 923

At the request of Mr. PORTMAN, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 923, a bill to require the Administrator of the Environmental Protection Agency to establish a consumer recycling education and outreach grant program, and for other purposes.

S. 958

At the request of Ms. ROSEN, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to expand the allowable use criteria for new access points grants for community health centers.

S. 1302

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1302, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1488

At the request of Ms. DUCKWORTH, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1488, a bill to amend title 37, United States Code, to establish a basic needs allowance for low-income regular members of the Armed Forces.

S. 1512

At the request of Mr. SCHATZ, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1512, a bill to amend title XVIII of the Social Security Act to expand access to telehealth services, and for other purposes.

S. 1651

At the request of Mrs. BLACKBURN, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 1651, a bill to impose certain measures with respect to Hizballah-affected areas in Latin America and the Caribbean and to impose sanctions with respect to senior foreign political figures in Latin America who support Hizballah, and for other purposes.

S. 1698

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 1698, a bill to allow for hemp-derived cannabidiol and hemp-derived cannabidiol containing substances in dietary supplements and food.

S. 1859

At the request of Ms. DUCKWORTH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1859, a bill to amend title 37, United States Code, to require the Secretary concerned to pay a member in the reserve component of an Armed Force a special bonus or incentive pay in the same amount as a member in the regular component of that Armed Force.

S. 1964

At the request of Mr. BENNET, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1964, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account, and for other purposes.

S. 1988

At the request of Mr. MANCHIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1988, a bill to amend title XVIII of the Social Security Act to protect access to telehealth services under the Medicare program.

S. 2036

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2036, a bill to amend the Packers and Stockyards Act, 1921, to establish the Office of the Special Investigator for Competition Matters, and for other purposes.

S. 2328

At the request of Ms. DUCKWORTH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2328, a bill to direct the Presidential designee under the Uniformed and Overseas Citizens Absentee Voting Act to develop and implement a plan to provide end-to-end electronic voting services for absent uniformed services voters under such Act who are deployed or mobilized to locations with limited or immature postal service.

S. 2562

At the request of Ms. STABENOW, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 2562, a bill to amend title XVIII of the Social Security Act to improve extended care services by providing Medicare beneficiaries with an option for cost effective home-based extended care under the Medicare program, and for other purposes.

S. 2597

At the request of Mr. GRASSLEY, the names of the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 2597, a bill to amend the Animal Health Protection Act with respect to the importation of live dogs, and for other purposes.

S. 2706

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 2706, a bill to improve diversity in clinical trials and data collection for COVID–19 and future public health threats to address social determinants of health.

S. 2765

At the request of Mr. BRAUN, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 2765, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 2879

At the request of Mr. LANKFORD, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 2879, a bill to provide that Executive Orders 14042 and 14043 shall have no force or effect.

S. 2959

At the request of Mr. THUNE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 2959, a bill to provide that, due to disruptions caused by COVID–19, applications for impact aid funding for fiscal year 2023 may use certain data submitted in the fiscal year 2022 application.

S. 3029

At the request of Mr. LUJÁN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3029, a bill to amend section 230(c) of the Communications Act of 1934 to remove immunity for providers of interactive computer services for certain claims, and for other purposes.

S. 3094

At the request of Mr. MORAN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3094, a bill to amend title 38, United States Code, to improve homeless veterans reintegration programs, and for other purposes.

S. 3161

At the request of Mrs. BLACKBURN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3161, a bill to require the Secretary of Defense to carry out a pilot program to supplement the Transition Assistance Program of the Department of Defense.

S. 3181

At the request of Mr. BLUMENTHAL, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3181, a bill to prohibit certain foreign and domestic emoluments, and for other purposes.

S. 3215

At the request of Mr. ROUNDS, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 3215, a bill to amend the Act of August 10, 1956, to provide for the payment of pay and allowances for certain officers of the Army who are assigned to the Corps of Engineers.

S. 3227

At the request of Ms. DUCKWORTH, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3227, a bill to require U.S. Citizenship and Immigration Services to facilitate naturalization services for noncitizen veterans who have been removed from the United States or are inadmissible.

S. 3235

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 3235, a bill to apply the Truth in Lending Act to small business financing, and for other purposes.

S.J. RES. 31

At the request of Mr. PAUL, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S.J. Res. 31, a joint resolution providing for congressional disapproval of the proposed foreign military sale to the Kingdom of Saudi Arabia of certain defense articles.

AMENDMENT NO. 3990

At the request of Ms. ERNST, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 3990 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4068

At the request of Mr. MERKLEY, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Illinois (Mr. DURBIN), the Senator from Delaware (Mr. CARPER), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of amendment No. 4068 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4069

At the request of Mr. MERKLEY, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 4069 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4306

At the request of Mr. BLUMENTHAL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 4306 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4316

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 4316 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4482

At the request of Mr. HOEVEN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4482 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4799

At the request of Mr. PETERS, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of amendment No. 4799 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4860

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 4860 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BARRASSO (for himself, Mr. DAINES, Mr. RISCH, Mr. CRAMER, Mr. HOEVEN, Mr. LANKFORD, Mr. CASSIDY, Mr. MARSHALL, Mrs. HYDE-SMITH, Mr. LEE, and Ms. MURKOWSKI):

S. 3287. A bill to provide for the development and issuance of a plan to increase oil and gas production on Federal land in conjunction with a drawdown of petroleum reserves from the Strategic Petroleum Reserve; to the Committee on Energy and Natural Resources.

Mr. BARRASSO. Mr. President, I come to the floor today to talk about the need for more American energy, not energy that the President is begging to OPEC or Russia to produce for America but American energy.

Last week, President Biden ordered the release of oil from the Strategic Petroleum Reserve. The President, by doing that, in my opinion, is just pretending to show concern about the high cost of energy in this country. I will get into why I think he is only pretending to show it because the amount he released is so very little. In reality, this President's call to release energy oil from the Strategic Petroleum Reserve was an admission of failure of this President and this administration.

Releasing oil from the Reserve is something that Presidents did in the past during times of war, the Iraq war, after Hurricane Katrina, and during the Arab Spring. In other words, it is something Presidents do in times of crisis.

Well, President Biden doesn't want to admit that he has created an emergency crisis in our country, but his actions of calling on the release from the Strategic Reserve—the actions speak louder than his words. By releasing oil from the Reserve now, the President is admitting what every American knows, that America has an energy crisis and it is not for lack of the fact that we have plenty of energy reserves here in the United States.

Last week, an estimated 50 million people over Thanksgiving weekend took to the roads. Those who drove paid the most for gasoline that they have in 7 years. Gasoline and diesel fuel prices are sky-high, and they have increased more than a dollar a gallon since Joe Biden took office just in January.

Why is it happening? Well, it is economics 101, really. You have demand; you have supply. Demand is up; supply is down. With the end of the lockdown, demand for gasoline has increased as people took to the roads. Yet domestic supply is still below the peak that we reached under President Trump.

The Biden administration wants us to believe that releasing oil will solve the problem when he taps the Strategic Reserve, but I don't even think President Biden believes it. I am not sure they actually know what they are doing. If you watched that press conference with the Secretary of Energy last week, she was asked how much oil the American people use. She admitted she didn't know. She said: I don't have a number in front of me. She didn't

know how much oil, how much energy Americans use. The Nation's top energy official doesn't know how much oil the American people use so how can she then know that the amount to call for the release is the right amount or not? She is President Biden's top lieutenant in the war on American energy. She doesn't know how much we use.

Well, the media has broadly reported that the total amount that Joe Biden is releasing from the Petroleum Reserve is what the American people use every 2½ days—every 2½ days. That is the total amount that is being released. It is the amount that we in the United States use every 2½ days. This is a drop in the bucket when it comes to oil prices and energy prices and what people are paying at the pump.

It is not a long-term solution. It is not even a short-term solution. It is just a carefully created sound bite. Oil production is down by nearly 2 million barrels a day compared to the peak under President Trump. It is not a surprise when you take a look at the attack on American energy that President Biden and this administration have continued to do since day 1, when he killed the Keystone XL Pipeline.

The administration also announced last week, without any fanfare, without the President making a statement at the White House—the Department of the Interior said: Oh, by the way, American people, we are going to do this the day after Thanksgiving, when you are busy doing other things, maybe going shopping, doing other things and not paying attention to the news of the day. This administration called for additional fees, more taxes, more expenses on oil and gas leases on Federal land. That impacts my State dramatically. This is in addition to the fees that the President is also including in this massive tax-and-spending bill that the Senate is going to be considering.

This is also economics 101. Higher fees on the cost of producing oil means higher prices for people at the pump—astonishing—making it harder to produce and more expensive to produce American energy. Begging OPEC and Russia to produce more to sell to us is a jackpot for Vladimir Putin. So if President Biden and his Department of the Interior get their way, the prices will go up even higher. Inflation is here to stay under the Democrats.

The American people deserve better. They deserve real solutions in this energy crisis that this administration has created. Higher fees are only going to get passed on to consumers. Instead of spending our savings, we should be producing more American energy. Why are we sending this money to Vladimir Putin and begging him to produce more so we can send him even more money? That is the policy of this administration.

Today, I am introducing legislation that says an administration needs to develop a plan to increase oil and gas production anytime an administration taps the Reserve unless there is an energy supply emergency like Katrina, like a war. Those are the things that are legitimate reasons to release energy from the Strategic Reserve. The Reserve is for emergencies, not for sound bites. It is not supposed to be a bandaid for bad policies.

If the President is tapping the Reserve, he also ought to increase American energy production. So I urge my colleagues to return to the policies that gave us the best economic times in my lifetime, return to the policies that made us energy-independent as a nation for the first time in 70 years, return to the policies that made us the No. 1 producer of petroleum in the world. We are much stronger and better as a nation if we are selling American energy to our friends than if we have to buy it from our enemies. Apparently, the President does not fully grasp that or believe in that or he would not be begging Vladimir Putin to produce more energy; he would be encouraging America to produce more energy, which we have here.

It is time to stop the restrictions on energy production, time to stop the rush to raise billions in taxes, time to stop the President and the Democrats' declared war on American energy.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 460—DESIGNATING NOVEMBER 2021 AS ''NATIONAL RUNAWAY PREVENTION MONTH''

Ms. DUCKWORTH (for herself, Mr. SULLIVAN, Mrs. MURRAY, Ms. MURKOWSKI, Mr. PADILLA, Mr. DURBIN, and Mr. KING) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 460

Whereas results from the Voices of Youth Count national survey, which was published by Chapin Hall at the University of Chicago in ''Missed Opportunities: Youth Homelessness in America'', indicate that, between 2015 and 2017, an estimated 4,200,000 youth and young adults between 13 and 24 years of age experienced homelessness during a 12-month period, including—

(1) an estimated 700,000 youth between 13 and 17 years of age who experienced unaccompanied homelessness; and

(2) an estimated 3,500,000 young adults between 18 and 24 years of age;

Whereas the rates of youth experiencing homelessness are similar in rural and nonrural areas;

Whereas, often, runaway youth—

(1) have been expelled from their homes by their families;

(2) have experienced abuse and trauma;

(3) are involved in the foster care system;

(4) lack resources to secure their own basic needs; and

(5) are ineligible or unable to access medical or mental health resources;

Whereas individuals without a high school degree or general educational development certificate are nearly four times more likely to report homelessness than their peers;

Whereas youth of color and lesbian, gay, bisexual, transgender, queer, or questioning (commonly referred to as ''LGBTQ'') youth experience higher rates of homelessness than their heterosexual and white peers;

Whereas pregnant youth, parents who are 25 years of age or younger, and their children experience higher rates of homelessness than youth and young adults without children;

Whereas American Indian and Alaska Native youth are the group most at risk for experiencing homelessness, as 9 percent of 13 to 17 year olds in such group reported experiencing homelessness during a 12-month period, a rate more than double any other group;

Whereas runaway and homeless youth are at an increased risk of exploitation and becoming victims of sex and labor trafficking, and between 19 percent and 49 percent of young individuals who experience homelessness will become victims of trafficking;

Whereas youth who run away from home or from foster care are at increased risk of encountering the police and the court system due to laws that prohibit certain actions necessary for the survival of homeless youth;

Whereas preventing youth from running away from home and from foster care and supporting youth in high risk situations should be community priorities;

Whereas the future of the United States depends on children and the value placed on their ability to acquire the knowledge, skills, and opportunities necessary to successfully develop into safe, healthy, and productive adults;

Whereas the COVID–19 pandemic, which was declared a national emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.), has negatively impacted homeless youth;

Whereas effective programs that support runaway youth and assist youth and their families by providing safe and stable homes succeed because of partnerships created among families, youth-based advocacy organizations, community-based human service agencies, law enforcement agencies, schools, faith-based organizations, and businesses; and

Whereas the National Runaway Safeline and the National Network for Youth are leading the promotion of National Runaway Prevention Month in November 2021—

(1) to raise awareness of the runaway and homeless youth crisis and the issues faced by runaway and homeless youth;

(2) to educate the public about solutions and the role the public can play in ending youth homelessness; and

(3) to bring together a broad range of stakeholders to tackle the crisis of youth homelessness: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 2021 as ''National Runaway Prevention Month''; and

(2) recognizes and supports the goals and ideals of National Runaway Prevention Month.

SENATE RESOLUTION 461—COMMEMORATING AND SUPPORTING THE GOALS OF WORLD AIDS DAY

Mr. BOOKER (for himself and Mr. SULLIVAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 461

Whereas, as of the end of 2020, an estimated 37,700,000 people were living with human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS), including 1,720,000 children;

Whereas, in the United States, more than 770,000 people with AIDS have died since the beginning of the HIV epidemic, including

nearly 16,000 deaths among people with diagnosed HIV in 2019, with the disease disproportionately affecting communities of color;

Whereas each year nearly 40,000 people become newly diagnosed with HIV in the United States;

Whereas communities of color are disproportionately affected by HIV in the United States;

Whereas, in order to address the HIV epidemic in the United States, on August 18, 1990, Congress enacted the Ryan White Comprehensive AIDS Resources Emergency Act (Public Law 101–381; commonly referred to as the ''Ryan White CARE Act'') to provide primary medical care and essential support services for people living with HIV who are uninsured or underinsured;

Whereas the Ryan White HIV/AIDS Program provides services and support for over half of all people diagnosed with HIV in the United States;

Whereas to further focus attention on the HIV/AIDS epidemic among minority communities in the United States, in 1998 the Minority AIDS Initiative was established to provide funds to State and local institutions and organizations to best serve the health care costs and support the needs of racial and ethnic minorities living with HIV;

Whereas the United Nations Sustainable Development Goals established a global target to end AIDS as a public health threat by 2030;

Whereas, in order to further address the global HIV/AIDS epidemic, in 2003, Congress and the White House created the President's Emergency Plan for AIDS Relief (PEPFAR);

Whereas the United States President's Emergency Plan for AIDS Relief (PEPFAR) program remains the largest commitment in history by any country to combat a single disease;

Whereas, as of 2020, PEPFAR has supported treatment for approximately 17,200,000 people, and has enabled 2,800,000 infants of mothers living with HIV to be born HIV-free;

Whereas, in fiscal year 2020, PEPFAR directly supported HIV testing and counseling for 50,000,000 people;

Whereas the Global Fund to Fight AIDS, Tuberculosis and Malaria was launched in 2002, and, as of 2020, has helped provide antiretroviral therapy to approximately 21,900,000 people living with HIV/AIDS and to 686,000 pregnant women to prevent the transmission of HIV/AIDS to their children, saving an estimated 44,000,000 lives;

Whereas the United States is the largest donor to the Global Fund to Fight AIDS, Tuberculosis and Malaria, and every $1 contributed by the United States leverages an additional $2 from other donors, as required by law;

Whereas considerable progress has been made in the fight against HIV/AIDS, including a nearly 30-percent reduction in new HIV infections, an over 50-percent reduction in new HIV infections among children, and an over 45-percent reduction in the number of AIDS-related deaths between 2010 and 2020;

Whereas approximately 27,500,000 people had access to antiretroviral therapy in 2020, compared to only 7,800,000 people who had access to such therapy in 2010;

Whereas research funded by the National Institutes of Health found that HIV treatment not only saves the lives of people living with HIV, but people living with HIV on effective antiretroviral therapy and who are durably virally suppressed cannot sexually transmit HIV—proving that HIV treatment is prevention;

Whereas it is estimated that, without treatment, half of all infants living with HIV will die before their second birthday;

Whereas, despite the remarkable progress in combating HIV, significant challenges remain;

Whereas there were approximately 1,500,000 new HIV infections in 2020 globally, structural barriers continue to make testing and treatment programs inaccessible to highly vulnerable populations, and an estimated 6,100,000 people living with HIV globally still do not know their HIV status;

Whereas the Centers for Disease Control and Prevention reports that nearly 37,000 people were diagnosed with HIV in the United States in 2018 and 14 percent of the 1,200,000 people in the United States living with HIV are not aware of their HIV status;

Whereas men who have sex with men (MSM), particularly young MSM of color, are the population most affected by HIV in the United States;

Whereas southern States bear the greatest burden of HIV in the United States, accounting for 51 percent of new infections in 2018;

Whereas people living with HIV are frequently susceptible to other infections, such as hepatitis B and C and tuberculosis;

Whereas the opioid and heroin epidemics have led to increased numbers of new HIV infections among people who inject drugs, and the crisis has disproportionately affected nonurban areas, where HIV prevalence rates have been low historically and have limited services for HIV prevention and treatment and substance use disorder treatment;

Whereas the COVID–19 pandemic has placed a significant burden on the public health systems across the United States and the globe;

Whereas December 1 of each year is internationally recognized as ''World AIDS Day''; and

Whereas, in 2021, commemorations for World AIDS Day recognize the need for ''Ending the HIV Epidemic: Equitable Access, Everyone's Voice'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World AIDS Day, including the goal to achieve zero new HIV infections, zero discrimination, and zero AIDS-related deaths;

(2) commends the efforts and achievements in combating HIV/AIDS through the Ryan White HIV/AIDS Treatment Extension Act, the Minority HIV/AIDS Initiative, the Centers for Disease Control and Prevention, the National Institutes of Health, the Substance Abuse and Mental Health Services Administration, the Office of Minority Health, and the Office of the Secretary of Health and Human Services;

(3) commends the efforts and achievements in combating HIV/AIDS made by PEPFAR, the Global Fund to Fight AIDS, Tuberculosis and Malaria, and the Joint United Nations Programme on HIV/AIDS;

(4) supports efforts to end the HIV epidemic in the United States and around the world by 2030;

(5) supports continued funding for prevention, care, and treatment services, and research programs for communities impacted by HIV and people living with HIV in the United States and globally;

(6) urges, in order to ensure that an AIDS-free generation is achievable, rapid action by all countries toward further expansion and scale-up of antiretroviral treatment programs, including efforts to reduce disparities and improve access for children to life-saving medications;

(7) encourages the scaling up of comprehensive prevention services, including biomedical and structural interventions, to ensure inclusive access to programs and appropriate protections for all people at risk of contracting HIV, especially in communities disproportionately impacted;

(8) calls for greater focus on the HIV-related vulnerabilities of women and girls, including women and girls at risk for or who have survived violence or faced discrimination as a result of the disease;

(9) supports continued leadership by the United States in domestic, bilateral, multilateral, and private sector efforts to fight HIV;

(10) encourages input from civil society in the development and implementation of domestic and global HIV policies and programs that guide the response;

(11) encourages and supports greater degrees of ownership and shared responsibility by developing countries in order to ensure the sustainability of the domestic responses to HIV/AIDS by those countries; and

(12) urges other members of the international community to sustain and scale up their support for and financial contributions to efforts around the world to combat HIV.

SENATE RESOLUTION 462—DESIGNATING NOVEMBER 2021 AS ''NATIONAL LUNG CANCER AWARENESS MONTH'' AND EXPRESSING SUPPORT FOR EARLY DETECTION AND TREATMENT OF LUNG CANCER

Ms. SMITH (for herself, Mr. RUBIO, Mr. VAN HOLLEN, Mrs. CAPITO, and Mr. SCOTT of South Carolina) submitted the following resolution; which was considered and agreed to:

S. RES. 462

Whereas lung cancer is the leading cause of cancer-related death among men and women in the United States, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined;

Whereas 1 in 15 men and 1 in 17 women in the United States will develop lung cancer during their lifetime;

Whereas it is estimated that, in 2021, 235,760 individuals in the United States will be diagnosed with lung cancer, and 131,880 individuals will die from the disease;

Whereas lung cancer incidence is decreasing twice as fast in men as in women, each year more women die from lung cancer than breast cancer, and by 2035, it is estimated that more women will die from lung cancer than men;

Whereas disparities in lung cancer screening, diagnosis, treatment, and mortality are well-documented, and Black men have the highest incidence of lung cancer and the highest mortality rate from lung cancer of any racial or ethnic group;

Whereas, annually, lung cancer in individuals who have never smoked is the seventh leading cause of cancer-related death and accounts for between 17,000 and 26,000 deaths in the United States;

Whereas women who have never smoked are more likely to be diagnosed with lung cancer than men who have never smoked;

Whereas, in the United States, the proportion of lung cancers diagnosed in individuals who have never smoked is increasing;

Whereas the 5-year survival rate for localized lung cancer is 60 percent, yet only about 18 percent of lung cancers are diagnosed at this stage;

Whereas screening individuals at high risk of lung cancer using low-dose computed tomography can detect lung cancer earlier than other forms of screening and ultimately save lives;

Whereas lung cancer screening can effectively reduce lung cancer mortality, but, annually, only between 2.8 and 7.2 percent of individuals in the United States eligible for

lung cancer screening undergo lung cancer screening with low-dose computed tomography;

Whereas current lung cancer screening guidelines help catch cancer early for individuals at high risk of lung cancer, leading to a higher likelihood of successful treatment, but can preclude screening for individuals who develop lung cancer, including individuals who have never smoked but have other risk factors, such as family history of lung cancer, exposure to secondhand smoke, or exposure to radon, which is the second leading cause of lung cancer; and

Whereas educational efforts can increase awareness of lung cancer and lung cancer screening among the general public, patients and their families, and health care workers, thereby increasing the early detection of lung cancer: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 2021 as ''National Lung Cancer Awareness Month'';

(2) supports the purposes and ideals of National Lung Cancer Awareness Month;

(3) promotes efforts to increase awareness of, and education about, lung cancer among individuals in the United States;

(4) champions efforts to increase lung cancer screening by raising awareness among, and improving access for, individuals who are eligible for lung cancer screening;

(5) recognizes the need for research on the early screening, diagnosis, and treatment of lung cancer; and

(6) encourages the people of the United States to observe National Lung Cancer Awareness Month with appropriate awareness and educational activities.

SENATE RESOLUTION 463—EXPRESSING SUPPORT FOR THE GOALS OF STOMACH CANCER AWARENESS MONTH

Mr. YOUNG (for himself, Mr. CARDIN, and Mr. BRAUN) submitted the following resolution; which was considered and agreed to:

S. RES. 463

Whereas stomach cancer, also known as gastric cancer, is one of the most difficult cancers to detect in the early stages of the disease, which contributes to high mortality rates;

Whereas stomach cancer occurs when cancer cells develop in the lining of the stomach;

Whereas stomach cancer is the fifth most common type of cancer worldwide;

Whereas, in 2021, an estimated—

(1) 26,560 cases of stomach cancer will be diagnosed in the United States; and

(2) 11,180 people in the United States will die from stomach cancer;

Whereas the estimated 5-year survival rate for stomach cancer is only 32.4 percent;

Whereas, in the United States, stomach cancer is more prevalent among racial and ethnic minorities;

Whereas increased awareness of, and education about, stomach cancer among patients and health care providers could improve timely recognition of stomach cancer symptoms;

Whereas more research into early diagnosis, screening, and treatment for stomach cancer is needed; and

Whereas November 2021 is an appropriate month to observe Stomach Cancer Awareness Month: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of Stomach Cancer Awareness Month;

(2) supports efforts to increase awareness of, and education about, stomach cancer among the general public of the United States;

(3) recognizes the need for additional research into early diagnosis, screening, and treatment for stomach cancer; and

(4) encourages States, territories, and localities of the United States to support the goals of Stomach Cancer Awareness Month.

SENATE RESOLUTION 464—EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION MONTH AND NATIONAL ADOPTION DAY BY PROMOTING NATIONAL AWARENESS OF ADOPTION AND THE CHILDREN WAITING FOR ADOPTION, CELEBRATING CHILDREN AND FAMILIES INVOLVED IN ADOPTION, AND ENCOURAGING THE PEOPLE OF THE UNITED STATES TO SECURE SAFETY, PERMANENCY, AND WELL-BEING FOR ALL CHILDREN

Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Ms. WARREN, Mr. PORTMAN, Ms. HASSAN, Mr. TILLIS, Mr. MANCHIN, Mrs. HYDE-SMITH, Ms. ROSEN, Mr. RISCH, Ms. SMITH, Mr. MORAN, Mr. WYDEN, Mr. INHOFE, Mr. BOOKER, Mr. CRAMER, Mr. KING, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mrs. BLACKBURN, Mr. BENNET, Mr. THUNE, Mr. CASEY, Mr. BARRASSO, Mr. WHITEHOUSE, Mr. HOEVEN, Mrs. FEINSTEIN, Mr. SCOTT of South Carolina, Mr. BOOZMAN, Mr. COONS, Mr. BROWN, Mrs. FISCHER, Mr. WARNOCK, Mr. BURR, Mr. WICKER, Mr. SCOTT of Florida, Mr. HAWLEY, Ms. LUMMIS, Mrs. CAPITO, Mr. HAGERTY, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. LANKFORD, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 464

Whereas there are far too many children outside of permanent family care and in the United States foster care system, who are waiting to be adopted;

Whereas the Children's Bureau, an office of the Administration for Children and Families within the Department of Health and Human Services, supports programs, research, and monitoring to help eliminate barriers to adoption and find permanent families for children;

Whereas, every day, loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas the coronavirus disease 2019 (COVID–19) pandemic has presented unprecedented challenges to—

(1) the United States;

(2) the foster care system, including kinship care;

(3) prospective adoptive parents; and

(4) the children awaiting permanency;

Whereas foster care systems, prospective adoptive parents, and the children awaiting permanency have stepped up in brave and inspiring ways in order to meet these challenges;

Whereas the President traditionally issues an annual proclamation to declare the month of November as National Adoption Month, and the President has proclaimed November 2021 as National Adoption Month;

Whereas National Adoption Day has been celebrated as a collective national effort to find permanent and loving families for children in the foster care system; and

Whereas the Saturday before Thanksgiving has been recognized as National Adoption Day since at least 2000, and in 2021, the Saturday before Thanksgiving is November 20: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Adoption Month and National Adoption Day;

(2) recognizes that every child should have a permanent and loving family; and

(3) encourages the people of the United States to consider adoption during the month of November and throughout the year.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4861. Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Ms. ERNST, Mr. COONS, Mr. RUBIO, and Mr. WARNOCK) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4862. Mrs. FEINSTEIN (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4861. Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Ms. ERNST, Mr. COONS, Mr. RUBIO, and Mr. WARNOCK) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, insert the following:

SEC. 1216. STRATEGY TO SUPPORT NATIONALS OF AFGHANISTAN WHO ARE APPLICANTS FOR SPECIAL IMMIGRANT VISAS OR FOR REFERRAL TO THE UNITED STATES REFUGEE ADMISSIONS PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should increase support for nationals of Afghanistan who aided the United States mission in Afghanistan during the past 20 years and are now under threat from the Taliban, specifically such nationals of Afghanistan, in Afghanistan or third countries, who are applicants for—

(1) special immigrant visas under the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note; Public Law 111–8) or section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note; Public Law 109–163); or

(2) referral to the United States Refugee Admissions Program as refugees (as defined in section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42))), including as Priority 2 refugees.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Homeland Security and the heads of other relevant Federal departments and agencies, shall submit to the appropriate committees of Congress a strategy for the safe processing abroad of nationals of Afghanistan described in subsection (a).

(2) ELEMENTS.—The strategy required by paragraph (1) shall include a detailed plan—

(A) to prioritize for evacuation from Afghanistan nationals of Afghanistan described in subsection (a);

(B) to provide for expedited initial security vetting for such nationals of Afghanistan, to be conducted remotely before their departure from Afghanistan;

(C) to facilitate, after such vetting, the rapid departure from Afghanistan by air charter and land passage of such nationals of Afghanistan who satisfy the requirements of such vetting;

(D) to provide letters of support, diplomatic notes, and other documentation, as appropriate, to ease transit for such nationals of Afghanistan;

(E) to engage governments of relevant countries to better facilitate evacuation of such nationals of Afghanistan;

(F) to disseminate frequent updates to such nationals of Afghanistan and relevant nongovernmental organizations with respect to evacuation from Afghanistan;

(G) to identify and establish sufficient locations outside Afghanistan and the United States that will accept such nationals of Afghanistan during case processing (including during the processes of vetting and establishing the eligibility of such nationals of Afghanistan before their travel to the United States, which shall include any in-person interview required for full adjudication of a case and, in the case of a special immigrant visa, issuance of such visa) for—

(i) the special immigrant visas described in paragraph (1) of subsection (a); or

(ii) referral to, and acceptance for resettlement in the United States by, the United States Refugee Admissions Program described in paragraph (2) of that subsection;

(H) to identify necessary resource, personnel, and equipment requirements to increase capacity to better support such nationals of Afghanistan and reduce their application processing times, while ensuring strict and necessary security vetting, including, to the extent practicable, by allowing such nationals of Afghanistan to receive referrals to the United States Refugee Admissions Program while they are still in Afghanistan so as to initiate application processing more expeditiously; and

(I) to provide for relocation outside Afghanistan to third countries for nationals of Afghanistan described in subsection (a) who are unable to successfully complete security vetting and application processing to establish eligibility to travel to the United States.

(3) FORM.—The strategy required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) MONTHLY REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and monthly thereafter until December 31, 2022, the Secretary of State, in coordination with the Secretary of Homeland Security and the heads of other relevant Federal departments and agencies, shall submit to the appropriate committees of Congress a report on efforts to support nationals of Afghanistan described in subsection (a).

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) The number of nationals of Afghanistan referred to the United States Refugee Admissions Program as Priority 1 and Priority 2 refugees since August 29, 2021.

(B) An assessment of whether each such refugee—

(i) remains in Afghanistan; or

(ii) is outside Afghanistan.

(C) With respect to nationals of Afghanistan who have applied for referral to the United States Refugee Program, the number applications that—

(i) have been approved;

(ii) have been denied; and

(iii) are pending adjudication.

(D) The number of nationals of Afghanistan who have pending applications for special immigrant visas described in subsection (a)(1), disaggregated by the special immigrant visa processing steps completed with respect to such individuals.

(E) A description of the measures taken to implement the strategy under subsection (b).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs; and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on Homeland Security, and the Committee on Armed Services of the House of Representatives.

SA 4862. Mrs. FEINSTEIN (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. STATUS OF WOMEN AND GIRLS IN AFGHANISTAN.

(a) FINDINGS.—Congress finds the following:

(1) Since May 2021, the escalation of violent conflict in Afghanistan has forcibly displaced an estimated 655,000 civilians, and 80 percent of those forced to flee are women and children.

(2) Since regaining control of Afghanistan in August 2021, the Taliban have taken actions reminiscent of their brutal rule in the late 1990s, including by cracking down on protesters, detaining and beating journalists, reestablishing the Ministry for the Promotion of Virtue and Prevention of Vice, and requiring women to study at secondary schools and universities in gender-segregated classrooms while wearing Islamic attire.

(3) Until the Taliban assumed control of the country in August 2021, the women and girls of Afghanistan had achieved much since 2001, even as insecurity, poverty, underdevelopment, and patriarchal norms continued to limit their rights and opportunities in much of Afghanistan.

(4) Through strong support from the United States and the international community—

(A) female enrollment in public schools in Afghanistan continued to increase through 2015, with an estimated high of 50 percent of school age girls attending; and

(B) by 2019—

(i) women held political leadership positions, and women served as ambassadors; and

(ii) women served as professors, judges, prosecutors, defense attorneys, police, military members, health professionals, journalists, humanitarian and developmental aid workers, and entrepreneurs.

(5) Efforts to empower women and girls in Afghanistan continue to serve the national interests of Afghanistan and the United States because women are sources of peace and economic progress.

(6) With the return of Taliban control, the United States has little ability to preserve the internationally recognized human rights of women and girls in Afghanistan, and those women and girls may again face the intimidation and marginalization they faced under the last Taliban regime.

(7) Women and girls in Afghanistan are again facing gender-based violence, including—

(A) forced marriage;

(B) intimate partner and domestic violence;

(C) sexual harassment;

(D) sexual violence, including rape; and

(E) emotional and psychological violence.

(8) Gender-based violence has always been a significant problem in Afghanistan and is expected to become more widespread with the Taliban in control.

(9) Prior to the Taliban takeover in August 2021, approximately 7,000,000 people in Afghanistan lacked or had limited access to life-saving health services as a result of inadequate public health coverage, weak health systems, and conflict-related interruptions in care.

(10) Women and girls faced additional challenges, as their access to prenatal, childbirth, and postpartum care was limited due to a shortage of female medical staff, cultural barriers, stigma and fears of reprisals following sexual violence, or other barriers to mobility, including security fears.

(11) Only approximately 50 percent of pregnant women and girls in Afghanistan deliver their children in a health facility with a professional attendant, which increases the risk of complications in childbirth and preventable maternal mortality.

(12) Food insecurity in Afghanistan is also posing a variety of threats to women and girls, as malnutrition weakens their immune systems and makes them more susceptible to infections, complications during pregnancy, and risks during childbirth.

(13) With the combined impacts of ongoing conflict, drought, and COVID–19, Afghan households increasingly resort to child marriage, forced marriage, and child labor to address food insecurity and other effects of extreme poverty.

(14) In Afghanistan, the high prevalence of anemia among adolescent girls reduces their ability to survive childbirth, especially when coupled with high rates of child marriage and forced marriage and barriers to accessing prenatal and childbirth services.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) since 2001, organizations and networks promoting the empowerment of women and girls have been important engines of social, economic, and political development in Afghanistan;

(2) any future political order in Afghanistan should secure the political, economic, and social gains made by Afghan women and work to increase the equal treatment of women and girls in society;

(3) respecting the internationally recognized human rights of all people is essential to securing lasting peace and sustainable development in Afghanistan;

(4) in cooperation with international partners, the United States must endeavor to

preserve the hard-won gains made in Afghanistan during the past two decades, particularly as related to the social, economic, and political empowerment of women and girls in society;

(5) the continued provision of humanitarian assistance in Afghanistan should be targeted toward the most vulnerable, including for the protection, education, and well-being of women and girls;

(6) immediate and ongoing humanitarian needs in Afghanistan can only be met by a humanitarian response that includes formal agreements between local nongovernmental organizations, including women-led organizations, and international partners that promotes the safe access and participation of female staff at all levels and across functional roles among all humanitarian actors; and

(7) a lack of aid would exacerbate the current humanitarian crisis and harm the well-being of women and girls in Afghanistan.

(c) POLICY OF THE UNITED STATES REGARDING THE RIGHTS OF WOMEN AND GIRLS OF AFGHANISTAN.—

(1) IN GENERAL.—It is the policy of the United States—

(A) to continue to support the internationally recognized human rights of women and girls in Afghanistan following the withdrawal of the United States Armed Forces from Afghanistan, including through mechanisms to hold all parties publicly accountable for violations of such rights against women and girls and violations and abuses of international humanitarian law;

(B) to strongly oppose any weakening of the political or economic rights of women and girls in Afghanistan;

(C) to use the voice and influence of the United States at the United Nations to promote, respect, and uphold the internationally recognized human rights of women and girls in Afghanistan, including the right to safely work, including outside the home;

(D) to identify individuals who violate the internationally recognized human rights of women and girls in Afghanistan, such as by committing acts of murder, lynching, and grievous domestic violence against women, and to press for bringing those individuals to justice; and

(E) to systematically consult with Afghan women and girls (including women and girls who are part of the Afghan diaspora community), including through women-led organizations and networks, on their needs and priorities in the development, implementation, and monitoring of humanitarian action, diplomatic efforts, and foreign assistance activities.

(d) HUMANITARIAN ASSISTANCE AND AFGHAN WOMEN.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, should work to ensure that Afghan women are employed and enabled to work in the delivery of humanitarian assistance in Afghanistan, to the extent practicable.

(e) REPORT ON WOMEN AND GIRLS IN AFGHANISTAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter through 2024, the Secretary of State shall submit to the appropriate committees of Congress, and make available to the public, a report that includes the following:

(A) An assessment of, including recommendations on, the status of women and girls in Afghanistan following the departure of United States and partner military forces, including with respect to the access of such women and girls to primary and secondary education, primary and emergency health care, and legal protections and status.

(B) An assessment of the political and civic participation of women and girls in Afghanistan.

(C) An assessment of the employment of women in both the public and private sectors in Afghanistan.

(D) An assessment of the prevalence of gender-based violence in Afghanistan and the status of access to justice and other dispute resolution mechanisms to redress incidents of gender-based violence.

(E) A report on funds for United States foreign assistance obligated or expended during the period covered by the report to advance gender equality and the internationally recognized human rights of women and girls in Afghanistan, including funds directed toward local organizations promoting such rights of women and girls, that includes the following:

(i) The amounts awarded to prime recipients and subrecipients for such purposes during the reporting period.

(ii) A description of each program for which such funds are used for such purposes.

(2) ASSESSMENT.—

(A) INPUT.—The assessment described in paragraph (1)(A) shall include the input of—

(i) Afghan women and girls;

(ii) Afghan and international organizations employing and working with Afghan women and girls; and

(iii) Afghan and international humanitarian organizations, including faith-based organizations, providing assistance in Afghanistan.

(B) SAFETY AND CONFIDENTIALITY.—In carrying out the assessment described in paragraph (1)(A), the Secretary shall, to the maximum extent practicable, ensure the safety and confidentiality of personal information of each individual who provides information from within Afghanistan.

(3) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MARKEY. Mr. President, I have 5 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 BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, November 30, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, November 30, 2021, at 10 a.m., to conduct a hearing.

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, November 30, 2021, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, November 30, 2021, at 2:30 p.m., to conduct a hearing on a nomination.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND DATA SECURITY

The Subcommittee on Consumer Protection, Product Safety, and Data Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, November 30, 2021, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. HAWLEY. Mr. President, I ask unanimous consent that Lieutenant Colonel John Meyer be granted floor privileges for the remainder of the Congress.

The PRESIDING OFFICER. Without objection it is so ordered.

ORDERS FOR WEDNESDAY, DECEMBER 1, 2021

Mr. SCHUMER. Madam President, finally, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Wednesday, December 1; that following the prayer and pledge, 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 the day, and morning business be closed; and that upon the conclusion of morning business, the Senate resume consideration of H.R. 4350, the National Defense Authorization Act.

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

ADJOURNMENT UNTIL TOMORROW

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

There being no objection, the Senate, at 8:08 p.m., adjourned until Wednesday, December 1, 2021, at 12 noon.

CONFIRMATION

Executive nomination confirmed by the Senate November 30, 2021:

DEPARTMENT OF ENERGY

COREY HINDERSTEIN, OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NONPROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION.