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Senate

The Senate met at 10 a.m. and was called to order by the Honorable MARIA CANTWELL, a Senator from the State of Washington.

PRAYER

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

Let us pray.

Eternal God, the fountain of every blessing, provide our Senators this day reverence to realize Your presence, humility to know their own needs, and trust to ask You for help. Give them also the courage to obey Your precepts and to live for Your glory.

Lord, walk with them as they work, giving them the wisdom to believe that there is no purity without vigilance, no learning without study, and no crown without a cross. Strengthen their resolve to choose the right and shun the wrong.

We pray in Your Holy 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, December 2, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARIA CANTWELL, a Senator from the State of Washington, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. CANTWELL thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022—Resumed

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 PRESIDING OFFICER (Ms. ROSEN). The majority leader is recognized.

SENATE AGENDA

Mr. SCHUMER. Madam President, I begin this morning with some good news. I am happy to say that last night I reached an agreement with Leader

MCCONNELL, the Speaker, and the chairs of the House Appropriations Committee and the Senate Appropriations Committee on a continuing resolution that will keep the Federal Government funded through mid-February of next year.

This is a good compromise that allows an appropriate amount of time for both parties in both Chambers to finish negotiations on appropriations. As I said, this is a good compromise that allows an appropriate amount of time for both parties in both Chambers to finish negotiations on appropriations.

This morning, the House will start the process to take up this government funding measure, and we hope they can have it passed through their Chamber by the end of today.

Unfortunately, it seems Republican dysfunction could be a roadblock to averting an unnecessary and dangerous government shutdown. Democrats and most Republicans, including the Republican leader, have said they don't want to see a Republican shutdown. We hope cooler heads will prevail.

Just as we saw with the NDAA, a few individual Republican Senators appear determined to derail this important legislation because of their opposition to the President's lifesaving vaccine guidelines critical to healing our country in the middle of a pandemic.

Let's be clear: If there is a shutdown, it will be a Republican anti-vaccine shutdown. Democrats want to get the government funded as soon as possible. It was not easy to reach this deal. It took a while to get Republican leadership on board. But I am glad that we have gotten it done. I thank my colleagues on the other side of the aisle for working with us to find a path forward.

Now all that is left are a few lone holdouts who are raising objections that are doomed to fail and which can be debated elsewhere. There is no reason we should have a Republican shutdown. I have worked with the Republican leader on an agreement that will

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



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avoid one. Now, again, I hope cooler heads will prevail on the other side so we can keep the government funded before tomorrow's deadline.

H.R. 4350

Now, Madam President, on the NDAA, once again, Republican dysfunction—that seems to be what is going on in the other Chamber, not by all Republican Members but by some who seem to run the show—the Republican show, that is. Republican dysfunction has, sadly, caused immense damage on another routine, important, and largely bipartisan priority, the NDAA.

Democrats have been working in good faith with the other side for weeks—since before the Thanksgiving holiday—to secure an agreement to approve our annual Defense bill. Last night, because of the objections of one Republican, the NDAA has, once again, been prevented from moving forward.

As I said last night, the amendment pushed by my colleague would certainly raise a blue slip objection in the House and, thus, kill the entire NDAA. Now, the Senator from Florida says there are no blue slip issues, but this isn't a matter of opinion. The authority here rests with the Ways and Means Committee in the House, and they have stated, unequivocally, that his proposal would raise blue slip issues. There is no objection to the substance of the amendment presented by the senior Senator from Florida, but it simply would violate the provision in our Constitution that requires revenue measures to originate in the House. Other Members had amendments with similar issues, but they worked with the Ways and Means Committee in the House to resolve them because they are the arbiter. Senator RUBIO has not done the same.

It is unfortunate that this misguided demand of a single Republican Senator is preventing this important legislation to support our national security from moving in the Senate, particularly in light of the fact that so many amendments were allowed to be offered by Senator REED and Senator INHOFE. The number of amendments that would be voted on—let me repeat—would exceed the total number of amendments—the total number of amendments—that were allowed on the NDAA under the 4 years of Republican leadership during Donald Trump's Presidency.

So to say that we are in a process that is unbalanced or unfair is totally false. It is just, simply, one person holding it up. For the sake of our troops and our families, I hope this Republican dysfunction can be addressed.

MEASURE PLACED ON THE CALENDAR—S. 3299

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

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 3299) to prohibit the Department of Defense from discharging or withholding pay or benefits from members of the National Guard based on COVID-19 vaccination status.

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

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

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

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022—Continued

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

GOVERNMENT SPENDING

Mr. MCCONNELL. Madam President, two-thirds of Americans are worried about inflation. About half of the middle class and 70 percent of low-income families just told Gallup that rising prices have been a personal hardship for their households. That is why 67 percent of the American people say that Washington needs to “cut back on spending and printing money,” but here in Washington, Democrats are bound and determined to do just the opposite. They want to try the crazy strategy of inflating their way out of inflation—another massive, reckless taxing-and-spending spree.

Even the most generous estimates, when the CBO has to swallow all—all—of the Democrats' accounting gimmicks at face value, still say their proposal would entail \$800 billion in new deficit spending over the next 5 years alone—over just 5 years. Outside experts who are allowed to reject the Democrats' obvious budget gimmicks find the real cost—the real cost—of their bill would actually be close to \$5 trillion. That is with a “t”—trillion dollars. After a decade, it would increase deficits by \$2.8 trillion, but the reckless pricetag, actually, isn't the only problem.

What is remarkable is that the Democrats want to spend all these trillions but not leave citizens with any impressive, enduring national project in return. There is no Hoover Dam, Interstate Highway System, or Moon landing on the other side of their mountains of borrowed money—nothing like that. It is just a giant catalog of socialist mediocrity: new entitlements here, new transfer programs there, new ways to let bureaucrats run

families' lives, and shameless—shameless—goodies for specific interest groups that support the political left—a giant, muddled mess that would leave families with fewer childcare choices and higher costs, with fewer new prescription drugs and cures, with higher prices for less reliable energy. It is, literally, a reckless taxing-and-spending spree that hurts American families and actually—believe it or not—helps China.

There are a lot of big, sweeping, radical changes in their proposal that would change families' lives dramatically and entirely for the worse. But in between the sweeping wish-fulfillment for people who call themselves “democratic socialists,” there is also a remarkable amount of just pure waste, absurd—literally absurd—little giveaways, and interest group goodies. A billion here, a billion there, and hope the American people won't notice if it is buried in enough bureaucratic gibberish.

Here are just a few examples.

This bill would supply billions of dollars to help colleges and universities indoctrinate college students with even more leftwing propaganda and billions more to give them made-up Potemkin jobs in a make-work program they are calling a Civilian Climate Corps—this at a time when industries already cannot find workers.

Their bill would set aside multiple billions of dollars to put Federal Government employees, like IRS agents and postal carriers, into brandnew electric vehicles.

Earlier this year, the Biden administration made sure that luxury Teslas, with a sticker price up to \$97,000, were on the list for government procurement—\$97,000 per vehicle.

So working families might be having to choose between heating costs and new shoes for the kids. Oh, but don't worry, Democrats will make sure IRS auditors can cruise around in Silicon Valley's finest.

Their proposal would create a huge \$29 billion slush fund that activists are applauding as the foundation for something called—now, listen to this—a national green bank. Can you say Solyndra on steroids? An entire bank to finance pipe dreams that can't earn support out in the real economy.

Separately, they are planning to spend multiple billions of taxpayer dollars for something the liberals are calling—listen to this one now—tree equity. I will let that one speak for itself.

Of course, the Green New Deal folks aren't the only constituency Democrats want to pay off. This reckless taxing-and-spending spree is also designed to knock out all their Christmas shopping for trial lawyers, Big Labor bosses, Ivy League administrators, and blue-State millionaires, all in one fell swoop.

There is the State and local tax carve-out, the SALT gimmick, that would give an extra tax cut to two-thirds of the households making a million dollars or more a year. Perhaps to

make sure these reckless policies get good press, Democrats have included a \$1.6 billion bailout for the news media. I am not making this up. We are essentially talking about government welfare for newsrooms—for newsrooms. All this, and it goes on and on and on.

There is a new special tax break for rich universities' massive endowments—hundreds of millions of dollars to overhaul kids' school lunch menus, including making sure they are "culturally appropriate." I guess they want to make sure that children's cafeteria trays are sufficiently woke.

And goodness knows they couldn't skip over Big Labor. So the Democrats' plan would let working Americans' above-the-line tax deduction for charitable contributions expire—that goes away—but they would replace it with a brandnew deduction that only applies to union dues.

And then there is pure pork of the old-school kind. The Speaker of the House tried to sneak in hundreds of millions of dollars for a special park in San Francisco. And the Senate Democratic leader has spent much trying to double the bill's funding for public housing so the chronically mismanaged authority in his hometown could get \$40 billion to clean up its messes.

There is even what appears to be a \$33 million kickback that is largely for one Democratic Congressman whose vote Speaker PELOSI literally had to lock down. Out of nowhere, one mostly dormant government Commission that is important to this particular Democrat's district gets a funding increase of 13,000 percent—13,000 percent. You heard that right, a funding increase of 13,000 percent. What a terrific coincidence for this particular Democratic House Member.

So take a step back. Our colleagues' proposal isn't some big national leap into the 21st century; it is an endless—endless—hodgepodge of this nonsense: partisan back-scratching, interest group giveaways, and shameless—shameless—waste. And through tax hikes and inflation, working American families will foot the bill.

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

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

BUREAU OF PRISONS

Mr. DURBIN. Madam President, it has been a great source of debate over the past couple of years over a very basic question: How was Jeffrey Epstein able to take his own life in Federal prison on August 10, 2019?

Last week, we found some answers in the New York Times. It pointed out a series of stunning failures within the Bureau of Prisons.

According to the Times: "The newly obtained records offer no support to

the explosion of conspiracy theories that Mr. Epstein's death was not a suicide. . . . But they do paint a picture of incompetence and sloppiness by some within the Bureau of Prisons."

That incompetence and sloppiness was evident from the moment Jeffrey Epstein entered the Metropolitan Correctional Center. On his intake screening form, Mr. Epstein was described as "a Black male," with no prior record of sex offense convictions. A 5-second Google search would tell you that not only was Jeffrey Epstein White, he was one of the most notorious sex traffickers in recent history.

And what about the night he died? He had already attempted suicide in the weeks leading up to his death, so you would think that the officials in the Bureau of Prisons would keep close watch over this potentially suicidal inmate.

In fact, the opposite happened. Jeffrey Epstein was left alone, unmonitored, in his cell. The two officers on duty were allegedly dozing off and scrolling on their phones. And the next morning, Epstein was found dead with a bed sheet tied around his neck. Because of these failures, the survivors of Epstein's despicable crimes will never get to see him brought to justice.

Six months after Epstein died, former Attorney General Bill Barr handpicked Michael Carvajal to lead the Bureau of Prisons. It could have been a new beginning for the Bureau, a chance to get to the bottom of widely publicized neglect and mismanagement—and to hold the appropriate parties accountable. But that fresh start never came because, since day one, Director Carvajal of the Bureau of Prisons has shown no intention of reforming that institution.

Consider the case of the warden who ran the Metropolitan Correctional Center the night Jeffrey Epstein died. How did Director Carvajal respond to that warden's failure of leadership? Well, if you can imagine it, he actually rewarded him. Director Carvajal appointed the same warden to lead a different facility, the largest Federal prison in the United States: FCI Fort Dix in New Jersey.

And it seems that warden hasn't learned any lessons in leadership since Mr. Epstein's death. Last month, an inmate in FCI Fort Dix was attacked from behind and stabbed in the eye.

These are not isolated incidents. For years, the Bureau of Prisons has been plagued by corruption, chronic understaffing, and misconduct by high-ranking officials. And in the nearly 2 years since Director Carvajal took control of the Bureau, he has failed to address the mounting crises in our Nation's Federal prison system.

It is far past time for new, reform-minded leadership in the Bureau of Prisons.

A few weeks ago, the Associated Press published a breathtaking investigation into the Bureau. They concluded that it is a "hotbed of abuse,

graft and corruption, and has turned a blind eye to employees accused of misconduct."

Since 2019, more than 100 Federal prison workers have been arrested for, charged with, or convicted of crimes, including sexual abuse, murder, and introducing contraband into the prison. Altogether, these crimes account for two-thirds of the criminal cases against all Department of Justice personnel, even though BOP employees comprise less than a third of the workforce.

I want to share a few of the stories from the Associated Press report. At one Federal prison in Mississippi, an official responsible for investigating the misconduct of other staff members was arrested for his own misconduct. He was not only accused of stalking and harassing his fellow employees, but he was allowed to remain in his position. He was even authorized to continue investigating one of his accusers.

In California, a warden of a Federal women's prison was arrested and indicted earlier this year for molesting an inmate. He even kept lewd photos of the victim on his government-issued cell phone. He allegedly told the woman that she shouldn't even try to report the assault because he was "close friends" with the official who would investigate it.

The list goes on. It is a recurring pattern of misconduct by officials within the Bureau of Prisons who believe they can abuse inmates and break the law with impunity. In some cases, that is exactly what they have done.

The details in the AP investigation are shocking. And for those of us who have been following Director Carvajal's tenure, they are the latest disturbing examples of failed leadership.

Time and again, he has categorically failed to uphold his chief responsibility as Director. And what is that responsibility? Protecting the health and safety of inmates and correctional officers.

Today, the Bureau suffers from chronic and significant understaffing. Director Carvajal has failed to contain outbreaks of COVID-19, which has led to tens of thousands of inmates and staff contracting the virus. And when it comes to reforming our Federal prison system, he has failed.

In 2018, congressional Democrats and Republicans came together on an overwhelmingly bipartisan basis to enact the FIRST STEP Act. It was a historic piece of reform legislation to create new pathways for prison inmates to better themselves while they serve their time, so they can return to society once released.

Nearly 3 years later, the Bureau of Prisons still hasn't implemented most of these reforms.

One example, under the FIRST STEP Act, low-risk inmates are eligible to earn time credits, reducing their sentences. They do this by completing programs designed to prevent them from committing another crime.

Last month, the inspector general at the Department of Justice found that

the Bureau of Prisons has not applied these earned time credits to any of the approximately 60,000 eligible inmates.

Now the Senate Judiciary Committee, which I chair, is charged with overseeing the Bureau of Prisons. We have tried to get answers from Director Carvajal and his team. We have repeatedly requested information.

We have asked for details about the inmate banking system. Now, there is a heck of a story. It purportedly has little oversight by the Bureau of Prisons, has allowed inmates to avoid paying child support and restitution to crime victims and other obligations.

The Bureau reportedly allowed Larry Nassar, the so-called doctor who abused hundreds of young gymnasts before he was sentenced to life in prison, to spend thousands of dollars from his Bureau of Prisons account on himself but pay only \$300 toward the debt he owes his victims.

The Bureau has delayed responding to our questions—or just flatout ignored them.

It is past time to replace Director Carvajal. This can't wait any longer. The Associated Press's investigation shows us that lives are literally at stake.

I know Attorney General Garland understands the urgency. I am calling on him today to move immediately to dismiss Director Carvajal and to bring real reform to the Bureau of Prisons.

I yield the floor.

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

CHINA

Mr. CORNYN. Mr. President, in my lifetime, the People's Republic of China has gone from a poor and isolated country to one that now accounts for 20 percent of global domestic product. There is no question that the driving force behind this dramatic shift is the ruthlessness of the Chinese Communist Party led by President Xi. The CCP's ruling strategy can best be described as win at all costs, which means that China never thinks twice about disregarding basic values and international norms. But there is no question that the most immediate and grave threats are against countries close to China's borders.

Last month, I led a congressional delegation to visit the Indo-Pacific to learn more from the people on the ground doing the hard work about the challenges they face and that we face in the Indo-Pacific. In my conversations with leaders in the Philippines, Taiwan, and India, I noticed they used a different vocabulary to describe China's behavior than what we hear in Washington, DC. They didn't just talk about China's ambitions; they warned of its threats of aggression. They didn't just share concerns about China's unification with Taiwan; they spoke of the potential for an invasion. They didn't just bring up human rights abuses; they condemned the blatant genocide committed against the Uighurs and other ethnic minorities in China.

Words matter, of course, and the soft lexicon that is often used to describe the Chinese Communist Party and the People's Republic of China here in the United States and particularly inside the beltway has the potential to create a false impression about China's objectives, and it plays right into their hands.

I think we should not continue to downplay the risks to the global world order and to peace itself by what China is doing. This isn't just a government interested in competing with the United States and other countries by playing by the rules of the international order; the Chinese Communist Party is an aggressive, even belligerent and hostile power that has made economic gains through stealing intellectual property and other activities that belie its stated ambitions to become part of the liberal world order.

For example, it squashes opposition by committing genocide against its own people and muzzling—even murdering—dissidents. China has literally become a police state, where the volumes of data that they have vacuumed up in that country and the ubiquitous technical surveillance that is mainly cameras that chronicle every aspect of the lives of their citizens and the use of things like artificial intelligence have allowed them to essentially control everything that does go on in China. And these are the same tools that they intend to use on other parts of the world.

We know China has spent a lot of money developing its military resources. It has come a long way, while the United States and other countries were focused post-9/11 on the Global War on Terror. While we were focused on the Middle East, the PRC and the CCP wasted no time in rebuilding their capabilities from a military standpoint.

And they are now aggressively claiming other parts of the region, not just Taiwan, but contested islands in the South China Sea that are claimed by Japan, by the Philippines, and other countries as well.

Well, as I mentioned, one of the greatest looming threats in the region is a potential invasion of Taiwan by the People's Republic of China.

Of course, as you can see, Taiwan is just a small island of about 24 million people, just off the coast of mainland China. It is not much larger than the State of Maryland.

In every possible way you can imagine, Taiwan is a stark contrast with China. For one, it is a true democracy. Voters go to the polls with the confidence that the election results are not predetermined. Successful businesses—and there are many of them—are built on good old-fashioned hard work, not government favoritism. And the people in Taiwan—the Republic of China—enjoy the same freedoms that we do here in the United States: freedom of speech, freedom of press, freedom of religion, and freedom of assembly.

Taiwan has been a self-governing entity for more than 70 years, but the Chinese Communist Party falsely asserts that the island republic is part of its territory. Indeed, Taiwan faces China as the last outpost of democracy, standing watch against authoritarianism.

Our congressional delegation met with the commander of the Indo-Pacific Command who described the current power dynamic rather succinctly. He said it is not a question of if China moves on Taiwan, but a question of when.

Indeed, the language we heard from our military leadership and others in the region was far more urgent in terms of the threat of the People's Republic of China against Taiwan than anything I have heard here in Washington, DC.

According to our top military leaders, we have an idea how long Xi might wait. He himself has said that he wants to be ready by 2027. But there is absolutely no guarantee that President Xi and the Chinese Communist Party of the People's Republic of China—there is no guarantee they won't move at another time of their choosing.

As I said, Taiwan is not the only nation on the CCP's list. China has territorial claims against a number of its neighbors. If you closed your eyes and just threw a dart at this region, you would likely hit one or more of those contested areas. Japan, the Philippines, Vietnam, Bhutan, India—all of those countries claim sovereign territory that is also contested and claimed by the Chinese Communist Party of the People's Republic of China.

Of course, it hasn't even been 25 years since China took control of Hong Kong under the "one country, two systems" framework. China had promised Hong Kong it would retain a high degree of autonomy for at least a half a century, but, obviously, Beijing eroded the freedoms and independence of Hong Kong to the point of basically hijacking that city and that entity.

The Indian Minister of Foreign Affairs in Delhi told our delegation that Taiwan isn't the problem; it is a China problem. And I think he has a point.

In other words, what is at stake here is much larger than the future of just one nation. It is the entire scope of Beijing's power and its ambitions in the region. Taiwan is not the final goal. It is the next step in a quest to reach regional dominance.

Taiwan will likely be the first target because it has been identified by President Xi and the Chinese Communist Party, but it certainly won't be the last. I think it would be the ultimate in naivety, first, to think, well, this is just about Taiwan. It is not just about Taiwan. China will continue to threaten; intimidate; and, unfortunately, I think, ultimately threaten and invade its neighbors. And if that aggression goes unchecked, the CCP's power grab will reach further and further.

Plus, I believe in the power of deterrence, what Ronald Reagan called

peace through strength. Nobody wants a military conflict in this region—nobody.

If the CCP can attain its goals without a shot being fired, they will try to do that. They are already trying to do that. But the fact of the matter is, if the People's Republic of China and the Chinese Communist Party worked to conduct a military invasion of Taiwan, there are a multitude of risks of mistakes, miscalculations, and other dangers that could lead to a larger conflict.

And I believe we have a responsibility in the United States to make sure, to the extent humanly possible, that that does not happen. We want peace, but we also want to stand up to the kind of aggression that we are seeing in practice and being threatened in the Indo-Pacific region. I believe that countering and first confronting the threats from the PRC is one of the greatest national security imperatives of our generation.

Russia, obviously, is a significant power, mainly because it holds nuclear weapons; but it mainly tries to find places where the United States is having a hard time and tries to make those situations more challenging for us. It doesn't compare to the Chinese Communist Party and the PRC in terms of its regional ambitions, its attempt to project its power and its control over the region.

We need to reorient the way that our country views and responds to this threat, and I believe that time is of the essence. As I said, some people have said that President Xi could wait until as late as 2027 to try to take Taiwan, but there is no guarantee that it couldn't happen earlier if they deem it an opportunity to exist for them to do so.

The longer Beijing is treated as a reasonable, goal-oriented country by the international community, the more aggressive it will become. One seemingly small step we must take is to describe China's actions with accurate terms. We can't do the CCP any favor using watered-down euphemisms like human rights abuses when what we are really talking about is genocide. Here in the Senate, as we know, words are important, but those words need to be accompanied with action.

We will soon vote on the National Defense Authorization Act, which will help us raise the issue and visibility of this potential conflict and raise the opportunity for deterrence in response to growing threats posed by China. We can do good work here on the Defense authorization bill to raise the cost to the PRC in the event they decided to invade Taiwan.

The Defense Authorization Act includes a bipartisan bill I introduced with Senator DUCKWORTH called the Taiwan Partnership Act. This bill would establish a formal partnership between the U.S. National Guard and the Taiwanese defense forces to strengthen Taiwan's preparedness.

Should troops need to deploy quickly in the event of a crisis, they would be armed with the same knowledge and skills as our dedicated U.S. National Guardsmen. This would also help Taiwan build up much of its asymmetric defenses.

The Defense Authorization Act also includes legislation I introduced with Senator KING, from Maine, to ensure that the United States and Taiwan can improve defense interoperability. There shouldn't be any barriers to cooperating on important security measures like integrated air and missile defense systems.

The Defense Authorization Act includes other provisions to increase defense cooperation with Taiwan and equip the U.S. Indo-Pacific Command with greater resources. It also ensures that the United States will take a stronger approach and confront the threats being made by the Chinese Communist Party.

This is not a partisan issue, as you can tell. After the delegation I led to Taipei, it was followed on by a bipartisan coalition mainly from Members of the House, and I think it is absolutely critical that that spirit of bipartisanship and the reality of bipartisanship continues to exist when it comes to the threat posed by the People's Republic of China and the Chinese Communist Party.

I appreciate colleagues on both sides of the aisle who have championed the provisions I mentioned and those who may have other ideas about how we can deter acts of aggression, not only against Taiwan but against other countries in the region when it comes to disputed islands and other territory.

I want to thank Chairman REED, Ranking Member INHOFE, and our colleagues on the Armed Services Committee for all the work they have put into this bill so far. One of our most solemn responsibilities is to provide for the common defense, and this is the best way to ensure that our national defense is prepared to meet the challenges on the horizon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

NOMINATION OF JEROME POWELL

Mr. COTTON. Mr. President, Jerome Powell was a better choice for Federal Reserve Chair than Lael Brainard, but that alone is not a good enough reason to confirm Chairman Powell for a second term. Chairman Powell has presided over a series of failures at the Fed, while the Fed's actions during his tenure have harmed working-class Americans and worsened inequality. The Senate should not support his re-nomination.

The core mission of the Federal Reserve from the very beginning has been to foster stable prices and ensure a sound currency. No one—no one—can seriously argue that the Fed has accomplished this mission under Mr. Powell's leadership. After years of reckless policy and months of obfusca-

tion, inflation now exceeds 6 percent, the highest rate of inflation in 30 years—the highest rate of inflation in 30 years.

An inflationary economy rewards will-be speculators and the holders of large assets and debts like, for instance, the Federal Government or giant corporations, but it ruins responsible citizens who are just trying to save for their retirements or maybe their kids' colleges.

In the worst-case scenario, the value of money can collapse, endangering society itself. In less catastrophic but still serious conditions, Americans who have played by the rules for many years, responsibly working and saving, see the value of their money slowly erode over time.

Nearly half of all Americans have no exposure whatsoever to the stock market, not a single stock or mutual fund or pension—no exposure to the stock market. Their money is usually held in low-interest checking accounts, savings accounts, certificates of deposit, and cash. The Fed's extreme low-interest-rate policy means their thrift and prudence earns them nothing. In fact, it sets them back every day with this inflationary spiral. Money outside the stock market loses value every day when inflation is at 30-year highs and interest rates are near record lows.

Likewise, 6 percent inflation has totally wiped out any nominal wage gains for workers. In fact, inflation-adjusted weekly earnings are down 1.6 percent compared with a year ago. Real inflation-adjusted wages are down from last year when employers across the country report shortages of workers. That is because inflation is eating away at all those wage gains. And there is no guarantee that inflation at 6 percent is the ceiling.

Still, the Fed has refused to change course even as prices rose on everything from groceries to gasoline. Chairman Powell insisted for months that the pain was only "temporary" or "transitory." According to so-called "experts," inflation would simply vanish once Pete Buttigieg sorted out the supply chains and we got the Delta variant under control. But after months of skyrocketing prices, Chairman Powell's confidence looks not only misplaced and misinformed but reckless.

This week, Mr. Powell admitted that he would retire—retire—the word "transitory," the very word he helped popularized. If only American families could so easily retire the devastating effects of inflation on their monthly budgets.

Mr. Powell has directly contributed to this inflation. He has maintained the Fed's so-called emergency monetary policies a decade after the emergency of the financial crisis had ended. That means the Fed had already exhausted the normal tools of monetary policy when the pandemic hit last spring. It had to prop up the economy through unprecedented levels of government intervention. These policies,

while perhaps justified for a very brief period of uncertainty in the spring of 2020—very brief—policies which included huge purchases of government bonds, mortgage debt, and corporate debt—but they were not justified after that, just as they weren't justified before it, even as the Fed was continuing unparalleled levels of quantitative easing.

As a result, the Fed's balance sheet has ballooned to \$9 trillion, and it continues to grow by more than \$100 billion a month. Nine trillion dollars. Let me put that in perspective. The Fed's balance sheet after the financial crisis barely surpassed \$2 trillion.

The chief result of these policies during the pandemic has been to boost asset prices, especially the stock market valuations of giant corporations. But the price of these gains has been inflation, which especially harms working-class Americans. After releasing a torrent of cash into the economy, it is no surprise that prices are rising in this flood of cheap money.

This week, Chairman Powell testified that he might—he might—unwind these policies a little faster than previously planned, but even if the Fed follows through—and I will believe it when I see it after the last many years of radical emergency monetary policy—it will still be too little, too late.

The simple fact is, the Fed, under Chairman Powell's leadership, has forced millions of American families to choose whether to pay the mortgage or feed their families or fill up their gas tanks, heat their homes, or maybe buy a couple of extra Christmas presents. That is failure.

While inflation is the Fed's worst failure under Chairman Powell, it is not their only failure. At a time when they cannot achieve their core mission of price stability, they are adopting ancillary missions like "woke" activism at the Fed. The Fed has joined an international effort devoted to "greening" the financial system, whatever that means. Fed branches around the country are even spreading critical race theory, claiming that terms like "Founding Fathers" and "blacklist" are "biased" and sharing radical materials that claim that—this is a direct quote from some of the materials that Fed branches have shared—"race-neutral policies uphold racism." Think about that. The Fed's core mission is to maintain price stability. While they fail on that mission, they are teaching their employees that race-neutral policies are racist.

We might chuckle and shake our heads and have a good laugh when this kind of nonsense happened at Bard College or some other college campus, but now it is happening at the Nation's central bank, which plays a role in determining whether we end up rich or poor. This mission creep is alarming, especially when the Fed is failing to fulfill its core mission.

I know many people have made excuses for the Fed, and they defended

Mr. Powell's tenure. They said inflation was not his fault or primarily the Fed's fault. But it is true the Democrats have been spending trillions of dollars this year we don't have. But, as Bill Parcells said about NFL teams, you are what your record says you are. The Fed's record is 6 percent inflation, the worst inflation in 30 years.

Most Americans live in a world of accountability and consequences, the lack of which is one of the things they hate most about Washington. Failure in Washington is too often rewarded. The Fed has manifestly failed during Chairman Powell's tenure, further skewing our economy in favor of the wealthy while the working class suffers. There have to be consequences for this kind of failure. Jerome Powell is not the right choice to continue to lead the Federal Reserve.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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.

SENATE AGENDA

Mr. BARRASSO. Mr. President, I come to the floor today to talk about the Defense bill that is currently before the Senate and note that the majority leader this morning made some mention and some complaints about substantive, timely, and important amendments that are being offered by my colleagues. He was particularly agitated, it seems, about an amendment dealing with communist China.

Well, the U.S. Senate has a lot of work to do by the end of the year. We need to fund the government. We need to prevent a shutdown. We need to deal with the debt ceiling. Democrats are going to need to lift that. We need to make sure that our troops are funded and that we deal with the Defense bill. These are some of the important issues that are before the Senate.

Yet, here we are, near the end of the year, scrambling to get it all done in just a couple of weeks—no way to run the U.S. Senate. We haven't had an appropriations bill brought to the floor all year, and the Defense bill has been sitting in limbo for months.

The Armed Services Committee actually finished marking up this bill in July. It is a bipartisan bill. It passed the vote in the committee by 23 to 3. Things don't get a lot more bipartisan than that.

So, typically, the Senate starts working on the Defense bill and then negotiates over the next couple of months. We start in June. But, instead, we have gone months and months and months.

We have seen the disastrous collapse and fall and withdrawal in Afghanistan, and yet no Defense bill to the floor of the U.S. Senate.

So what did the Democrats try to do instead?

Well, they pushed a very partisan agenda and brought to the floor two bills on election takeovers. And the Democrats also seem to be very obsessed with their own bill. They want to call it Build Back Better, something like that. I will tell you, it is a bill that is going to break the backs of American families.

So now here we are, just at the deadline, and the majority leader is finally getting around to dealing with a bill that has to do with supporting the troops. It seems to me that is like a kid with a term paper that is due tomorrow. It is the night before, and they are going to start writing the term paper.

Well, if you want to get it right, it takes a longer process than that. It is a long process, generally, because it is that important for the Nation. Every Senator wants to be involved.

Yet, through the procrastination by the majority leader, the Defense bill has been delayed.

Now, I have made the case that, frankly, national security has been a very low priority of this President and this administration and the majority party in the House and in the Senate. And the reason I say that, exhibit A, is the fact that the budget that President Biden proposed when he came into office—and let's be frank. The budget he proposed was a massive, supersizing of the size of the Federal Government—more money for this, more money for that, more money for everything except for two items alone. Only two items in the entire Federal budget came in to grow at a rate less than inflation—less than inflation.

Now, what were those two items? Defense and homeland security. That tells me how this administration prioritizes the role of our Nation's security for our country.

So, finally, we have gotten to work on this bill, and there are some concerns because amendments need to be voted on, debated, brought to this floor.

I have introduced an amendment with the ranking member of the Foreign Relations Committee to sanction the Nord Stream 2 pipeline. There is bipartisan agreement that that pipeline needed to be sanctioned, and we have been fighting for that together in a bipartisan way through multiple administrations.

This is Vladimir Putin's pipeline to which Joe Biden has given the stamp of approval. It is a weapon that Putin is going to be using to hold half of Europe hostage. And under what this administration has been doing on energy—penalizing American energy production and begging Putin to produce more and sell it to us—this has been a jackpot for Vladimir Putin.

Our amendment would do the right thing and block this President's present to Vladimir Putin—a Christmas present. And this is at a time with

Joe Biden inflation that we have many Americans worrying if they are going to even be able to afford to buy Christmas presents. This is no time for our Nation to give this present to Vladimir Putin.

The Republican Senator from Ohio has introduced an important amendment to provide lethal aid to Ukraine. Vladimir Putin has 100,000 troops right now staged on the border with Ukraine. We ought to stand by Ukraine and pass that amendment.

The Senator from Montana has an amendment to block Joe Biden from sending \$400,000 to the families of illegal immigrants. An open border is a threat to our national security, and these payments would cause a mad rush if not a stampede to the country and into the country, the way the border has been left open.

There are lots of important amendments, and we ought to be having a fair and open debate. This is supposed to be the greatest deliberative body in the world, and yet the majority leader has tried to cut off debate on some of the most important issues facing our Nation.

Why? Because we can hear the clock ticking, that is why. He has dragged his feet for months, and now, he wants to force us into a mad dash to close this.

Look, it is a disservice to our troops. It is a disservice to our allies. It is a disservice to the people of our Nation.

And yet, this morning, the majority leader is pointing his finger. He came to the floor. He attacked Republicans.

We didn't make him delay this bill for month after month after month. This is a choice that the majority leader has made.

It does seem that the other Democrats have basically higher priorities than our Nation's defense: election takeovers, new entitlements, amnesty for illegal immigrants.

It is no way to govern, no way to make important decisions, no way to run the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

NOMINATION OF BRIAN EDDIE NELSON

Mr. BROWN. Mr. President, I urge my colleagues to join me in confirming Brian Nelson to serve as Under Secretary for Terrorism and Financial Crimes at the Department of Treasury.

Mr. Nelson is highly qualified. He has had years of dedicated public service to our country.

Early in his career, he clerked for two distinguished Federal judges. He served in the National Security Division at the Department of Justice, first as special counsel to the Assistant Attorney General for National Security, later as the Division's Deputy Chief of Staff.

In these roles, Mr. Nelson supported the development, the implementation, the coordination, and the review of U.S. intelligence, counterintelligence, counterterrorism, and national security policies.

He went to work for the California Department of Justice, where he served

as special assistant attorney general and then as general counsel to then-attorney general, now-Vice President HARRIS.

He worked to combat threats like human and drug trafficking by prosecuting international criminals, starving them of their financial resources.

As Under Secretary, Mr. Nelson will be responsible for protecting our financial system from terrorists, from rogue states, money launderers, weapons proliferators, and other criminals who threaten our national security.

His nomination is another example of the Biden administration's serious—underline “serious”—efforts to protect both our economy and our national security.

He would take on this job at a critical time for protecting our country's national security, as we work to rebuild alliances abroad, while threats of domestic terrorism are on the rise at home.

Treasury's Office of Terrorism and Financial Intelligence is one of the cornerstones of our country's efforts. That is the importance of this nomination of Mr. Nelson, one of our country's efforts to combat terrorist financing here and around the world.

The FBI Director recently testified that racially motivated and anti-government extremists are likely to be the biggest domestic threat this year and in 2022.

Think about that. The FBI Director testified that racially motivated and anti-government extremists—and we remember that day so well just 10 months ago—11 months ago. They are the likely biggest domestic threats to our country this year and next year.

Mr. Nelson will be the first African American serving in this important national security position. When we have people in these roles who reflect the country they serve, we get better, more competent government.

That is what always flummoxes me about hiring practices in this body and around the country. When you hire people that don't necessarily look like you, you get a better office that understands different perspectives. It understands better the way this country works and helps us to better serve the people whom we serve.

Unfortunately, we have seen far too many of this administration's nominees held up for months in the nominations process. You just heard an example of that in the speech right before me; not because of their background, experience, and qualifications—those are unquestioned in Mr. Nelson—but for reasons completely unrelated to that nomination.

That is what has happened here. It is the kind of partisan posturing the American people hate. Blocking critical national security and other policy nominees for months over unrelated policy issues is counterproductive; it is misguided; and it is wrong for our country. Going after human trafficking, going after drug trafficking, going after international criminals of all kinds isn't a partisan issue; it is something my Republican colleagues

and I work together on all the time. So let's come together today and confirm Mr. Nelson, who is exceptionally well qualified.

He is joined today by his wife and his son.

I urge this body to support Mr. Nelson's nomination, getting in place right away an important part of our national security team.

ORDER OF BUSINESS

Mr. President, under the agreement reached by the two leaders on November 16, the Senate will now vote on confirmation of the Nelson nomination.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Nelson nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Brian Eddie Nelson, of California, to be Under Secretary for Terrorism and Financial Crimes.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senator is necessarily absent: the Senator from South Dakota (Mr. THUNE).

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 474 Ex.]

YEAS—50

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

NAYS—49

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

NOT VOTING—1

Thune

The nomination was confirmed.

(Mr. LUJÁN assumed the Chair.)

The PRESIDING OFFICER (Mr. KING). The majority leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon table and the President be immediately notified of the Senate's action.

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

MOTION TO DISCHARGE

Mr. SCHUMER. Mr. President, pursuant to S. Res. 27, the Senate Judiciary Committee being tied on the question of reporting, I move to discharge the Senate Judiciary Committee from further consideration of the nomination of Rachael S. Rollins, of Massachusetts, to be United States Attorney for the District of Massachusetts.

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

Mr. SCHUMER. For the information of all Senators, we expect the vote on the motion to discharge to occur later this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

VACCINE MANDATE

Mr. LEE. Mr. President, this always happens near the kick-the-can funding deadlines that we are now approaching. There is controversy surrounding what will and what will not make it into the continuing resolution; that is, the legislation funding the government for a finite period of time upon the expiration of a spending period.

In the House of Representatives, the debate and controversy continued late into last night, and may well still continue later today.

Here in the Senate, there are a number of Senators, including me, who are not inclined to give consent to expedite a funding measure that supports and funds President Biden's unconstitutional and sweeping vaccine mandate without holding a vote on that mandate and whether we should fund that part of government charged with enforcing it.

Now, to be very clear about all of this, Senator SCHUMER, as the majority leader, could have done this without our help if he had started this process weeks ago or even days ago. He could have held votes and passed this resolution without needing to ask for the help of those of us who feel this way, who are not inclined to help him do it.

Senator SCHUMER is in a bind, due to his own delay and his own denial. He is asking all of us to help him.

Now, I have offered a very simple solution, a very reasonable solution. I am not asking that a poison pill or a pet project be included, no. I am not ask-

ing for dramatic reforms or draconian cuts. Far from it. I just want to vote on one amendment. I want the Members of this body to go on record on whether they support funding—in this bill—President Biden's vaccine mandate.

The American people have a right to know, through our votes, where we stand and where we stand in connection with this bill, on a germane amendment—one that pertains to that, a simple up or down, yes or no—simple majority vote. That is all I am asking.

Let me first explain a little bit about the recent history of this situation. While those involved in this effort have been accused by many in elected office and in the press of brinksmanship, we have been nothing but consistent and clear and open about our position for weeks now—in fact, for a month.

On November 3, a group of Senators—15 of us, in fact—declared our intentions, sending this letter to Senator SCHUMER. And in this letter, we made very clear that we will “not support—and will use all means at our disposal to oppose—legislation that funds or in any way allows the enforcement of President Biden's employer vaccine mandate.”

Now, 15 Senators have signed this letter. And there it is right there in black and white—the words that I just read in that letter from a month ago. The letter—again, written back at the beginning of November—specifically mentions this funding deadline—the one we are now approaching; the one that is hitting us tomorrow night—as one for Senator SCHUMER and our colleagues to be aware of that we made our intentions clear. We did so out of courtesy to the majority leader and to those we represent: to the American people, those who will be affected by these matters.

And now, as a matter of political convenience, he and others are saying “their unwillingness to come to the table,” which is the reason we are now approaching the deadline without an agreement, somehow amounts to an act of brinksmanship on our part.

That portrayal is disingenuous, and it is wrong. After running out the clock, knowingly, deliberately not coming to the table to negotiate, and ignoring our clear, public position, Senator SCHUMER is now accusing us of wanting to shut down the government because we refuse to help him cram through a bill that we have already explicitly stated we are against. We are providing every opportunity to avoid a shutdown, and all we ask for is a simple up-or-down vote.

Now, I stand by the commitment I made not to support or grant consent to pass or expedite a measure that funds, supports, or allows for the enforcement of the President's vaccine mandates.

Now, it is true that the U.S. Court of Appeals for the Fifth Circuit has issued an order halting enforcement of the OSHA mandate, and that OSHA has temporarily halted the enforcement of

that particular mandate. That does not in any way remove our obligation here in Congress to protect our Constitutional role and to prevent unconstitutional measures, laws, and regulations from afflicting the American people.

We still don't know the final outcome of that litigation. In any event, we have an independent responsibility—constitutionally and morally—to make sure that what we do here has our oversight and that we don't spend money on things that most Americans find abhorrent.

Each of us did, in fact, swear an oath to the Constitution, and the Constitution does not grant the Federal Government the authority to implement a mandate of this sort. It just doesn't. You can search it; you will not find that authority. The Constitution certainly does not grant the President of the United States the authority to implement such a mandate without the explicit authorization of the people's elected lawmakers in Congress.

Make no mistake, this mandate is not only immoral; it is also unconstitutional. For that reason alone, I must oppose it.

But the harms certainly don't stop with the damage that is being done to our constitutional order. Millions of Americans are at risk of losing their jobs due to this mandate. While court orders are offering at least a temporary protection, these Americans are still anxiously awaiting lasting protection from Congress, and currently could receive at a moment's notice the final ultimatum to be vaccinated or lose their jobs.

In fact, in fear of the huge fines that the Biden administration is threatening against businesses that don't comply once the mandate is enforced, many companies are already imposing these requirements on their workers.

Countless businesses and hundreds of Utahns who are at risk of closure or dismissal have reached out to me. Their stories are heart-wrenching. These are good people. They are our friends and our neighbors. They are neighborhood businesses and American manufacturers, mothers and fathers trying to get by in increasingly difficult economic times. There are millions of them across the country. Over half a million workers in Utah alone are at risk of unemployment due to this mandate.

As I have said each time I have spoken on this, I am not against the vaccine. In fact, I have gotten the vaccine. My family has gotten the vaccine. I have encouraged people to get the vaccine. I am against the mandate.

I recognize that these vaccines are protecting Americans from the harms of COVID-19, and that the government has no business, no authority, and no justification to make millions of Americans second-class, unemployable pariahs. Even if the Federal Government did have that authority, which it

doesn't, the President of the United States could not exercise it unilaterally, not without an act of Congress.

Our economic condition is increasingly dire. Inflation is becoming long-lasting. The supply chain crisis has shown the prime value of American workers. You know, I can't think of a worse time to kick them to the curb.

I want to be very clear: I don't want to shut down the government. The only thing I want to shut down is Congress's funding enforcement of an immoral, unconstitutional vaccine mandate. However, if the choice is between temporarily suspending nonessential functions on the one hand and on the other hand standing idle, as up to 45 million Americans lose their jobs, their livelihoods, and their ability to work, I will stand with American workers every time. That is not a closed question.

I stand with American workers throughout Utah and across America. I stand with moms and dads needing gifts and paychecks before the holidays.

I stand by what I and others committed to as our word, that word given a month ago without response. I won't support a continuing resolution that funds President Biden's grievous, immoral, unconstitutional vaccine mandate, and I just want to vote on it in connection with this spending bill. All I am asking for is a vote. It would take 15 minutes. We could do it right now, in fact.

If Senator SCHUMER wants to avoid this vote so badly that he will shut down the government rather than hold it, he should explain why. We can fix this situation right now. Let's hold a vote. Let's hold it right now.

The PRESIDING OFFICER. The Senator from Connecticut.

UNANIMOUS CONSENT REQUEST—H.R. 8

Mr. MURPHY. Mr. President, I am on the floor today to ask for unanimous consent from my colleagues to proceed to H.R. 8, the House-passed, bipartisan, comprehensive background checks bill. I want to tell you why I am making this request.

I understand the low likelihood of success, but I hope many of my colleagues took a minute to watch cell phone video from the school shooting in Michigan yesterday—on Tuesday, excuse me. It is absolutely terrifying to watch in real time children fleeing their classroom in fear that their lives were about to be ended. One hundred 9-1-1 calls came into the police during the shooting. Surveillance footage reportedly shows the gunman entering the bathroom with a backpack, then exiting a minute later without the backpack but with the handgun. He then started firing at students. When they started to run, he "methodically and deliberately" walked down the hallway and aimed his gun into classrooms at students who were unable to escape.

We think about the damage done and the number of lives lost—four so far—and those who were injured, but, real-

ly, the damage is so much broader because all of those kids who fled that violence, all of those kids who now don't think of school as a safe place—they are going through trauma and will go through trauma that may take a lifetime to address. Multiply that times millions because that is what is happening to kids all across this country who don't feel school is a safe place any longer, who don't think their neighborhoods are a safe place any longer, who grow up in parts of this country in which everyday gun violence is routine. They don't believe they will live past the age of 25.

The damage happening across this country is acute. It is real. It is pervasive. This is an epidemic of gun violence that exists in the United States and nowhere else. The risk, though, is that this country thinks about gun violence only when there is a mass shooting or only when there is a shooting at a school.

On Tuesday, the same day that the country was captivated by these terrifying images out of Oxford High School, in Taylor, TX, four bodies were found at a home in that town after an apparent murder-suicide. Police said that Anthony Davis, 57 years old, shot and killed his wife, his wife's stepchild, and the stepchild's romantic acquaintance—four people dead in Taylor, TX. Nobody knows about that nationally. Nobody knows about the other 50 to 100 people who died of gun violence on Tuesday.

This happens every single day in this country at a rate 10 times higher than any other country in the high-income world. It only happens in the United States of America. And we let it happen as a body. We let it happen as a body because it is not that we are unlucky in the United States; this is a policy choice that we make.

Let's be honest—the reason that we can't get anything done in the Senate is not because there is a disagreement amongst our constituents about what to do. Our constituents, Republicans and Democrats, support measures like universal background checks. In fact, there is almost nothing in the political world that enjoys such high support as universal background checks. Eighty percent, ninety percent of Americans—the majority of Republicans, Democrats, gun owners, non-gun owners—support universal background checks. But we can't get it done because it seems as if many of my colleagues here care more about the health of the gun industry and their profits than they do about the health of our kids. Gun industry profits are being put ahead of the safety of my children, of our children.

Shooting after shooting. Republicans in this body have refused to do anything meaningful that would reduce this pace of carnage, both in our schools and on the streets of America. As I said, it is not as if we don't know what the answer is.

Let me give you a remarkable statistic. In 2020, we saw a pretty substan-

tial increase in violent crime all across the country. That increase was about 5 percent, and a lot of that was gun crime. Gun crime went up by 25 percent during 2020. But let's break down that number between the States that have universal background checks and the States that don't have universal background checks. There was a 5-percent overall increase in violent crime in the United States, but in 2020, in States that did not have and don't have universal background checks—meaning a criminal can get a gun at a gun show or online without any background check—in those States, violent crime went up 8 percent higher than the national average. What about the States like Connecticut that have universal background checks, where we make sure everybody gets a background check before they buy a gun? In those States, violent crime went up in 2020 by less than 1 percent. That is pretty stunning. On a percentage basis, violent crime goes up by eight times the level in States without universal background checks as in States with universal background checks.

I can just run through the litany of studies that show the difference in murder rates, in gun crime between States that have universal background checks and those that don't. One of the most recent studies from 2019, a Harvard study, shows a 15-percent difference. Now, that is surprising because no matter how strong Connecticut's background checks law is, States that don't have background checks end up allowing people to buy guns there, and they come into Connecticut. So until we have a national requirement that everybody go through a background check before, at the very least, they buy a gun at a commercial sale, there is nothing Connecticut can do to make itself completely immune to the epidemic of illegal guns.

That is why we are on the floor today, myself, Senator BLUMENTHAL, and Senator DURBIN, to ask our colleagues to pass into law a bipartisan piece of legislation that has already passed the House of Representatives. This is a bill that would expand background checks to all sales in this country, with certain exceptions for transfers between immediate family members. This is a bill, as I mentioned, that is supported by the vast majority of Americans—one of the most popular policy proposals that exist in this country today. And it will save lives.

I mentioned the shooting in Texas because one of the critiques of this proposal often is, well, it wouldn't have stopped the last mass shooting. I don't claim that this proposal nor any other proposal to change the Nation's gun laws will have an effect on every single shooting, but the data is the data. These are the statistics.

This proposal is the most impactful when a State takes it. Universal background checks save lives, decrease gun violence, decrease violent crimes. The loss of life, when it is a shooting on the

streets of New Haven, one person being shot, that is just as shattering to the lives of the people who love that victim as is a mass shooting.

So I am hopeful that the Senate will make the decision today to pass this bill into law. I understand the chances are slim to none that this unanimous consent request will be adopted, but I am at my wit's end. I am at my wit's end. I am prepared to use whatever means I have as an individual Senator to come down here and press this case forward.

I ask at this point, knowing the Senator from Iowa is on the floor, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 8, the Bipartisan Background Checks Act of 2021, which was received from the House; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Iowa.

Mr. GRASSLEY. Reserving the right to object, I would like to give some remarks.

I want to start off with a process question to all the 100 Senators.

Obviously, this is an important issue with a lot of people. Democrats control every committee in this body, and this bill is being offered, when it could be brought up in the committee under regular order because they control the agenda of, in this case, the Judiciary Committee. So why hasn't that come up?

Then I would remind people that in 2013, we actually had a vote on a Grassley-Cruz amendment that got the most votes so far of any gun issues. That was in, I think, the year 2013.

Let's get to the issue that was brought up today by the Senator from Connecticut. Let me say that we have to have real regard for the position he takes because of the tragedy that happened in his State in 2012. Nobody is going to justify that. If they did, they would be crazy for trying to say that something bad like that happened and that it is not a crisis for everybody.

Let me start off by saying in regard to what happened in Michigan that the senseless tragedy we saw in that State should not have happened. The shooter, as we have been told, killed four and injured others in a shocking act of violence. I cannot imagine what those families of the victims are going through because I guess you would have to go through it to try to get their feeling about it. You see it expressed on television, but it doesn't make the same impact on the people who are listening that it makes on the family of the victims.

Difficult topics require across-the-aisle conversations, particularly when you have to have 60 votes to get anything done in this body. I would invite my colleagues across the aisle to have

a bipartisan conversation on this topic and a lot of related topics to it.

Violent crime and violence at schools are serious problems. I have supported legislative efforts to improve the National Instant Criminal Background Check System, which we call NICS. For example, I introduced the EAGLES Act, a bipartisan bill that would help reauthorize the U.S. Secret Service's National Threat Assessment Center, where they study targeted violence and proactively identify and manage threats before they result in tragedies.

However, in regard to the motion before us, I have serious concerns with the bill raised by the Senator from Connecticut. This bill is hostile toward lawful gun owners and lawful firearm transactions. This will not solve the problems that it seeks to solve.

So-called "universal" background checks will not prevent crime and will turn otherwise law-abiding citizens into criminals.

I have introduced legislation, along with Senators CRUZ and TILLIS, called Protecting Communities and Preserving the Second Amendment Act. Our bill will be much more effective than the underlying bill and has been supported by a majority of the Senate in the past.

And I think that is the same thing that I was referring to—a vote that got a majority but not 60 votes in 2013.

But the Democrat leadership has blocked that approach, which I assume that they will do again today.

This legislation, S. 1775, would reauthorize and improve NICS, increase resources for prosecution of gun crime, and address mental illness in the criminal justice system, which if it had been addressed properly in the case of the Parkland, FL, shooting, that individual who had been identified, I think, somewhere between 30 and 40 times as having very serious mental issues, if he had been identified, he would have been in the NICS system and not been able to buy that gun. And that is just one thing, mental illness being a problem.

And this legislation would also strengthen criminal law by including straw purchasing and illegal firearms trafficking statutes. It does that without burdening any Second Amendment rights of Americans.

In addition, this bill would require a commission to study and report to Congress the underlying causes and triggers for mass shootings. The commission and study proposed could not come at a more important time, and I urge my colleagues to support this legislation that I will suggest to the Senate on a UC request.

Therefore, Mr. President, I object to the motion that you have asked UC on.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

Mr. MURPHY. Mr. President, I know the Senator has his own UC request. I will just say two things very quickly. I am not surprised, but still disappointed, in the objection.

I take the Senator's advice seriously. We need 60 votes in order to pass legislation like H.R. 8 before this body, but I think, as the Senator knows, with Senator DURBIN's guidance, I have been involved in multiple rounds of talks with Republican Senators throughout the year about trying to find some common ground. I think anyone who has been part of those talks knows that I have been willing to bend; I have been willing to compromise. I am not going to let the perfect be the enemy of the good when it comes to saving lives. And if the Senator is making an offer to join those talks or to sit down, then count me in.

But so far, a year into maybe the most deadly year in my political lifetime with respect to gun violence, I haven't been able to find one Republican taker for a compromise on the issue of background checks.

And then I will gladly send to the Senator the reams of data showing that background checks, in fact, do make a difference. As I cited, just in 2020, we see the difference between States that have background checks and those that don't.

I look forward to continuing that conversation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

UNANIMOUS CONSENT REQUEST—H.R. 8 AND S.

1775

Mr. GRASSLEY. Mr. President, as if in legislative session, I would ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 62, which is S. 1775, the Protecting Communities and Preserving the Second Amendment Act of 2021; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. MURPHY. Mr. President, reserving the right to object, let me concede that there are some laudable pieces to this legislation. It is not new to the body. As Senator GRASSLEY mentioned, this is something that has received a vote.

But in large part, it is a massive contraction of the universal background check system rather than what Americans support, which is an expansion of the background check system, and let me give you just two examples.

In this legislation there would be a change in law, such that for individuals who are subject to psychiatric confinement, the minute they leave that confinement, they get their gun rights restored. That is not the existing law. The existing law says that if you are so mentally ill that you have had to be inpatient, you don't get those gun rights restored unless you petition.

Second, this bill would say that for individuals who have been judged mentally incompetent—this is a regulatory term, not my term. But for individuals

who have been determined mentally incompetent by a Federal Government Agency, they would have their gun rights restored. Right now, those individuals are not allowed to possess guns, but they would under this proposal.

So this amendment, while it has some, I think, important pieces to it, in large part is a pretty massive contraction of the number of background checks that would be done in this country, and for that reason I would object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa.

Mr. GRASSLEY. I made the request. So there isn't any objection, so my bill passes?

The PRESIDING OFFICER. No. Objection is heard. He did object. Objection is heard.

Mr. GRASSLEY. Before I give up the floor, I would like to suggest that we can start sitting down with the Senator from Connecticut and a lot of other Senators who are interested in this issue, both on the Republican side and the Democrat side, with the legislation that I have suggested.

The other thing I would like to comment on, just to clarify, is the Senator's statement about the recapture of gun rights under our bill: He is right. But you have got to look at why those Second Amendment rights were taken away in the first place, and I think it is the same principle that applies to people that have gone through the Social Security system and the people that have gone through the VA system. It is as simple as a little thing, that you have got to have a third party handle your finances for your family or whatever finances you have. You have to have a third party to do it. That name gets put in the NICS system, and it shouldn't be there just because you can't handle your finances. That has got nothing to do with that you ought to be denied your Second Amendment rights.

And so our legislation provides a process to make sure that the due process of the Second Amendment rights that have been denied can be recaptured, so they can have the Bill of Rights as was intended.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish I could end this exchange on a hopeful note. I have come here so many times wishing that an exchange like this one could lead to progress. And we have offered again and again and again—the Senator from Connecticut on background checks, myself on red flag or emergency risk orders, on Ethan's Law with safe storage, on a myriad of proposals—to sit down with our colleagues and engage in the kind of constructive and positive dialogue that Senator GRASSLEY has suggested, and they have yielded nothing. And the reason they have yielded nothing is essentially that, unfortunately, our Republican colleagues remain in the grip

of a lobby—the gun lobby—which is waning in its impact across the country but still maintains its grip in this Chamber.

That is the grip we need to break. That is the grip that will be broken through the democratic process if the American people have their way. And the American people are changing in their view.

In fact, there is now a political movement. It is composed of the young people—March for Our Lives—who suffered in Parkland, FL, when they saw the same kind of shooting and suffered the same kind of trauma that those students did in Oakland County, MI.

And again and again and again, this tragedy has been repeated in schools across our country. We are here again with grief and sorrow for the lives taken by gun violence—needlessly and violently.

Four young people—Madisyn Baldwin, 17; Justin Shilling, 17; Hana St. Juliana, 14; Tate Myre, 16—were shot multiple times, as my colleague from Connecticut has described it in that video, among many others trying to escape.

Six other students and a teacher were injured, and their community is reeling from this horror—a horror of blood and flesh and lives cut short forever.

And their loved ones have joined a club, as it has been called—a club nobody wants to join. Nobody wants to be admitted.

In just 12 days, just 12 days from now, it will be the ninth anniversary of a tragedy whose survivors joined that club—the families of the Sandy Hook children—20 beautiful, innocent children and 6 dedicated, courageous educators at Sandy Hook Elementary School in Newtown, CT.

And whenever I talk about this subject in this Chamber, I see them in the Gallery. I see them in the Gallery on the day that we failed. We failed by just a handful of votes to reach the 60 that we needed to pass a background check proposal. And one of them shouted “shame.” “Shame.” And it was shameful and disgraceful that we failed to act on that day.

Think of how many lives we could have saved. You know, in this body, we talk endlessly, and sometimes we act in a way that can affect real lives and real people. We could have saved real lives and real people on that day—not all the lives lost to gun violence, the tens of thousands who have perished since then, but some of them.

“When you save one life, you save the world” is an adage in my faith. We had it within our grasp to save lives and to help save the world, but we failed then, and, again today, we failed, even with the impetus of that horror in our minds and before us played again and again.

And, for me, the voices of those survivors resonate. Their faces are forever with me, as they will be for all who knew the survivors of the Oakland, MI, tragedy.

They have become friends. They have become almost members of my family, and they relive their own tragedy when they see what happened in these shootings.

And the trauma affects not just the children in that school on Tuesday; it affects children everywhere.

Somebody said to me the other day: Do you know the three best words in the English language these days? “Back to normal.”

We want to go back to normal. After a year and a half of the pandemic, we want to go back to normal, put kids back in school, put teachers back in the classroom—back to normal.

We are back to normal in gun violence. In fact, we are worse than normal. We are back to normal with school shootings because kids are back in school, but the rate of gun violence has, if anything, explosively increased. This normal cannot be normalized. It cannot be made the new normal. The finality of evil cannot be taken for granted.

The shame that that vote, 9 years ago, brought to this body is a stain that will forever haunt us and haunts us evermore when we fail, as we did today, to provide real action. And there isn't any panacea. My colleague from Connecticut is absolutely right. No single proposal is a solution.

And there are others that we have advanced and tried to make it a matter of bipartisan support. Senator GRAHAM and I have worked on a red flag or emergency risk protection order statute that separates people from guns when they are dangerous to themselves or others, separates them when they are under a protective order and they buy those guns, or when a family member knows they are about to commit or take their own lives, not to mention other people's lives. More than half of all the gun deaths in this country are suicides. We can save those lives.

A large number of these deaths occur when children are playing with guns in their own homes because the guns have been unsafely stored. Ethan Song was killed in Connecticut because a parent failed to safely store a gun. Ethan's Law, requiring safe storage, would save lives.

Holding manufacturers accountable and depriving them of sweetheart deals that led to PLCAA—giving them immunity from any legal accountability—reversing that immunity would help to save lives in repealing PLCAA. There is more than one proposal that we need to seriously consider if we are going to have the kind of dialogue that my colleague Senator GRASSLEY suggested.

But the simple fact is, the House of Representatives did its job back in March when it passed that bipartisan legislation to expand background checks.

We are trying to do our job today, seeking unanimous consent from our colleagues to move forward on H.R. 8, and there is no rational explanation—

none—when the vast majority of American people, gun owners as well as NRA members, all backgrounds, all walks of life, all geographic areas, all demographic areas, support this measure.

So back to normal—we are back to normal. We cannot tolerate this normal. And as we approach that ninth anniversary of the Sandy Hook Elementary School shooting—and I recall that bleak day in December when we gathered at a firehouse with parents who were waiting to find out—waiting to know whether their children were still alive.

No matter what the ages of our children—I have four—we can relive that moment in our own minds, in our own hearts, and we can see in this Gallery those parents who came to speak truth to us, speak truth to power, and who will call us to account. The American people should call us to account for our failure to act today, our complicity in those deaths. This Congress is complicit. The Members who vote against these measures are complicit in the tragedies that follow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of my Connecticut colleagues in their effort to pass the bipartisan background check bill, H.R. 8.

I want to thank my friends Senator MURPHY and Senator BLUMENTHAL for their leadership on this issue.

I am sure, as Senator BLUMENTHAL just recounted, that tragic experience at Sandy Hook Elementary School 9 years ago is still fresh in their minds and motivates them to stand up, time and again, and to speak out on behalf of the families who lost their children and those wonderful educators and administrators who gave their lives that day.

What will it take? Is there a crime involving guns in America so horrific that finally we will say enough?

Other countries have. Australia did. They had a terrible shooting. They came to the conclusion that this was just unacceptable in their nation. They wouldn't let it become normal. Some States have done that. Connecticut did after Sandy Hook. They said our State will be different. We are not going to stand just idly by.

But when it comes here to Washington in this national legislature, in this Senate, it appears there is nothing sufficiently awful, so specifically outrageous that it will move us to act.

This last week, it was Oakland County, MI, Oxford High School. Four children got up in the morning, blurry-eyed, brushed their teeth, grabbed their lunches, headed off to school—and never came home. That was the reality of this.

Senator MURPHY has said those other students, lucky enough to survive, will never forget that day as long as they live. They will be telling their grandchildren about the day they had to dive out of a window to escape this gunman who was going through their school.

I have always thought, of the most terrible gun crimes that have happened—and there have been so many, so many—Sandy Hook is the worst. I can't imagine a classroom of 20 first graders and the teachers being gunned down at their desks. Oh, my God.

For every parent and every grandparent, it is the worst nightmare in the world, and it happened there—20 of them. Certainly, many of us believed that would be the moment that America would come to its senses and say: Let's do something. If we can't do everything, let's do something to show we care. But as a national legislature, we failed.

And the proposal that we brought to the floor that was objected to today is the most basic thing in the world. OK. You have second amendment rights, unless—unless—you have given those up by committing a felony crime and being convicted of it, unless you were so mentally unstable that you shouldn't own a gun. That is basically it. That is all we said. Are those unreasonable? I think not. Eighty-four percent of Americans happen to believe that is a pretty sensible thing to do—84 percent. But when it comes to the U.S. Senate, we can't get 51 percent to vote that way—at least not yet.

So I thank my colleagues Senator MURPHY and Senator BLUMENTHAL for reminding us of the terrible tragedy in their lives and in their State just 9 years ago. But I will tell you that as horrible as Sandy Hook was, 900 people have died by gunfire in Cook County, IL, which I represent, just this year, and 40,000 Americans lost their lives to guns last year. We can't do anything about that. They are gone.

But what about tomorrow's victims? What about next week's victims? What about the next high school? We can do something about that, and this bill would pass today if Republican Senators would allow it.

Let's be very candid about this. This is a partisan issue. It shouldn't be. Those gunmen—I don't think anyone reports their political status, and certainly the victims are not identified that way. But in this Chamber, it is an article of faith, political faith, that Republicans won't touch anything related to gun safety—anything.

The bill that was objected to, proposed by Senator GRASSLEY, the protecting communities bill—first, let me say CHUCK GRASSLEY is my friend. I mean it. I don't just say that as political, idle talk. He is my ranking member on the Senate Judiciary Committee. We disagree on a lot of things. We sure do agree on a lot of things too.

The bill that he described is a step in the wrong direction, as was mentioned by Senator MURPHY. That bill doesn't fix the gaping holes in the background check system. It makes them worse. To say that people who have been involuntarily committed to a psychiatric hospital can leave that hospital, walk out the door, and buy a gun, that doesn't even make sense.

You would certainly want to ask someone, some medical expert, what is their state of mind? Have they fully recovered? Are they ready? Can they make a basic decision that we can trust? That is not too much to ask for those who are involuntarily committed to a psychiatric hospital.

Unfortunately, the Grassley bill, which we objected to, would automatically restore a person's right to buy a gun the minute they walked out of the hospital. The bill also wipes away the NICS background check system for the records of—listen—175,000 people in this country who have been found, in the words of the statute, “mentally incompetent.” This bill would allow them—permit them to buy guns immediately.

How can that make any sense at all?

Surely, the definition may not be the best, but let's work on that instead of just saying, on a blanket basis, go out and buy a gun if you want to.

The bill also weakens gun laws on the books. The bill would allow gun dealers to sell handguns directly to people from other States. How does that make us safer? And it would bar the ATF from requiring gun dealers to submit reports of multiple purchases of long guns—a key indicator of gun trafficking in many border States.

We are a long way from where we should be, but Senator GRASSLEY has challenged me as chairman of the Senate Judiciary Committee to hold a hearing, mark up the bill.

I accept the challenge. We may not get to first base on this, but we are not going to stay in the stands and in the bleachers as kids are being gunned down at Oxford High School, and we are “celebrating”—if that is the word—all of the gun deaths of the past with anniversaries that bring back bitter memories and tragic occurrences.

So, yes, the Senate Judiciary Committee will have a hearing. We are going to move forward as best we can. Maybe there is common ground out there. I pray, for the victims and their families—I pray that there is.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from Ohio.

BUILD BACK BETTER AGENDA

Mr. PORTMAN. Mr. President, I am here on the Senate floor today to talk, once again, about the so-called Build Back Better legislation that the Democrats are trying to force through this system on a purely partisan basis under what is called reconciliation.

I strongly believe that this massive tax-and-spend bill is the wrong way to go. I think it is irresponsible, particularly at a time of high inflation, uncertain economic growth—driven a lot by the uncertainties around the new COVID concerns—and record levels of debt.

This is the ninth consecutive week that the Senate has been in session that I have come to the Senate floor to talk about specific reasons I believe the Build Back Better legislation is a bad deal for America.

As we have talked about before, this massive new spending bill represents the largest amount of spending of any legislation ever passed by the U.S. Congress. Now, the official score is something like \$1.7 trillion. You could argue that the one that passed in March, the \$1.9 trillion, was the largest one, and that this is the second largest one.

In fact, when you look at what is in it, a lot of the spending is, in effect, camouflaged, as has been said by the folks at Penn Wharton, who analyzed this. When you take into account the programs that are relatively popular and unlikely ever to be ended—like the child tax credit—or that are likely to continue, they are sunsetted in this legislation.

If they weren't sunsetted, the cost of the bill would go from about \$1.75 trillion to about \$4.5 trillion. One analysis from the Committee for a Responsible Federal Budget has it a little higher than that, but let's say it is \$4.5 trillion. That would be, by far, the largest piece of legislation that would have ever passed the U.S. Congress.

Much of that spending is what is called stimulus spending—adding to the demand side of the economy, adding to inflation. Remember, inflation is demand chasing supply. If there is not enough supply and there is more demand, you have inflation. That is what many of us predicted would happen with the \$1.9 trillion legislation. Unfortunately, that is exactly what happened.

So, once again, at a time of devastating high inflation already, record debt, and so much uncertainty on COVID and the possible need for more Federal resources there with regard to COVID, massive new spending—it seems to me right now—is the wrong thing to do.

On the revenue side, the massive tax increases are also irresponsible, in my view, and not well thought out.

Today, I would like to focus on one new tax increase proposal in particular, and this is the Democrats' plan to propose a new 15-percent minimum tax on the domestic side. They call it the minimum book tax. It is not a tax on books; it is a tax on companies and on workers and on pensions, which we will talk about, based on the financial statement. It is not based on income as we traditionally think about it or as the Tax Code traditionally defines it, but it relies on so-called book value, and it has several negative consequences that I want to talk about today.

The new book tax, if it were to be put into effect, would drive inflation even higher. It would discourage investment in key sectors of the economy, and it would jeopardize the state of businesses that provide pension funds for their employees.

The book tax proposal is, essentially, a new corporate alternative tax. But, again, it taxes the adjusted financial statement income of a large corporation, not its IRS tax analysis; and that

is the income that might be reported to, let's say, the SEC through a Form 10-K.

This makes it very different than the existing corporate income tax, which is determined based on the income that these companies report to the IRS. Because these two taxes are calculated using very different base amounts, the 15-percent book tax can end up being a lot larger for companies than the 21-percent income tax.

The line that you will likely hear from some of my colleagues on the other side of the aisle is that this tax is designed to make big companies pay their fair share of taxes because it only applies to companies with a 3-year average adjusted book income of more than \$1 billion, but studies from the nonpartisan Congressional Budget Office, the Tax Foundation, and more show that it is actually the workers who bear the brunt of these types of taxes in the form of lower wages, lower benefits, lost jobs, and higher prices. I am also hearing about a number of specific unintended, perhaps, consequences, and I am certain there will be others as well.

Let's start with its effect on workers' retirements. Under this proposal, a qualifying company ends up paying a new tax on certain investment gains, potentially due to just a change in interest rates, in their employees' pension funds. So this is a new tax. Right now, if the pension fund has an income gain, that would not be taxed, but under this proposal, it would be—under the book tax proposal. So it is basically a tax on the pensions.

First, these gains shouldn't result in a tax to the company at all. Companies do not have access to these pension investments. They sit in a segregated account. Companies can't touch them nor should they be able to touch them. Obviously, they make money for the retirement accounts of the employees. That is the whole idea. For good reason, pension funds should be invested, and they should grow over time because it benefits the workers to strengthen their retirement security.

Second, companies could be forced to pay more in taxes on the pension gains than the company makes in actual profits.

Let's take an established company, and I can tell you some of them have contacted us with specific examples of this, but they tend to be companies that are pretty well established because they have pretty big pension plans.

If you have an established company with a large pension plan, let's say that company makes a profit of 100 million bucks in a year. They could see their long-running pension fund gain a lot more than that—say, \$2 billion—over that same period.

So, under this tax plan, that company would have to pay a 15-percent tax on that \$2 billion in pension income, or about \$300 million on top of any normal income taxes. That busi-

ness then has to make a tough choice because, remember, the business has only made \$100 billion in profit, and you have a tax bill of \$300 million because of your pension income.

Are you going to go bankrupt? Are you going to take out loans to pay these taxes?

This is money that would otherwise be invested in people, in plants, equipment, in our economy. Instead, it is going toward paying a potentially large tax that is entirely counterproductive.

Third, of course, is that it discourages companies from investing in their workers' retirements. Having more invested in pension plans is good for workers. I think we should encourage employers to do the right thing, and that is to have a defined benefit plan. There are fewer of them these days. Of those that are left, we don't want to drive employers out of those, in my view.

By the way, that is the view of almost all of my colleagues, I think, on the other side of the aisle and certainly a lot of union members who have these pensions. Let's not forget that this tax could threaten the retirement of tens of thousands of union and nonunion workers alike.

But this tax proposal doesn't just jeopardize pensions; it could have a significant negative impact on how industries, particularly manufacturers, invest in growing their operations. According to data from the nonpartisan Joint Committee on Taxation, the manufacturing sector leads all other sectors in the economy when it comes to the use of what is called bonus depreciation. That is where you get to have an immediate writeoff if you expand, again, plant or equipment.

That is something that was part of the 2017 tax legislation. It has been very helpful to help grow the economy, very important to retailers, very important to hospitality, and very important, of course, to manufacturers, who lead the way in terms of taking this deduction. It allows them to quickly and affordably invest in equipment, in new machinery, leading to higher productivity, leading to more jobs—what economists think is the most important thing we can do right now in our economy, which is to grow the supply side of our economy.

Under this new book tax the Democrats are proposing, that deduction would not be able to be paid, as it is now, immediately as bonus depreciation but, rather, it would have to be paid over a longer period of time, making these critical investments a lot less likely and leading to fewer new hires and lower productivity.

By the way, less investment in capital assets, of course, puts more pressure on inflation because it increases on the demand side of the economy if you don't do it. If you do it, it would increase on the supply side. So you want to encourage investments in capital assets. That is good because it helps in terms of the supply side.

So this bill has stimulus spending, as we talked about, on the spending side, and more demand and lower investment is exactly the opposite of what we ought to be doing in terms of countering inflation.

Taking a broader view, both of these immediate negative impacts on the economy and workers—the taxes on pension funds and less financial incentive for investment—are going to lead to higher prices for consumers, which also increases inflation.

It is even worse. From what I am hearing, some of the biggest sponsors of pension plans are logistics and delivery companies. I hope my colleagues are talking to these same companies that are reaching out to talk to us. To pay for these additional costs, particularly the pension costs, they have told us they are likely going to have to increase costs, reduce customer services, and suspend investment in new technology. These are logistics companies. At a time when many Americans are already experiencing inflation and supply chain bottlenecks, this is exactly the wrong prescription.

The book tax proposal is just one of a lot of policies in this reconciliation bill that I think would be bad for the economy and bad for workers. Maybe these specific problems we talked about today were just overlooked in the rush to produce a bill without going through any of the normal committee processes, including the Finance Committee, which hasn't looked at this—those issues would have emerged, I am sure, had the Ways and Means Committee and the Finance Committee had the opportunity to review it and to analyze it—or maybe the plan is to just overwhelm the American people with so many dramatic changes to our Tax Code that they won't notice how irresponsible any single one might be. Whatever the case, it is clear that this book tax has not been properly vetted.

It is time for Congress to slow down this process so that we can properly understand the consequences of these policies on the American people. These massive tax-and-spend proposals are bad for the economy, certainly bad for inflation, bad for business, and most importantly, bad for workers and their jobs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

GOVERNMENT FUNDING

Mr. BLUNT. Mr. President, this is always a very busy time of the year if we are still here, and it has been a long time since the Congress wasn't here in the first of December. There have been years within the last couple of decades where we actually got our work done fairly close to the time that the spending year started. We are not close to doing that now. In fact, the apparent best-case scenario is that we will need to extend this year's spending—the spending that ended on September 30—through most of the month of February

before we really can get down to the work that you and I would like to see happen, as we serve on the Appropriations Committee.

We are here a lot of times in December, but we are seldom here in December without having made a real start on the work that has to be done. Instead of the work that has to be done, we seem to be down to the work that our friends on the other side really want to do. Of course, that means the trillions of dollars of spending beyond what we would normally spend.

That is being described by people as transformative, as once-in-a-century, as FDR-like. The one thing it is for sure is it is 100 percent partisan. Nobody expects a single Member of the Senate on the Republican side to vote for this reckless tax-and-spending bill.

You can tell, as you listen to the description of the bill, that there is beginning to be more and more worry about what the American people are thinking that this bill might really wind up doing to their families and to the country. When they hear that it is going to be transformative, when they hear that the entire economy will be different and people's problems will change in dramatic ways, people really begin to have to wonder how that happens, particularly when we hear that this won't cost anything.

Well, of course it is going to cost something. You can say all you want to, that the cost is zero, but the cost can't possibly be zero of something that is going to transform the economy and solve people's problems. Somebody is going to have to pay for that.

At one time, it appeared that, well, maybe we will just raise every bit of those extra spending dollars on new tax dollars. That hasn't happened yet in any bill that has been brought forward. In fact, the bill that the Senate is going to receive from the House has an actual deficit, even by the Congressional Budget Office standards, of about \$350 billion.

In 2019, we almost decided that we couldn't move forward on the debt ceiling because the Speaker of the House said: We are not going to help on the debt ceiling unless there is another \$19 billion of domestic spending.

This was 2019. We spent weeks fighting about whether we would spend another \$19 billion. The Secretary of the Treasury, Secretary Mnuchin, was down here about once or twice every week in the negotiations that it would take to decide if we are going to spend \$19 billion. Now we are talking about a \$350 billion addition to the national debt, and that is even if you accept all the gimmicks in the bill.

There are other negative effects as well. One of those big negative effects will be, of course, the impact of inflation on families. We are already seeing the impact of the big—the spending bill in March, the \$1.9 trillion of spending that out of nowhere came into the economy, totally unpaid for, totally partisan.

Last year, we had five bipartisan bills that both sides worked hard to do what we needed to to respond to COVID, to try to stabilize the economy. This year, we started off the year in March with an almost \$2 trillion totally partisan bill, and that partisan bill is beginning to have the kinds of effects you would expect it would have.

Costs are going up. There is more money out there, and mostly there is just money that is just made up out of thin air. It is borrowed, where the government is borrowing from itself. We are issuing bonds and buying the bonds at the Fed and then sending money to people. They are spending that money, and, of course, that has an impact on costs.

Then there are energy policies that have an impact on costs as well—the immediate decision to not move forward with a significant energy pipeline that was being built; the immediate decision to do what we could to reduce the domestic production of energy. That has had exactly the results you would expect it to have, just like putting this money into the economy has had a result. So everything from home heating costs, which are estimated to go up as much as 50 percent this year if the weather is no worse than last year, to filling up your gas tank—we have a chance of setting a new personal record every time you pull up to the gas tank and wonder how much money you can put in that empty gas tank today—to buying groceries, to even getting people together for the holidays.

Independent analysts of the big tax-and-spending spree say that the number isn't \$1.7 trillion, but it is about three times that, about \$4.8 trillion. Now, how could you go from 1.7 to 4.8 just like that? You do it by assuming, as our friends who are sponsors of the bill do, that the spending in the bill will actually be spent over the entire 10 years.

There is one program where families with kids at home get a check every month from the government. That program costs about \$450 billion a year, and it is in the bill for 1 year. Well, nobody on the other side believes it is going to be in the bill for 1 year, and nobody voting against the bill is at all certain that it is going to be there for 1 year. Most of the analysts say, no, that is going to be there for not 1 year but all 10 years. So you add another \$450 billion times nine, and suddenly you have added trillions more in spending to the bill.

There are other programs that last 2 years, and some programs last 4 years. Almost none of the programs that are to be paid for in 10 years—and even with a \$350 billion deficit—almost none of the programs to be paid for in 10 years last 10 years. They are just in there to get the program started, to get people convinced that they really need the government to do something for them that the government hasn't done before, and then see if we can extend that.

As I mentioned, back in March, we had already done this once with a totally partisan \$1.9 trillion spending bill. What happened after March? We got inflation to a 30-year high in the August numbers and consumer confidence to a 10-year low. You have to work pretty hard to get inflation at a 30-year high and consumer confidence at a 10-year low, but that is what happens when you put \$1.9 trillion into the economy that wouldn't have been there otherwise.

So what would happen if you put \$4.8 trillion into the economy that wouldn't be there otherwise? The people who are most impacted by the results of that are the very people the bill purportedly is going to help, is designed to help. We are going to solve all of your problems. Well, first of all, the government is not going to get that done. We are going to solve Americans' everyday problems, but if you do that by raising their costs higher than their pay can go up, you haven't done anybody a favor.

President Biden campaigned on a return to normal, but he is governing on what his self-described allies say is radical change. Well, those two things seem to me to be in pretty big conflict. You can't have "return to normal" and "radical change" at the same time.

There was no mandate in the last election. The Senate is as evenly divided as it could possibly be—50-50. In the House, Democrats have the closest margin that they have had in 170 years and one of the closest margins that anybody has had in decades.

Americans want their elected representatives to stop selling every crisis as an opportunity to impose another one-sided view of how the country needs to move forward.

You hear and I hear at home and even from the press: When is the Congress going to work together? Well, we worked together last year to do five bills to respond to the COVID and economic crisis, and we did that together. That was a pretty good model. Frankly, I think it was the model that the American people were thinking about when they voted for this closely divided Congress and in a fairly closely divided Presidential race at the conclusion of the election.

Families need real solutions to the challenges they face. Reckless tax and spending, driving inflation, sending gas prices to alltime highs and home heating prices to alltime highs and increasing the cost at the grocery store—if there are things to buy at the grocery store—by 15 or 20 percent surely, isn't what we want to pass on to our children, our grandchildren, our people, hard-working families out there today trying to make things happen and make things better for their families.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Massachusetts.

TRIBUTE TO ASHLEY HARRINGTON

Mr. MARKEY. Mr. President, I want to spend a quick moment saying a fond

thank-you and farewell to a staff member of mine who is leaving.

My deep gratitude to Ashley Harrington, who is off to great adventures. Our sadness at her leaving is matched only by our excitement for her as she starts her next chapter.

Thank you for your dedication, your humor, your invaluable skills. We are going to miss you throughout our entire office.

NOMINATION OF RACHAEL S. ROLLINS

Mr. President, I come here today to speak in support of Suffolk County District Attorney Rachael Rollins, nominee to serve as U.S. attorney for the District of Massachusetts.

The fact that I and my Senate partner, Senator WARREN, have to come to the floor at all in support of this qualified, respected, effective law enforcement official is a testimony to the unprecedented partisanship of my Republican colleagues. It is truly outrageous.

Before I share more about District Attorney Rollins' record of accomplishment—a record that my Republican colleagues have intentionally distorted and mischaracterized—I want to explain how politically partisan this U.S. attorney nomination process has become.

In September, the Judiciary Committee held a rollcall vote on Rachael Rollins' nomination to serve as U.S. attorney for the District of Massachusetts. She was voted out of committee on an 11-to-11 vote. All Democrats voted aye; all Republicans opposed the nomination.

With this vote, Judiciary Committee Republicans eviscerated a three-decade precedent of voice votes for U.S. attorney nominees for all 50 States—every single time. The committee had last held a rollcall vote on a U.S. attorney nominee in 1993. And based on a review of available materials, before the 117th Congress, the Judiciary Committee had only ever held a rollcall vote on three U.S. attorney nominees: in 1993, 1982, and 1975.

The Senate last required cloture on a U.S. attorney nominee in 1993 but ultimately confirmed that nominee by voice vote. And—listen to this—the Senate last held a rollcall vote on the floor of the Senate on a U.S. attorney nominee in 1975. We have held more impeachment votes on the floor of the Senate than votes on U.S. attorney nominees since 1975.

This obstruction of District Attorney Rollins' nomination is unwarranted, unfounded, and unprecedented. Let me underscore that last point. During the Trump administration, Judiciary Committee Democrats agreed to voice vote all 85 U.S. attorney nominees who came before them, despite disagreements with multiple nominees' records and ideology. All 85 of those U.S. attorneys in the Trump era were processed by the Judiciary Committee and received a voice vote with no recorded opposition. And the Senate, likewise, confirmed all 85 by unanimous consent on the Senate floor during the Donald Trump era.

The opposition to Rachael Rollins is nothing more than a deeply partisan ploy to score political points at the expense of the record of a respected, qualified, courageous, Black, female, progressive district attorney. It is offensive, and it is not in service to public safety—in Massachusetts or across our Nation.

Let me tell you about District Attorney Rachael Rollins and why her record has garnered supported from all corners of the law enforcement community in Massachusetts and New England and from Republicans and Democrats alike.

District Attorney Rollins has public safety in her blood. Her father, a second-generation Irish American, fought in the Vietnam war and later worked as a corrections officer. Her maternal grandparents are from Barbados, and her mother is a first-generation American.

She represents the very best of what this country is all about: opportunity, public service, and plain old hard work.

As the district attorney for the county encompassing Boston and surrounding cities, District Attorney Rollins has a demonstrated record of success as a prosecutor. She leads an office of 300 employees, including more than 150 lawyers who handle 25,000 new criminal case filings and 1,000 criminal investigations annually. She leads a very busy office efficiently and effectively.

On the most serious crimes, her record is unassailable. In 2019, Rollins' first full year in office, the homicide unit's number of completed trials increased by 21 percent. Boston homicides declined by 31 percent in 2019, making it the lowest number in decades.

And she aggressively prosecutes drug trafficking. Between January 1, 2021, and October 12, 2021, just this year, the Suffolk County DA's office has prosecuted 147 trafficking cases. Of those cases, 98 involved charges of trafficking fentanyl, accounting for 67 percent of total drug trafficking prosecutions. District Attorney Rollins has prosecuted more drug traffickers than her predecessor.

I have personally met with and talked with District Attorney Rollins on multiple occasions about the opioid epidemic that is being fueled by fentanyl. There is no one more dedicated to ending that scourge than she is. She is committed to using the DA's office to hold fentanyl drug traffickers fully accountable, and her record proves that.

Her record on investigations is equally remarkable. In 2020, the homicide unit expanded its investigations by 44 percent. The major felony unit increased its by 22 percent, the human trafficking and exploitation unit by 19 percent, and the special prosecutions unit by 33 percent. Under District Attorney Rollins' leadership, her office is as active as it has ever been in going after the most serious crimes in Suffolk County.

But her excellence doesn't end there. District Attorney Rollins has demonstrated a commitment to working with law enforcement to advance community safety and build trust between the community and law enforcement officers. She and her office are a true partner for colleagues, and it is reflected in the coordination that they prioritize.

In June of 2020, she organized a key discussion with law enforcement executives from Greater Boston to have an open dialogue about policing practices in light of the racial reckoning that followed the murder of George Floyd. With her leadership, District Attorney Rollins and the law enforcement executives signed a letter committing to change and ensuring that there would be open communication on that topic.

District Attorney Rollins recognized the historic moment law enforcement was confronting in the wake of the Floyd murder, and she actively reached out to her law enforcement partners to show a united front in their commitment to justice. Rachael Rollins is proof that you can enforce laws and promote justice and that the community wants both.

As a result of this leadership, the Suffolk County law enforcement executives wrote a letter in support of her nomination to serve as U.S. attorney for the District of Massachusetts. In that letter, they highlighted the respect she has for the work they do to keep communities safe.

And in the wake of two incidents of hate against the Jewish community that occurred this summer, District Attorney Rollins led the response, using the resources of her office to investigate the incidents transparently and fully. She personally ensured that there would be a focus on this issue. She attended vigils for both events to ensure that there would be a commitment that was heard that the safety of the communities that had been directly impacted would be protected.

In a letter from the Anti-Defamation League of New England, it said of her actions: In the aftermath of the incidents . . . she demonstrated true allyship and solidarity with the affected communities. The importance of her commitment to this ideal cannot be overstated.

Rachael Rollins is a prosecutor at her core, but she also believes in restorative justice and is one of Massachusetts' greatest advocates for victims of crime. The local organizations that advocate for the rights of victims and their families—including Mothers for Justice & Equality, the Children's Advocacy Center of Suffolk County, the Boston Area Rape Crisis Center, and the Boston Medical Center's Violence Intervention Advocacy Program—all wrote letters in support of Rollins' nomination.

Mothers for Justice wrote that District Attorney Rollins' "determination to bring [to justice] those who commit crimes against community is needed at

the highest levels of Federal prosecution."

The Children's Advocacy Center of Suffolk County describes her as "a leader who clearly prioritizes the needs of children and families—bringing an approach which is both victim-centered and squarely focused on offender accountability."

District Attorney Rollins is clear-eyed in her commitment to justice—justice for victims, justice for families, justice for children, and justice for the communities that have not historically benefited from a system that has punished color, class, and creed. She is working to restore faith in the system by building a system that works for everyone.

Before she was district attorney, from 2007 to 2011, she served as assistant U.S. attorney for the District of Massachusetts. There she prosecuted civil and criminal cases, defended the Federal Government and Agencies in civil suits, and recovered damages for fraud and false claims submitted to the government.

Based on this record, she has the support of many law enforcement organizations and political leaders.

About District Attorney Rollins, a group of several current and former major city police wrote:

We do not always get along. In fact, we have disagreed strongly on issues. What we can say is that she respects us and the work we do to keep our communities safe. She can admit when she is wrong. She can also be incredibly persuasive when she is right. The constant throughout every encounter we have is a mutual respect and a willingness to learn from each other.

So, for my Republican colleagues, let me share the bottom line statistic: Crime is down in Boston. Despite the continued rise in crime nationwide in 2021, murders in Boston have dropped by one-third so far this year. According to data from the Boston Police Department, there have been 32 homicides in the first 9 months of 2021, down from 45 homicides this time last year. Murder is down in Boston. The city also saw a decrease in many types of violent crime, including domestic assault. Property crimes, such as auto thefts and burglary, are also down in the city of Boston during her tenure as our district attorney.

We know there is much more work to be done to ensure public safety and to promote justice, but under District Attorney Rollins' leadership, Boston is on the right trajectory.

Most of what we have heard from my Republican colleagues—in the committee hearing and out here on the floor—is simply untrue. Suffolk County District Attorney Rachael Rollins is a strong Black woman, committed to racial justice with a better record on crime than other old-school prosecutors, and it just plain scares them.

Her approach scares them because it is working in Boston. It can be a model for the rest of the country. Rachael Rollins is not soft on crime; she is smart on crime. Yes, District Attorney

Rollins is a progressive prosecutor. But more importantly, she is an effective prosecutor. Her extensive law enforcement credentials and proven track record of reducing crime and supporting victims is clear, and it is undeniable. She is the right candidate for U.S. Attorney in Massachusetts, and Senator WARREN and I deeply and proudly recommend her to the Senate for confirmation.

I have known District Attorney Rollins since she babysat for my brother's family. She is a dear friend and a loved friend, and I have been so fortunate to know her. And Massachusetts has been so fortunate to have her as one of our top law enforcement officials. She is one of the smartest, most effective, most respected leaders in the Commonwealth of Massachusetts, and her record proves that, unequivocally.

Despite the Republican effort to politicize her nomination and mischaracterize her record, I am confident that she will be confirmed as our next U.S. Attorney.

I urge all of my colleagues to vote yes on this discharge motion, as unnecessary as it should be, and to support the confirmation of Rachael Rollins as the next U.S. Attorney for the District of Massachusetts.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. ROMNEY. Mr. President, I come to the floor to echo the sentiments of my colleague, Senator MARCO RUBIO. Our annual national defense bill is being held up because Speaker PELOSI and Leader SCHUMER are refusing to allow a vote on a provision—the Uyghur Forced Labor Prevention Act—that prevents Chinese goods made with forced labor—slave labor—from entering the United States. This bill was previously passed by the Senate on a unanimous vote.

The Chinese Communist Party's atrocities against its minorities, particularly Uyghur people, include genocide and crimes against humanity. These are well known. Uyghur women are forcibly sterilized and impregnated by Han Chinese men. Adults are ripped from their families and are sentenced into concentration camps and carry out slave labor. It is estimated that nearly 1 million Uyghur people are being treated this way and held in these camps.

There is no question that it should be U.S. policy to hold accountable those responsible for the forced labor of the Uyghurs and ensure that companies—our companies—are monitoring their supply chains and circumstances of workers making products in China, to make sure those products that are made by slave labor by the Uyghur people are not brought into this country. That is the feeling of the unanimous vote of the Senators, which we already expressed.

Congressional Democratic leadership is claiming that the problem with including this amendment is a technicality, but let's be clear that what is really happening here is there are some corporations that Democrats don't want to offend. For example, Democrats want cheap batteries for their so-called Build Back Better agenda. And nearly 80 percent of the rare earth metals, including other materials like lithium and cobalt and the like that are used to make those batteries, come from China.

And let's underscore this. When companies and politicians avert their eyes from China's predations, from China's slavery, they are effectively paying the cannibals to eat them last. China is coming for them, and it is coming for us.

Now, we have, in this year's National Defense Authorization Act, the opportunity to strike a blow against China's slavery. I implore Speaker PELOSI and Leader SCHUMER to move past procedural roadblocks and send a clear, convincing message to China and the world at large that goods produced with slave labor are not allowed in the United States of America.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Indiana.

REMEMBERING REVEREND MELVIN GIRTON

Mr. YOUNG. Madam President, I rise today in tribute to Rev. Melvin Girton, the dean of pastors, a servant of God, and a great Hoosier. His death on October 29 has left a terrible absence, one that cannot be filled. For over half a century, from 1964 to 2015, Dr. Girton was pastor at the Christ Missionary Baptist Church—the same Indianapolis church home where he was baptized as a young boy.

The number of years Dr. Girton shepherded his flock is astonishing. The number of lives he touched and bettered among and beyond is incalculable. He made his church a family. He walked with his congregants through their lives, their challenges, and in difficult times, he reminded them to look up because brighter days were ahead. When one of his congregants needed surgery, she arrived at the hospital to find Dr. Girton waiting there to reassure her everything would be all right. And it was. He was a member of their families. He blessed their marriages, welcomed their children, and even taught them to buy cars and homes. And he prepared and opened the doors for countless other pastors to follow him.

Dr. Girton was also a great lover of history, which is fitting since he made a great deal of it himself. During the civil rights struggle, he led from the pulpit, on the picket lines, during the marches to the Governor's mansion, and he worked with Hoosiers from all walks of life. His work made great strides for equality and pushed Americans to realize our founding promise.

There was a time when Indianapolis's restaurants and theaters were segregated, its neighborhoods closed to

Black citizens. If rising generations of Hoosiers have no memory of this shame, it is because men like Dr. Girton ended it. He fought to open up the city's businesses, to make access to housing equal.

On April 4, 1968, Dr. Girton sat all night with Robert F. Kennedy in his Indianapolis hotel room after the Senator told a heartbroken crowd of Martin Luther King, Jr.'s, murder. The next day, he organized a memorial to Dr. King at the Soldiers and Sailors Monument at the city's center. Indianapolis is one of the few metropolitan areas in America that did not erupt in violence after Dr. King's death. Senator KENNEDY's beautiful and conciliatory speech is often credited for this, but the work of Dr. Girton and other city leaders played just as important a part.

Long after the civil rights movement, he preached kindness and love and labored to advance opportunity. He served as vice president for the Indianapolis branch of the NAACP. He was twice the vice president of the Billy Graham Crusade and regularly hosted the Emancipation Proclamation service, an annual celebration of that document of freedom.

Always searching for ways to help his neighbors, in the late 1990s, Dr. Girton transformed a boarded-up Indianapolis strip mall into a community center, providing job training, employment opportunities, a laundromat, a senior center, and even an ice cream shop.

When he reached the half-century mark at Christ Missionary, he called it a "short 50 years." No wonder—five incredible decades in a life of great purpose.

He wasn't entirely comfortable with the term "legend," but that is what he was. His passing deprives not just his community but his country of a pillar.

Despite the grief, it is hard not to be encouraged by such a wonderful life full of years of lasting achievements, courageous stands, admiring friends, and many loving children and grandchildren and great-grandchildren.

Dr. Girton would often say: "God is with me, God is in me, God works through me." He was and he did.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

NOMINATION OF RACHEL S. ROLLINS

Mr. COTTON. Madam President, in a couple of hours, Senator SCHUMER is bringing to the floor one of the most dangerous pro-crime, anti-cop U.S. nominees in American history. The Senate floor leader wants to ram through President Biden's extreme nominee to be the U.S. attorney for Massachusetts, the current Suffolk County district attorney, Rachel Rollins. In doing so, the Democrats are showing they don't care about crime as a crime wave crashes across the country, they do not support law enforcement, and they have a wanton disregard for the safety and security of Americans.

Now, it is true that we rarely have record votes of U.S. attorneys in the

Senate. In fact, I think it has been 28 years.

It is also true that Rachael Rollins is so radical that she is without precedent as a nominee to be the U.S. attorney.

Rachael Rollins is the very epitome of a Soros prosecutor, although it is generous to call her a prosecutor at all.

For those of you who do not know the term, "Soros prosecutor" refers to the wave of so-called progressive political activists backed by wealthy liberal mega donors like George Soros, who have run for local district attorney and State attorney positions throughout the country with the express purpose—the express purpose of igniting revolution and destroying our criminal justice systems from within.

They have left a trail of death, pain, suffering, and misery in their wake. Chicago has already had more than 1,000 murders this year—1,000 murders, with a month to go. Philadelphia has already had more than 500—already an all-time record. Crime is so bad in San Francisco, they closed downtown on Black Friday to avoid gangs of armed robbers smashing into retail stores and stealing everything in sight. They closed it on Black Friday because Chesa Boudin, the radical Soros prosecutor in San Francisco, has helped a crime wave destroy public safety in San Francisco so much that the liberals in that city have already announced a recall petition against him.

And perhaps most notoriously, just last weekend, in Waukesha, a career criminal with a rap sheet as long as your arm committed mass murder—one of the deadliest massacres in recent years—while he was out on \$1,000 bail; \$1,000 for a career criminal who consistently committed violent crimes for 20 years. And the Soros prosecutor in Milwaukee who let him out acknowledged that it may have been inappropriately low.

But that is not the unintended consequence; that is the intended consequence: to destroy our criminal justice system from the inside, to let violent, repeat felons out immediately and not keep them on bail, and then to not charge them with the appropriate crimes, and then to reduce their sentences when they are convicted.

What do they all have in common?

They are all pro-crime, Soros prosecutors, just like Rachael Rollins—the first one to be nominated for U.S. attorney.

Now, she is not simply a Soros prosecutor, she is one of the most pre-eminent legal arsonists in the country. She is a founding member of an organization of Soros prosecutors called the Truth, Justice, and Reconciliation Commission, which claims that the American justice system—and this is a quote; this is a direct quote—has "been a cruel and oppressive force of injustice for . . . all marginalized communities."

And she also claims—this is, again, a direct quote—"this isn't a bug in the

system, but a feature. It's operating exactly the way it was designed and built to function."

That is her view of our criminal justice system, that it is a cruel and oppressive force of injustice for marginalized communities; that is not a bug; that is a feature.

That is textbook critical race theory. Rachael Rollins believes that the American criminal justice system is racist and rotten to its core, and the Democrats want to put her in charge of prosecuting criminals in the largest State in New England. Rollins hopes to destroy the criminal justice system from within. That is not hyperbole. She has not been shy about her views, until she was nominated for this office, of course.

When asked why she became a prosecutor last year, she answered—again, this is a direct quote. I am not making it up. You may find it hard to believe. This is her own words why she wanted to be a prosecutor: "I chose to jump into this job to dismantle the system from the inside."

Soon after being sworn in as district attorney of Suffolk County, MA, she declared that she was going to battle—going to battle—against the U.S. attorney on offenses like opioids, marijuana, and immigration.

Just think about that. A newly elected prosecutor in the largest city of the State decided that her mission was not to stop criminals, not to protect innocent civilians, but to stop the U.S. attorney in that State from prosecuting criminals, and now she wants that job for herself.

I don't think so.

Mrs. Rollins also published a list of 15 crimes that she would refuse to prosecute except in special cases, sending the clear message to criminals that it was open season to commit these crimes.

Among the crimes on Rollins' presumptive do-not-prosecute list are not just things like jaywalking, but things like drug trafficking with intent to distribute, including fentanyl, malicious destruction of property, criminal threats, breaking and entering, trespassing, resisting arrest, and more.

This isn't an exercise of prosecutorial discretion in a case with exceptional circumstances. This is prosecutorial nullification. The Legislature of Massachusetts passed criminal laws that prosecutors are elected to enforce, and she refuses to enforce them.

What do you think she will do to our Federal criminal laws?

What do you think she will do to you if you are a homeowner in Suffolk County and someone trespasses on your yard and walks up to your window to see if you are home or not?

And if you are not, they will break and enter because you won't be prosecuted. And if you are home, well, they will just walk off the lawn and wait until you leave. And you dial 9-1-1, and the police won't even answer because they know Rachael Rollins won't prosecute you.

And this is the woman that Joe Biden nominated to be a U.S. attorney in this county. I don't think so.

Rollins has tarred police officers as murderers, causing the Boston Police Patrolmen's Association to condemn her for "undoubtedly incit[ing] violence against the proud men and women of the Boston Police Department."

Her response, naturally, was to accuse the Boston police of "white fragility." That is not a summary; that is an exact quote. She accused the Boston police of "white fragility."

There is a word for what Mrs. Rollins traffics in, and that word is "racism;" presuming that every officer in the Boston Police Department is guilty of "white fragility," presumably the Black and the Hispanic and the Asian ones too.

The truth is that Rollins has nothing but contempt for the rule of law. If she is confirmed, the citizens of Massachusetts and New Hampshire and all of New England will suffer the dangerous consequences. We have already seen these consequences in her own county.

In 2020, the first full year in which her policies have been in force, Boston's violent crime rate surged, and the number of murders skyrocketed by 38 percent.

When Rollins took office, Suffolk County had the fifth highest opioid overdose death numbers in Massachusetts, with 39 percent fewer deaths than the leading county. By the end of 2020, not surprisingly, Suffolk County's opioid overdose deaths had increased by 32 percent, and Suffolk County had become the second deadliest county for opioid overdoses.

If Rollins' abysmal record is brought to Massachusetts as a whole, it also poses a significant threat to the health and safety of the people of New England, especially New Hampshire—a threat that extends beyond the 100,000 Granite Staters who work in Massachusetts.

Rollins' insane drug policies would worsen the drug epidemic, which is already ravaging New Hampshire. The opioid crisis, which is fueled by narcotics smuggled from Massachusetts, is responsible for over 80 percent of drug overdose deaths in New Hampshire. Cartels and traffickers use Boston and its ports as a staging ground to smuggle vast quantities of heroin and other drugs into New Hampshire.

Rollins' failure to vigorously enforce Federal drug laws in Massachusetts will severely harm families and communities not just in her own State, but in New Hampshire and across New England.

Rollins' appalling statements, actions, and records caused Republicans on the Senate Judiciary Committee to unanimously—unanimously—oppose her nomination. That is a nearly unprecedented action for a U.S. attorney nomination, and it is not one that we took lightly.

By contrast, for example, Republicans have allowed President Biden's

other 15 U.S. attorney nominees across the country to go through committee with a simple voice vote. It goes to show that Mrs. Rollins is uniquely unfit for the role of U.S. attorney and deserves no deference from the Senate and no confirmation.

If the Democrats vote to confirm Rachael Rollins, they will be responsible for every action she takes. It is not a secret. It is right here in her record. And when crime spikes in Massachusetts and crime spikes in New Hampshire, Democratic Senators who are on the ballot next year are going to answer for it.

And I promise I will be there to make you answer for it if you vote for her today.

And if you are a Soros prosecutor around the country watching this nomination today and you think maybe you are next if Ms. Rollins is confirmed, maybe you can be the U.S. attorney, maybe you can be the attorney general in your State, I promise you, this will not be the start of a trend. I will stop at nothing to make sure none of you ever achieve higher office and none of you get reelected, because you are a danger to the families and the communities of this country.

President Biden should immediately withdraw Mrs. Rollins' nomination and should consider submitting someone who would actually be a prosecutor rather than a pro-crime, defund-the-police activist to serve as a U.S. attorney in Massachusetts.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Madam President, I rise today in support of Rachael Rollins, the U.S. attorney nominee for the District of Massachusetts.

Rachael grew up in Massachusetts. Her dad fought in Vietnam, and then returned to Massachusetts to become a corrections officer. He sent his oldest daughter to college, UMass Amherst, and then to the law school at Northeastern, and then she went on to get a master's in law from Georgetown.

She has had experience across a broad range of public service jobs. In 2018, she decided to run for district attorney of Suffolk County, which includes the city of Boston. And in that race, she promised to decriminalize certain low-level offenses, such as shoplifting or drug possession.

The people of Suffolk County embraced her and embraced her ideas, giving her 73 percent of the vote. She is the first woman of color to be elected as a DA in Massachusetts, and if confirmed by this body, she will be the first Black woman to serve as U.S. attorney in Massachusetts.

She has the enthusiastic support of my partner Ed Markey and myself.

A dedicated public servant, Rollins has devoted her career to transforming the criminal justice system so that it actually reduces crime and provides equal justice for all. Her reform efforts have frequently focused on the root

causes of crime and have taken aim at poverty, substance use disorders, and racial disparity.

Since her nomination was announced, dozens of prominent Massachusetts Republicans, Democrats, and nonpartisan law enforcement officials, numbers of community advocates, and members of the legal community have written in support of her nomination. Among those who have spoken out publicly on her behalf are Massachusetts former Republican Governor Bill Weld, former U.S. attorneys and Suffolk County law enforcement executives, and many, many others. These are the people who know her best, the people who have worked with her, the people who know her record of success as a prosecutor.

Now, Rachael has implemented some innovative policies—exactly as she promised to do when she ran for district attorney. Those policies may not be the preferred policies of some Senators, but the facts speak for themselves.

These policies are designed to improve the administration of justice and to reduce crime, and they work. In the months following her start as a DA in 2019, homicides in Suffolk County reached a 20-year low. While homicides increased in 2020 as part of a nationwide trend following the start of the pandemic—a trend that was also seen in States like Arkansas and Texas—recent data from the Boston Police Department shows that homicides in Boston declined by nearly a third in the first 9 months of 2021. That drop—a drop of nearly a third in homicides—stands in stark contrast with nationwide crime statistics. It is not just violent crime, either; the city saw a decline in property crimes like thefts and burglaries this year as well.

Rollins has demonstrated that progressive policies can be effective in cutting serious crimes, which seems to frustrate her opponents. The policies that Rollins has pursued have helped drive down crime in our State, but it is also the strong partnership she has built with law enforcement leaders from Suffolk County that has been crucial. In fact, leadership from the Boston Police Department, the Massachusetts State Police, the Revere Police Department, the Chelsea Police Department, the MBTA Transit Police Department, and the Winthrop Police Department wrote a joint letter to the Senate to express their strong support of Rachael Rollins to be U.S. attorney.

While they admit they have not always seen eye to eye with her, they also note that Rollins “respects us and the work we do to keep our communities safe. She can admit when she is wrong. She can also be incredibly persuasive when she is right.”

They add:

Each of us have worked closely with DA Rollins on pressing and significant issues within our respective jurisdictions. She is responsive, attentive, and diligent. Her focus is on victims and how the community is impacted by violence and harm.

Nobody should be surprised that Rollins’ approach to prosecution is yielding reductions in crime. Nonpartisan research published by the National Bureau of Economic Research confirms why this is the case. After an analysis of 17 years of data and over 67,000 cases from the Suffolk County DA’s Office, the study found that defendants whose misdemeanor charges were dropped before arraignment were 58 percent less likely to return to the criminal justice system in the next 2 years, and they were more likely to avoid charges for any serious violent crimes.

By pursuing these policies, Rollins has freed up limited resources in her office to focus on the people and the crimes that actually pose the biggest threats to the community.

Now, critics are quick to distort these statistics and Rollins’ record and the details of her approach. This partisan sniping here in Washington bears no relationship to the reality on the ground in Suffolk County, MA. For example, even with her reform policies in place, Rachael has prosecuted more drug traffickers than her predecessor. Between January 1 and October 12 of this year, the Suffolk County DA’s Office prosecuted 147 trafficking cases. Of those, charges of trafficking in fentanyl accounted for 67 percent of the total drug trafficking prosecutions. Just by comparison, her predecessor prosecuted only 130 trafficking cases during the entirety of 2018, of which only 40 percent involved fentanyl trafficking charges.

Now, look, it is no surprise that some rightwing voices have sought to make an issue out of Rollins’ nomination, and it is unfortunate that many Republicans who should know better have fallen in line behind this campaign of fearmongering.

When a rollcall vote on her nomination was forced in the Judiciary Committee in September, Republicans quickly tossed out three decades’ worth of precedent and attempted for the first time in over a generation to override the President’s choice of a U.S. attorney nomination.

I want to remind my colleagues that every single one of the 85 U.S. attorneys nominated by Trump—every single one—was moved by voice vote despite significant disagreements about the policies, views, and records of several of those nominees—every single one of them. But Rachael Rollins and President Biden couldn’t get that same kind of consideration.

This kind of political grandstanding has unjustly deferred the confirmation process, not only for Rachael Rollins but for many other well-qualified nominees who just want to get to work serving the people of this country. It is also extraordinarily disrespectful to the scores of on-the-ground law enforcement leaders in Massachusetts and others who support this nomination.

Our police chiefs, our prosecutors, our former U.S. attorneys, our former

Governors, Republicans and Democrats, do not need to be told by national politicians who know nothing about our community that their support and their understanding of what we need just really doesn’t matter. They do not need to be told that the personal political benefit of attacking this well-respected prosecutor is somehow more important than what all of the data and all of their own experiences tell them about what actually reduces crime and improves the administration of justice in Massachusetts. What our law enforcement professionals need, what the entire Commonwealth of Massachusetts needs is for the Senate to confirm this highly qualified nominee.

Now, I have every confidence that Rachael Rollins will continue her partnership with law enforcement, with community advocates, and with other key members of the legal community to ensure the safety and well-being of all of the people of the Commonwealth in her new role. I look forward to the renewed energy and innovative vision that she will bring to the U.S. Attorney’s Office.

Senator MARKEY and I want to publicly thank our Massachusetts bipartisan advisory committee for all of the work they did to identify and recommend candidates like Rachael Rollins to the role of U.S. attorney. I want to thank President Biden for nominating her to this position.

I urge my colleagues to set aside nasty personal attacks on a supremely well-qualified woman and to support the discharge and ultimate confirmation of Rachael Rollins, a supremely qualified candidate who is ready to serve on day one as the next U.S. attorney for the District of Massachusetts.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, first, I want to thank my colleague from Massachusetts for her very important comments about a very important, well-qualified nominee.

OXFORD HIGH SCHOOL SHOOTING

Madam President, today I rise to speak about a heartbreaking tragedy that far too many American families and communities are familiar with. Americans have learned that gun violence can happen in any place, at any time, in any State, and in any town.

This time, the community is Oxford, MI, home to about 20,000 people in northwest Oakland County. It is a place with beautiful lakes and bike trails. It is a place where people know each other. It is the kind of place where the neighbors might drop off some Christmas cookies or clear your sidewalk after a snowstorm since they were doing theirs anyway. Now, it is the kind of place that has been needlessly, senselessly shattered by unspeakable violence.

It was a typical Tuesday at Oxford High School, home of the Wildcats. The Oxford band and orchestra had recently

returned from a trip of a lifetime, performing at Disney World. Student leaders were celebrating a successful Thanksgiving food drive—almost 5,500 cans of food collected for the local food pantry. Athletes in winter sports were getting ready for Meet the Teams Night. But in an instant, everything changed. Everything changed.

We are still learning the details, and, frankly, that is not what is important. What is important is that, thanks to the cold efficiency of modern weaponry, it took mere minutes for a gunman to shatter a community. Thankfully, law enforcement officers showed up within minutes, but still, 11 people were shot. Tragically, four students have died. We hope and pray that there are not more deaths, but several other Oxford students remain in the hospital in critical condition. A typical Tuesday in a typical high school in 2021 in America.

Madisyn Baldwin was a 17-year-old with a beautiful smile. According to her grandmother, she was a kind and patient big sister and an artist. She had already been accepted to a number of colleges.

Justin Shilling, also 17, was cocaptain of the school's bowling team and also loved to golf. He worked at Anita's Kitchen, a Lebanese cafe in nearby Lake Orion, where his boss said everyone loved him.

Tate Myre, aged 16 and a tight end and running back on the Oxford football team, had recently been honored by the Michigan High School Football Coaches Association. He was also an honor student who was known as a leader both on the field and in the classroom.

And Hana St. Juliana was just 14 years old. She was passionate about volleyball and basketball. Her teammates say they will never forget her kind heart and her silly personality and her passion for the game. They have dedicated their upcoming season in her memory.

Madisyn, Justin, Tate, and Hana—four lives that were just beginning, four losses that have left their families and their community struggling—struggling—to understand.

And we certainly know that Oxford is not alone. This year alone, there have been shootings at 29 schools in our country—29 schools—from Rigby Middle School in Rigby, ID, to Timberview High School in Arlington, TX, to Heritage High School in Newport News, VA. No community is immune. Just ask the grieving residents and the grieving parents of Oxford.

This community will come together. They already have. They will hold prayer vigils and deliver casseroles and wrap their arms around these shattered families. But, in God's name, why should they have to?

High school students should be sharing memories of last month's band trip or celebrating a successful food drive or looking forward to the spotlight of Meet the Teams Night. They shouldn't

be ducking for cover in their classrooms or fighting for their lives in the ICU because they just happened to be in the wrong hallway at the wrong time, and they certainly shouldn't have their names mentioned during a speech on the floor of the U.S. Senate after yet another school shooting in 2021 in America.

Madisyn, Justin, Tate, Hana, and the more than 100 Americans who are killed by gun violence every day deserve more than thoughts and prayers. They deserve action to keep them safe, and we certainly will focus on this in the days ahead. What I know for sure right now is that we must refuse to settle for a world in which a typical Tuesday turns into such tragedy.

My deepest, heartfelt sympathies to everyone in Oxford and throughout our State. I share in their grieving of this senseless, senseless tragedy.

I yield the floor to my partner and colleague in the U.S. Senate, Senator PETERS.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Madam President, there are no words that can capture the terror and the tragedy of the horrific events that unfolded at Oxford High School on Tuesday afternoon.

In a matter of minutes, a routine school day was twisted into scenes of chaos, shattering the safe environment that Oxford High students and teachers and families trusted in. This shocking event will change their lives forever. Our heart breaks for every Michigander in America who continues to be affected by this tragedy and so many others like it.

It was a scene that has become all too familiar in America. A gunman opened fire inside a public school, taking four young lives and wounding seven other people. Four students went to school that morning with bright, exciting futures ahead. They never made it home.

Hana St. Juliana, the youngest victim, was only 14 years old. A freshman who was a promising athlete on the volleyball and basketball teams, her teammates remember her as having a kind heart, a silly personality, and an absolute passion for sports. Her father remembers her as the happiest kid, who had a full life ahead of her before it was tragically cut short.

Madisyn Baldwin, a 17-year-old senior and the oldest of three siblings, was preparing to graduate this spring. An aspiring artist and talented student, she recently celebrated acceptances to several colleges, including some under a full-ride scholarship. She will always be remembered by her family and friends as a kind, smart, and loving girl.

Tate Myre was 16 years old, No. 42 on the football team. Tate was a star student athlete and was recently honored with an all-region award from the Michigan High School Football Coaches Association. He had already started college recruitment visits and was

looking forward to many more until the unthinkable happened. His friends, his family, and his fellow students remember him as someone who always put his full heart into everything that he did.

And Justin Shilling, a 17-year-old senior, was cocaptain of the school's bowling team. His coworkers called him an exemplary employee, a devoted friend and coworker, and simply an absolute pleasure to be with.

As we mourn Hana, Madisyn, Tate, and Justin, we must also remember the victims who were injured during this attack. At this very moment, dedicated doctors and nurses are working around the clock to ensure that the wounded can swiftly recover. We are all thinking of them and wishing them well, along with those who were wounded, treated, and have now been discharged from the hospital.

As a parent, I just simply cannot imagine the grief and anguish that these families are forced to endure and the unimaginable pain that these parents are feeling in knowing that they can never—never ever—hold their loving child again.

I am grateful for the brave first responders who quickly responded to this harrowing scene. Thanks to their swift and brave actions, the suspect was apprehended within minutes, preventing even more unspeakable carnage from unfolding. There is no question that the heroic actions of first responders, law enforcement officials, and emergency medical technicians saved lives on Tuesday. We cannot thank enough these brave men and women for all that they do each and every day to keep our communities safe.

For the students and the educators who lived through this horrific act, I can only imagine the trauma and the fear that they will spend the rest of their lives with.

Children who should have been focused on their math homework or on their reading assignments spent terrifying moments fighting to survive and keeping one another safe. Reportedly, as bullets pierced classroom doors, students grabbed scissors and calculators, anything they thought they could use, to defend themselves.

Parents—many of whom received text messages from their children saying there was a shooting and that they loved them—frantically searched for their children in a parking lot in the aftermath, praying that they would be reunited.

The panic, the fear, and the helplessness of being trapped in this nightmare scenario is something that no child, no teacher, and no parent should ever, ever have to face. Now these survivors need our support as they work to process and heal from the shocking and horrific ordeal.

To the Oxford High School community, please know there are millions of Americans who are lifting you up and who share in your sorrow.

In the days and weeks ahead, we may learn more about the heroic actions

that students and teachers and first responders took to stop this tragedy from being even worse, but the most heartbreaking fact is that this should have never ever happened in the first place. A school should be a safe place.

I was struck by the words of so many students who said that they had been training for a day like this since elementary school. These students and their teachers had participated in active shooter drills. They knew to lock and barricade doors, to hide, to stay silent, and to run. They had heard about other school shootings wherein the assailants had tried to trick or lure students into their sights, and they stood strong until they knew they would be safe.

While I am so grateful that these lessons, undoubtedly, saved many, many lives this week, I am also heartbroken that our children and our educators have to bear this burden.

There is no easy answer, but it is clear that we must take action. Far too many communities have been devastated by these attacks, and we cannot wait for yet another community to suffer without having tough conversations on what actions Congress should take. The unsettling reality is that our children's lives are at risk when they enter a classroom, and that is something that we simply cannot tolerate.

I know the Members of this body have different policy views, but surely we can agree that a school should be a safe place. Surely we can agree to listen to the students in every single one of our States who say that they live in fear that they could be killed at their desks, and we could agree to have a serious discussion of what needs to change.

There is no single solution that would have prevented this tragedy, like so many others, but let's have a serious discussion about what needs to change to ensure that warnings reach the right officials and that those officials know what actions to take.

Let's have a serious discussion about gun safety issues, background checks, reasonable limits on high-capacity magazines, and closing loopholes that allow dangerous weapons to get into the wrong hands.

And let's have a serious discussion about what our schools, our teachers, and our students need to stay safe. Whether it is more access to counselors, strong threat assessments, or more resources, we have to find common ground that will keep our schools safe. We cannot stand by when we know that it is only a matter of time before the next school, the next community, is shattered.

For Hana, for Tate, for Justin, for Madisyn, for the students, teachers, and families of Oxford High School, and for every student, teacher, and family in the United States, we must act. The time is now.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The junior Senator from Alaska.

TRIBUTE TO BETH BRAGG

Mr. SULLIVAN. Madam President, it is Thursday, and it is usually the day I get to come down to the Senate floor. Usually, the Senate is kind of wrapping up things; we are still pretty busy right now. But it is the day I love to come down to the Senate floor and talk about somebody in my State, the great State of Alaska, who is making a difference either for their community, for their State, for the country; you name it. We call this person the Alaskan of the Week.

We have done it a lot. I usually like to give a little bit of an update. The pages typically really like this time of the week because we get to tell stories about Alaska, about the adventure of Alaska, but also about—typically, a little update about what is happening in the State.

Right now, we are in a bit of a cold snap pretty much throughout the State. We are getting a lot of snow throughout the State. We have seen some record low temperatures all across Alaska, from Homer, King Salmon, Bethel.

Monday in Fairbanks—so this is not even into December yet—it was 26 below zero. They are tough in Fairbanks, very tough. You get down to 50, 60 below in Fairbanks.

My wife is from Fairbanks. She is a wonderful volunteer for this organization called Covenant House. They did their annual "Sleep Out." It is a homeless shelter for teenage youth. This was in Anchorage just a couple of weeks ago. It was 15 below for the "Sleep Out." You get a cardboard box and say: Good luck. So, boy, she is tough.

Alaskans across the State are rugged, tough, individualistic, and we bond all the more for it. We are in it together when it is that cold. And it frequently is. And like one big community, one of the many things that brings us together—actually, one of the many things that brings Americans together—is bonding over sports: local sports, State sports, national sports, and your local newspaper as it relates to sports reporting. It is actually a universal instinct.

One of our most famous Supreme Court Justices, Earl Warren, said it best:

I always turn to the sports section first [in the morning]. The sports page records people's accomplishments. The front page [usually] has nothing but [people's] failures.

I am not sure that is always true, but it is a good anecdote in terms of what binds us with regard to sports.

You know, over the holidays, in particular, everybody in America watches great football, other sports activities. I had a good chat over lunch today with Coach Tuberville about the really incredible Alabama Auburn game that just happened last week.

But sports is also the place in our local papers where we see the names of our children, our loved ones, our neighbors, our friends. In fact, it might just be the only time their names appear in

the paper at all, when you think about it.

So our Alaskan of the Week this week is somebody who knows sports and sportswriting in Alaska better than anybody. We are talking about Beth Bragg, who recently retired after 35 years as a sportswriter for the Anchorage Daily News. She understood all of these attributes about sportswriting better than anybody.

During her 35 years at the paper, Beth always told cub reporters there was one rule they must always follow, no matter what. She said: Even if the person's name is something like Cindy Jones, ask that person for the spelling. It might be the only time their name appears in the paper, and it is very important that name is spelled correctly.

Now, let me talk about Beth, about her reporting and about her work and how it has added to our communities across the great State of Alaska.

Beth grew up in Billings, MT. Her father worked for the Billings Gazette. And she, too, while still in high school, joined the paper as a sports clerk so this is in her blood.

Now, it wasn't so much that she was crazy about sports back then, but it was a job, a good job. And then she said she began, bit by bit, to fall in love with newspapers and sports reporting. She liked the irreverence, the strict deadlines, the energy.

Importantly—and it is almost counterintuitive—covering sports allows more fun in the writing, the opportunity as a writer to take a little bit more in terms of chances and to be more creative than maybe on other beats. And throughout the years, Beth has brought so much of this kind of creativity, so much heart to her stories.

Without looking at a byline in Alaska, you always knew when you were reading a Beth Bragg story. So, in 1986, when she was 27 years old, she came to Alaska to write for the Anchorage Daily News. That is our State's biggest paper. She thought she would stay for a few years, then move on. Her dream was to cover professional sports, maybe even Major League Baseball in a city that has got a Major League Baseball team, but as the years progressed, she stayed in Alaska. She fell in love with Alaska, and her ambitions as a sportswriter changed. But, in some ways, they got even bigger.

She discovered that, in her words, "the real reward, and the real challenge, is to find stories that resonate with everyone. And you don't have to be at the Super Bowl to do that."

In fact, Beth said she found more interesting, more unique stories to cover in Alaska than probably anywhere else.

Now, we don't have big-time professional sports teams in the great State of Alaska, but we do have sports, loads of sports. And just like so much about Alaska, we have expanded the meaning of what it means to partake in sports.

Let's take one very famous sport in Alaska, the Iditarod—the famous 800-

mile sled dog race—as one big example. There is also heli-skiing, ice climbing, curling, and snowboarding. It didn't get its start in Alaska, but it reached its apex in Valdez, for those who participated in that incredible sport.

Beth is likely one of the few, if only, reporters in the country who reported on this incredible sport in Alaska at 3 a.m., seal-skinning. Yes, that is a sport. It goes along with the ear pull and other sports in terms of competition at the World Eskimo Indian Olympics, which are incredible to go to and watch in Alaska—great athletes, by the way.

She covered seal skinning, the competition. At 3 a.m. she was tired, but the excitement and the smell of the seals—first frozen, then thawed for the competition—kept her wide awake.

We may not have professional sports teams, but we certainly have athletic stars galore in Alaska. For 35 years, Beth has written about these stars and some of the toughest athletes anywhere in the world. Let me give you a couple examples.

She wrote about athletes running Mount Marathon. Now, I gave an “Alaskan of the Week” speech several months ago about Mount Marathon. It is what *Outside* magazine calls “the toughest 5K on the planet”—straight up a mountain and straight back down. We always do it on July 4 in Seward.

She wrote about the Alaska Wilderness Classic, the 150-or-so-mile “secret race” up mountains and across rivers in the Alaskan wilderness. Here are the rules of the Alaska Wilderness Classic: No outside support, nothing human-powered, leave no trace, and rescue is up to the racer. Pretty tough. Pretty tough.

She wrote about the Arctic Man, another incredible Alaska event that has been described as one of the world's toughest downhill ski races and an exciting snow machine race, all combined together. You want to see something amazing? Go to the Arctic Man.

She has written about swimming heats and cross-country track and field matches; skiing, lots of stories about skiing in Alaska; ice hockey; high school football; basketball games; and, as I mentioned, the World Eskimo-Indian Olympics, with the ear pull and the blanket toss.

She wrote a great story about a mother and son literally tied by rope together for 2 weeks climbing Denali, North America's tallest peak, in Alaska.

There was a story about a sled dog that was cut loose and ran away from her Iditarod sled dog pack. Miraculously, this dog found her way home to her kennel through mountain ranges and hundreds of miles of tundra in the dead of an Alaskan winter. Pretty amazing.

She wrote a great story about an event I attended this past June, an inspiring USA Patriots-Amputee Softball Team event where almost every player on that team were some of our greatest

American heroes. Almost all of them had lost a limb—all of them had lost a limb, mostly in combat.

Always at the center of Beth's stories are the people, even when those people are sled dogs. She has written about their victories; their struggles; their heart for the game, for their teams, for their communities, for their State, for their country, and for life itself.

Thinking back on her long career, a few events stay with her. She talked a lot about what it was like to watch Alaskans compete in the Olympics, four of which she attended—Olympic Games.

Now, we are a huge State. I talk about that a lot. We have a pretty small population relative to other States—730,000 people. But Alaska is really good in terms of Olympic athletes. We punch way above our weight, sending some of the top American athletes to especially the Winter Olympics but also the Summer Olympics.

Beth remembers, for example, the electricity in the Olympic stadium in Norway in 1994 when a little-known Alaskan named Tommy Moe shocked the world by winning the gold in the downhill and then, 4 days later, a silver, becoming the first American skier ever to win two medals at the same Olympics.

She remembers writing stories about the legendary and beloved cross-country skier from Alaska Kikkan Randall when Kikkan was just 13 years old. Then, like so many Alaskans, Beth swelled with pride and cried when Kikkan Randall won the gold in 2018.

Beth said she also cried just this summer when 17-year-old Lydia Jacoby from Seward, AK, shocked the world by winning the gold medal in Tokyo this summer in the 100-meter breaststroke. Remember that? Seward, AK, doesn't even have an Olympic-size swimming pool. And I will say, Lydia Jacoby is the only person in U.S. history to be Alaskan of the Week in the U.S. Senate twice. That is unbelievable.

Of course, there are heartbreaks, too—the losses, the illnesses, the injuries, and sometimes the deaths—all of which Beth has handled with the utmost sensitivity. Because she was at it for so long and has so much history with Alaskan athletes, she understood something about them that a new reporter might not. It takes a certain kind of grit to be an athlete in Alaska, to wake up at 6 a.m. and head off into the dark, subzero weather to train. It takes a certain kind of grit to travel outside of Alaska for competitions, often thousands of miles away from your home, to get noticed. As Beth said, “You have to work hard to make it big” in Alaska. As a result, she thinks Alaska athletes have a sense of home in a way a lot of other athletes don't.

As I said, Beth recently retired. She is going to clean her home; maybe travel some; of course, watch some sports, as a fan now, not as a reporter. She leaves behind a great legacy, thou-

sands of stories charting some of our State's greatest moments in athletics, times when we all cheered and cried and came together to support the best of our people and competition and grit and determination—the reason Americans across the country love sports so much.

So, Beth, thank you for your great job. Congrats on an incredibly stellar career, and, of course—I am sure one of your biggest honors ever—congratulations on being our Alaskan of the Week.

JOHN KERRY

Madam President, we are working on the NDAA. Is anyone watching what is happening on the Senate floor right now? It has been stalled in terms of amendments, and it has been stalled, reportedly, because of an amendment—a simple amendment that I think the vast majority of Americans would agree on—that Senator RUBIO is trying to get a vote on.

But, as there are with so many stories in the last 6 months, there is something about the climate envoy John Kerry, who keeps coming into different stories, and he is in this story as well. He seems to show up everywhere, always when somebody in this administration is doing something to undermine American interests. There is something about John Kerry.

Let me give you the latest. Senator RUBIO is trying to move forward with regard to an amendment on his bill, the Uyghur Forced Labor Prevention Act. It is essentially a pretty simple bill. Human rights communities agree with it. I think everybody in the Senate agrees with it. It, in essence, just says that we shouldn't be importing solar panels and other products made in China that are produced with forced labor or slave labor. What American wouldn't agree with that? What American wouldn't agree with that? I think every Senator agrees with that. But evidently there is one American who disagrees with that.

Here is an article today from the *Free Beacon* that talks about senior Biden officials are worried that this bill stopping slave labor products from China coming into America will undermine “the White House's climate agenda” and, unfortunately, “limit solar panel imports from China.”

Presidential climate envoy John Kerry, among others, has been lobbying House members against the bill.

Wow. Wow. That is remarkable. Why would he do that? Why would he do that? Someone needs to ask John Kerry that. That is just one example. Something about John Kerry—always in the mix undermining American interests.

This is an article from the *Washington Post* just about a month ago: “In advance of climate summit, tension among Biden aides on China policy.” In essence, it said John Kerry was in Beijing—a very dangerous proposition, by the way; you want to talk about selling out American interests—

and he was begging the Chinese to cooperate on climate change, but they said they are not going to commence—I am reading from the Washington Post—cooperation until the United States tones it down on human rights, Hong Kong, Taiwan, and trade.

So the Chinese are saying: Hey, we are not going to do anything on climate, John Kerry, unless you go tell the President to tone it down on Hong Kong, Taiwan, human rights—slave labor, probably. Dutifully, John Kerry came back to DC and delivered the message. It is all in the Washington Post right here, October 25.

To their credit, Jake Sullivan and others were pretty furious, according to this article, about John Kerry undermining U.S. interests. But, hey, there he goes again. Remarkable. I mean, whose side is this guy on?

Let me give you another example. One of the great things that have happened in America over the last two decades is this incredible revolution in terms of American energy. For decades, it has been the bipartisan policy of every administration—pretty much every Senator—for America to become energy independent. Until the Biden administration came into office, we have achieved that. Again, every administration since World War II, Democratic or Republican: Being energy-independent would be good for us.

One of the ways we have done this is this incredible revolution in the production of American natural gas. It has made us the leader in reducing global greenhouse gas emissions in the world, by far. Since 2005 to present, the United States has reduced emissions by almost 15 percent—more than any other major economy in the world. China's emissions have gone like this.

So you would think the export of American LNG all around the world, which is happening, would be great for our workers—it is; great for our national security—it is; and really good for the environment—it is. In fact, we are even exporting to India and China. That will help them reduce emissions. This is a win, win, win, win, win.

So imagine my surprise when I met with foreign officials—I won't name them—who have said to me: John Kerry is telling us in our country, in Asia and in Europe, don't buy American natural gas.

What?

Don't buy American natural gas.

Why?

I don't know.

But there he goes again, undermining U.S. interests, undermining American workers, and, by the way, undermining the global environment on that one. If you don't buy American natural gas, you are going to be producing coal in China.

This is what I have heard.

And then let me give you one more. I came on the floor several months ago, only about 5 months ago, and called for the resignation of John Kerry after the interview of his friend the Foreign

Minister of Iran, the largest state sponsor of terrorism, Foreign Minister Zarif, who was recorded in an interview that was leaked that said John Kerry told him a couple years ago, when Zarif was the Iranian Foreign Minister, about covert Israeli actions against Israeli interests in Syria.

Now, think about that. According to news reports, Zarif is heard saying—and we all heard the video—“It was former US. . . . Secretary John Kerry who told me Israel had launched more than 200 attacks on Iranian forces in Syria,” selling out and betraying our biggest ally in the Middle East, Israel.

There is something about John Kerry, and every time that guy goes on a mission, you can be assured that American national security interests are being undermined. So here is a Christmas present I think the whole country would benefit from. For the good of this country, this former Secretary of State, former U.S. Senator, needs to ride off into the sunset in his private jet and retire, or resign, or maybe the President can just fire him. We don't need him to undermine American interests anymore.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

VOTE ON MOTION

Ms. BALDWIN. Mr. President, I ask unanimous consent that all remaining time be yielded back.

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

The question is on agreeing to the motion to discharge.

Ms. BALDWIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. BLUNT. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Tennessee (Mr. HAGERTY), and the Senator from South Dakota (Mr. THUNE).

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 475 Ex.]

YEAS—50

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

King
Klobuchar
Leahy
Lujan
Manchin
Markey
Menendez
Merkley
Murphy
Murray

Ossoff
Padilla
Peters
Reed
Rosen
Sanders
Schatz
Schumer
Shaheen
Sinema

Smith
Stabenow
Tester
Van Hollen
Warner
Warnock
Warren
Whitehouse
Wyden

NAYS—47

Blackburn
Blunt
Boozman
Braun
Burr
Capito
Cassidy
Collins
Cornyn
Cotton
Cramer
Crapo
Cruz
Daines
Ernst
Fischer

| | |
|------------|------------|
| Graham | Portman |
| Grassley | Risch |
| Hawley | Romney |
| Hoeven | Rounds |
| Hyde-Smith | Rubio |
| Inhofe | Sasse |
| Johnson | Scott (FL) |
| Kennedy | Scott (SC) |
| Lankford | Shelby |
| Lee | Sullivan |
| Lummis | Tillis |
| Marshall | Toomey |
| McConnell | Tuberville |
| Moran | Wicker |
| Murkowski | Young |
| Paul | |

NOT VOTING—3

| | | |
|----------|---------|-------|
| Barrasso | Hagerty | Thune |
|----------|---------|-------|

The motion was agreed to.

The PRESIDING OFFICER. The nomination is discharged and will be placed on the calendar.

The Senator from New Hampshire.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mrs. SHAHEEN. Mr. President, I also originally planned to come to the floor this afternoon to ask unanimous consent to support the nomination of Mark Gitenstein to be U.S. Ambassador to the European Union.

Mark is a qualified candidate to represent the United States with our most important trade and security relationship. He has already served our Nation as U.S. Ambassador to Romania. He is deeply familiar with the geostrategic needs of our Central and European allies, and he has spent over 25 years working on energy issues. This experience is going to be critically important in responding to Russia's weaponization of gas flows to Europe.

As the United States confronts the challenges around the world, we need to convey our firm commitment to our partners and our alliances.

Now, unfortunately, I am not going to be able to move forward with this unanimous consent request because our colleagues on the other side of the aisle can't seem to muster anyone to come down and object to my unanimous consent request.

It is hard for me to understand why they have an objection to Mr. Gitenstein when they are not even willing to come to object, and we know they are here.

His confirmation would be important to advance our bilateral conversations on shared national security interests, such as this week's dialogue between the United States and the EU on China. But for these conversations to make meaningful progress in addressing our national security interests, we need our diplomats and State Department officials at the table.

I had the privilege of leading a bipartisan delegation to the Halifax Security Forum 2 weeks ago. We had three Republicans and three Democrats.

One of the things we heard from our allies was that there was a real impact by having a lack of ambassadorial confirmations in countries, particularly in our ally countries. In the absence of U.S. representation, they are really questioning our commitment to our bilateral relationship.

In addition to Mr. Gitenstein, there are over 50 other State Department nominees waiting confirmation on the floor.

Now, if our colleagues on the other side of the aisle really shared the concerns about Russia and China's growing malign influence in the world that threatens the values we have fought so hard to advance, they would lift those holds without delay. They would understand that it is important for our national security to have Ambassadors in these critical posts around the world.

I am deeply disappointed that our Republican colleagues have opposed the confirmation of Mr. Gitenstein's appointment to the European Union, and I find it strange that at a time when we should be swiftly confirming our Ambassadors so that we can engage with our allies and address challenges like China and Russia, that what we are hearing from our colleagues on the other side of the aisle is they want to hamstring our national security and play into the hands of our adversaries.

Now, I understand that some of my Republican colleagues have decided to hold up dozens of ambassadorial nominees because of this administration's handling of Nord Stream 2. I don't think I need to remind anybody that I have long been opposed to Nord Stream 2. But this opposition is precisely the reason that we should be appointing an ambassador to the European Union because without an ambassador, we have been absent in critical conversations on sanctions, on trade, on security, and on energy. And without an ambassador, we are limited in our ability to push for further sanctions to address Russian aggression, especially with our European allies.

Without an ambassador, we can't effectively engage our allies. We are actively playing into Putin's hands by creating opportunities to sow division and discord within the transatlantic community.

Partisan politics should end at the water's edge, as it has for decades in the United States. I urge those few Republicans on the other side of the aisle who are holding things up to stop this needless obstruction.

The U.S. is stronger and safer when our diplomatic corps—those individuals who support Americans and U.S. foreign policy around the world—are supported by capable, Senate-vetted, and confirmed Ambassadors.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, Parliamentary inquiry. This is impromptu because I wasn't aware of this until the Senator from New Hampshire just spoke.

Is it the case that a Senator making a live UC on the floor to advance a nomination can be blocked from making a live UC by someone who will not even agree to appear on the floor of the Senate?

The PRESIDING OFFICER. It is a courtesy between Senators.

Mr. KAINE. I have learned something new about the Senate rules that I wish I did not know.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, for the record, I would object on behalf of anyone who is not here, and so the question is moot.

If the Democrats really wanted all these nominees to go forward, maybe you should talk to the President about the fact that he caved in on Nord Stream 2 sanctions.

I know the Senator from New Hampshire has been strong on that, but she could have stopped any single bill or nominee going forward by insisting that the President impose Nord Stream 2 sanctions.

Now we are in a situation where all of Western Europe is hooked on German gas and Vladimir Putin is about to invade Ukraine, and the best we can get is stern words.

So, yes, I would object on behalf of any Senator who is not present, and I don't even know what I am objecting to.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, just to respond to Senator COTTON—and I know that he shares my view about Nord Stream 2. But I think, sadly, at this point we are in a position where, by refusing to allow our diplomats to be in place, we no longer have an ability to negotiate.

And, in fact, the gas has not started running in Nord Stream 2; the certification of that pipeline has been delayed; and we have a new administration in Germany that we have heard a number of members of that administration express serious reservations about Nord Stream 2.

So I am not sure that right now—given the need for transatlantic unity, the need for us to be able to work with our European allies on whatever Russia might do on Ukraine—is the best time for us to send a signal that we don't really care what the administration is doing on this issue and we don't really care what the Germans say about it, all we care about is making a point on Nord Stream 2, when what we really need to be doing is working together with our European allies because what Putin wants more than anything else is to sow dissension between the United States and our European allies. And, by this action, he is doing exactly that.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, 8 months—for 8 months any Senate Democrat could have stepped forward and demanded the President impose Nord Stream 2 sanctions. For 4 years—for 4 years—we stood together and cast votes—with 85 votes, 90 votes, or 95 votes—in defense of Nord Stream 2 sanctions when the Democrats were discovering their inner Jack Ryan when it came to Russia.

But now that Donald Trump is gone from office and Joe Biden is in office and he is appeasing Vladimir Putin at every turn by extending the New START Treaty and by not imposing sanctions on Nord Stream 2, suddenly the Democrats have reverted back to their old, conciliatory ways toward Russia.

The simplest way to deter invasion of Ukraine, the simplest way to deter Russian aggression is to draw clear red lines of enforcement—something that Joe Biden will not do; something that, apparently, the Democratic Senators will not force him to do.

Mrs. SHAHEEN. Mr. President, I just have to take real umbrage at your suggestion, Senator COTTON.

I am the one who Vladimir Putin refused a visa to get into Russia because of my opposition to Russia and to what Putin was doing. He didn't deny you a visa to get into the country. So don't talk to me about how I have not been tough enough on Russia because that dog won't hunt.

The fact is, during the Trump administration, he spent 4 years before he would sanction Nord Stream 2. Finally, right before he left office, he put sanctions on.

The only reason the western companies that were working on Nord Stream 2 stopped their work is because of the threat of sanctions, not because Trump did anything to enforce those sanctions.

So there is plenty of blame to go around, and it doesn't help for you or me or anybody else to start throwing personal insults over what is going on around Nord Stream 2.

Mr. COTTON. Mr. President, I did not make any personal insult. I simply observed that, for 4 years under the Trump administration, we repeatedly took action on a bipartisan basis to try to stop Nord Stream 2.

One of the reasons we didn't have a vote on amendments last week on the Defense bill is because the Democrats were carrying water for the Biden administration, refusing to have a vote on Nord Stream 2. And that is consistent with the Biden administration's record on Russia, which can get all chesty in its rhetoric but always appeases Vladimir Putin.

One of the first actions he took was to give a no-strings-attached extension to the New START Treaty, something that Donald Trump never did—the very first priority of Vladimir Putin.

The second priority was Nord Stream 2. We have been trying to have votes in

this Senate all year long, and we haven't had them because the Democrats won't insist on a vote because Joe Biden doesn't want it.

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

UNANIMOUS CONSENT REQUEST—S. 3299

Mr. LANKFORD. Mr. President, we have a problem in our Air National Guard right now.

This body knows full well where I have been on vaccine mandates coming down from the President. I have adamantly opposed the vaccine mandates on private-sector employees, which I find absurd that the President is announcing to every company with 100 people or more: I am going to take over the contracts for employment in your company; and no matter how long that employee has been there and how valuable they are to the company, you need to fire them if they don't follow the vaccine mandate.

That is not the right of a President. It has formed chaos in our Federal workers. It has formed chaos in our contractors for Federal employees.

Now, let me tell you what is happening in the National Guard right now. Tuesday of this week, November 30, the Secretary of Defense sent out a letter saying that, by today, December 2, every person in the National Guard had to be vaccinated or they would no longer be paid.

Now, that applied to the Air National Guard as of today; but to the Army National Guard, that doesn't apply until June 30. Let me run this past this body again. If you are in the Air National Guard and you are not vaccinated by today, you won't be paid anymore. You also can't show up at drill this weekend. You can't go into any training at all, as of this weekend. But if you are in the Army National Guard, you have until June 30 to be able to fulfill this mandate.

Now, I have been clear I am adamantly opposed to the mandate, period. But to then make it unequal between the Air National Guard and the Army National Guard is even worse.

And on top of all of that, what the administration did as of this week—they sent out information for the Air National Guard members and, I assume, for the Army National Guard starting in June that this is going to be a different process.

Title 32 is the authority for the National Guard. Now, for folks who aren't following this or the folks in this body who do, some people get confused between the Reserves and the Guard. They are not the same. The Reserves are like Active Duty. The Guard actually work for the Governor of each State.

Each State has accountability for the Guard members, and there is a responsibility to make sure they are trained and ready and equipped for Federal service if they are called up for Federal service. But when they are under what is called title 32 authority, they work for the Governor of the State. If a unit

is not prepared, the State is punished for their lack of preparation. So funds can be taken away from the State but not going down to individual members of the Guard.

What did the Pentagon do this week?

The Pentagon, this week, announced that not only are they not going to pay individual members, but they are literally reaching down into a unit, identifying members that have not received the vaccine, and they are not going to pay that person.

There is no authority in law for the Pentagon to do that. In fact, that issue was debated in this body several years ago, and this body voted no on that. The Pentagon does not have the authority to reach into the Governor's National Guard and determine who will be paid and who will not be paid in the National Guard, but that is exactly what the President is trying to do and what the Pentagon is trying to do.

Why is this a big issue?

Because the Air National Guard, as of tomorrow, that are not vaccinated will not be paid, and this weekend they cannot go to drill.

Why is that a big issue?

Many of the folks in the Air National Guard that are not vaccinated are the pilots.

Listen, if we are going to talk about military readiness, I understand the differences of opinion here in the vaccine mandates. And some people have no issue with the vaccine mandates. I do. But we should all agree on military readiness. We should all agree on following the law and not allowing the Pentagon and the President to deliberately violate the law that we wrote and the President has signed in violating title 32.

Last night, I was on this very same floor, at this very same desk, asking for amendment on the NDAA. Today, I understand I am not getting that amendment on the NDAA. I have taken that same amendment and I have moved it into language that we can use as a standalone bill.

This is a very simple, straightforward, no issues, no ancillary anything on the bill. It simply says that we cannot allow the administration or the Pentagon—any one of them—to violate the law, to be able to reach into a National Guard unit and identify individual members and not pay them.

That is already the law. We are just affirming the law that already is.

And the second thing is not allowing them to be able to cut off pay based on their vaccination status in the National Guard when they are in title 32 status. That means they are working for the Governor of that State; they have not been activated to Federal duty.

This is a big issue, and it is a big issue right now because the Air National Guard members and many of our pilots are about to stop training right now. And in the days ahead for the Army National Guard, I remind this body of a number that most of us

know. Only 40 percent of our Guard members are vaccinated, meaning 60 percent are not.

Are we really ready to lose that much readiness over this issue?

I would hope not.

So, as if in legislative session, I ask unanimous consent that the Senate proceed to immediate consideration of Calendar No. 174, S. 3299. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island.

Mr. REED. Mr. President, reserving my right to object, the Senator from Oklahoma, as he always does, has very thoughtfully identified a problem that is affecting our military forces. And he has also identified the complex interplay between different aspects of the law: article 32, article 10, the authority of the Governor, the authority of the Secretary of Defense, legislation we might have passed.

This is an issue that, I think, bears close scrutiny, and I would like to assist in such scrutiny. But in terms of preemptively adopting a statute tonight without such scrutiny, I would be compelled to object.

So, Mr. President, with all due respect to the Senator from Oklahoma, I would object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I look forward to working with Senator REED on this. He has been a good partner dealing with this. He is passionate about protecting our military and keeping our forces ready.

I very much appreciate his partnership in that, and I look forward to our ongoing dialogue on this. I have had multiple phone calls to leadership in the Pentagon and leadership in the National Guard. I am not getting clear answers on this.

As I have tried to be an advocate for the members of our Air National Guard, I want to be able to make sure that we provide them that opportunity to be able to serve and that we don't lose access to readiness. So I very much appreciate his partnership in that.

GOVERNMENT FUNDING

Mr. President, it is my understanding that in a short period of time we will be voting on the continuing resolution.

The continuing resolution has now been passed in the House. It has been delivered over to the Senate. This maintains our government operations for the next 2 months.

I have been a person who has expressed my frustration that we have not taken up the vast majority of the appropriations bills, even in committee. It is my understanding that even as of today, 9 of the 12 appropriations bills have not even been discussed in committee, and all 12 of those bills

should have been done by September 30. We are now well past that now.

On September 30, we passed a continuing resolution that went until tomorrow. Now we are passing another one that is going to go into February. As I read through it, as it just came over from the House of Representatives, and was scanning quickly through it when they actually released the language in it this morning, I was interested to be able to see a couple of things that popped out to me in particular, serving on the Homeland Security Committee. Serving that position in Homeland Security and some of the issues that we deal with on a day-to-day basis on oversight, I was fascinated to see two particular areas that popped out to me in this. One of them was dealing with unaccompanied minors.

The administration earlier this year took some of the COVID money that had been allocated in March and used that COVID money to deal with unaccompanied minors. We have yet to get a full accounting of how much that was. But then when the continuing resolution was passed just September 30, 2.5 billion with a "b"—2.5 billion additional dollars were allocated just to deal with the surge of unaccompanied minors for this year.

Well, that was a few months ago now. This continuing resolution is allocating another \$1.5 billion to unaccompanied minors. So they took we don't know how much money of the COVID money for unaccompanied minors, and then if this bill passes tonight, which I assume it will at this point, it is another \$4 billion just on the unaccompanied minors. Let me remind you how large of a figure that is, an additional \$4 billion.

Before we lose track of that, what jumped out at me first when I went through this was a surprising number. In the continuing resolution that just came over from the House just minutes ago, there is a request for an additional \$7 billion for Afghan refugees. When you say "OK, I understand," in the September 30 continuing resolution, there was \$6 billion for Afghan refugees over there. That is \$13 billion for Afghan refugees. The best that we can tell, we have 69,000 Afghan refugees who are in the process, and we are allocating \$13 billion for it.

Now, we all thought—and we had the conversation here—that \$6 billion that was allocated was an enormous amount of money that was allocated, but now, 3 months after the refugees started being able to move out of Afghanistan in that debacle of a withdrawal that happened, now we are talking about not \$6 billion but \$13 billion. That is around \$200,000 per person so far.

If that was not bad enough, in the continuing resolution done September 30, because of the enormous size of this amount of money and because of how little information has actually come to this body, there was a demand in it that by November 30—that was 2 days ago—the Department of Homeland Se-

curity would have to turn over a report of actually what is happening with the Afghan refugees. Has anyone in this body read that report from DHS now on how they are handling the Afghan refugees? I would go ahead and preemptively answer no because none of us have seen the report yet.

Here is what we don't know but yet this body demanded in the last CR to be able to get from DHS. We demanded to know crazy things like this: the number of lawful U.S. permanent residents who were evacuated out of Afghanistan. We don't have that number yet. We don't know how many were special immigrant visa holders. We don't know how many were actually applicants for special immigrant visas. We don't know the number that had any other immigrant status. We don't know the number who actually worked for our government who were actually evacuated. We have not been told although we demanded to have it by November 30.

We don't know the number of people who work for a partner government or any other entity that we were affiliated with although we asked for that. We don't know the number of people who actually came through the process and then were later determined to be security threats to the United States and had slipped through the process. We asked for that. We asked for that to come in by November 30. That has not been turned over.

We asked for the number of people who were getting paroled and their parole was then terminated because of some other criminal activity or something else. We asked for that. That is a number they have. They have not turned that number over.

We asked for even the number of interviews that had been conducted. We have yet to receive that. In fact, there has not been a single public hearing in the Senate on Afghan refugees—not one. So not only have we not received anything in writing, we have not even received any testimony from anyone from DHS on this.

Listen, we gave DHS \$6 billion and said: We are going to allocate this money to you. We just want to know who we are allocating it to and what it is going to be used for.

That doesn't seem unreasonable. But not only is this body not holding DHS accountable for not answering our questions, we are handing them \$7 billion more tonight. Does anyone else see this as an issue?

I am all for keeping the government open, but this body has a responsibility of oversight. We have pretended we are doing oversight, but we are actually not doing oversight—not a hearing, not a report, nothing. Thirteen billion dollars.

So, yes, I am going to oppose the CR tonight. I am not holding up the vote. I understand full well the responsibility of all 100 of us to put ourselves on the record. But if we are going to actually say we are going to do oversight, let's actually do oversight.

It is not unreasonable, when we all agree these are the facts and figures that should come from DHS to just tell us what is going on with the Afghan refugees, that we actually expect they are going to turn those things over.

So in the days ahead, I hope we will actually hold a hearing and actually get the facts. I hope we will actually demand that they turn over to us what we have required, and I hope we get a full accounting of how they are spending \$13 billion on what we understand were 69,000 people, most of whom have not even been moved in and across the United States yet—\$13 billion.

With that, I yield floor.

The PRESIDING OFFICER. The Senator from Illinois.

EXECUTIVE CALENDAR

Ms. DUCKWORTH. Mr. President, I ask unanimous consent that the Senate consider the following nomination: Executive Calendar No. 438, C.B. Sullenberger III, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Council of the International Civil Aviation Organization.

The PRESIDING OFFICER. There being no objection, the clerk will report.

The senior assistant legislative clerk read the nomination of C.B. Sullenberger III, of Texas, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Council of the International Civil Aviation Organization.

Thereupon, the Senate proceeded to consider the nomination.

Ms. DUCKWORTH. I ask unanimous consent that the Senate vote on the nomination without intervening action or debate and that if confirmed, the motion to reconsider be considered made and laid upon the table, all without intervening action or debate; 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.

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

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

The nomination was confirmed.

Ms. DUCKWORTH. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

GOVERNMENT FUNDING

Mr. LEAHY. Mr. President, it is my hope that soon the Senate might be able to vote on a bipartisan agreement to keep the government open and funded through February 18.

I know both parties are working on that agreement right now. I wish those who are doing it good luck. I have certainly been working hard with the Appropriations Committee to help on that as have others. In fact, the only thing

worse than running the government under a continuing resolution, a CR, is a government shutdown. A shutdown only hurts the American people. We know last time we had one, it wasted billions in taxpayer dollars.

And with the agreement that I anticipate, I am glad that the bill will include critical funding to support Afghan refugees as we help them get resettled here in the United States. These brave women and men were our allies through 20 years of war. We have an obligation to support them as they begin their new lives.

I am not giving this speech as some kind of a victory lap. We are 2 months into the fiscal year, and we appear no closer to getting an agreement on full-year appropriations bills.

Now, if we vote on this, which I hope we will soon, we are buying time to complete these negotiations, and we have to complete these negotiations. It is not a matter of whether we should; we have to. But in order to complete these negotiations, we have to begin them. We have to have both sides represented at the table. My Republican colleagues, to this day, have not come to the table. I have been talking to many of them, and I am hoping they will because the American people deserve better than that from their elected officials. They expect to see both Democrats and Republicans sitting down negotiating—no matter how we vote in the end, that we are working on coming to something that will be voted on.

On October 18, nearly a month and a half ago, Senate Democrats released a comprehensive offer in an effort to jump-start these negotiations. We wanted to let all Senators—both parties but especially our Republican colleagues and the American people—know our values. Since then, it has been very, very quiet. We haven't heard any response.

Let me tell you about our offer. I believe the offer was fair. I talked with Senators across the political spectrum. We provided a 5-percent increase for defense programs compared to last fiscal year and a 13-percent increase for all other programs. I took that 5 percent because it is exactly the amount passed by a 25-to-1 vote by the Senate Armed Services Committee. It certainly is significantly higher than the 1.7-percent increase for defense proposed by the Biden administration, and the amount is lower than the 16 percent the administration proposed for nondefense programs, even though I would like that 16 percent. But it is called compromise. We took from one; we gave to the other. It is compromise. It is how you get things done. Nobody gets every single thing they want, even if you are chairman of the Senate Appropriations Committee.

As I mentioned earlier, the 5 percent wasn't something I picked out of thin air. It was the exact amount contained in the fiscal year 2022 National Defense Authorization Act, NDAA, that is be-

fore the Senate this week and again reported from the Senate Armed Services Committee. I think it was 24 to 1, but it was overwhelming.

The work on that bill has fallen due to Republican obstructionism over a series of amendments. To be clear though, none of the amendments Republicans are fighting for on the NDAA would increase total spending in the bill. That is because the 5-percent increase has bipartisan, bicameral support—Republicans and Democrats, both in the House and the Senate. That is the percentage they agreed to. Republicans unanimously endorsed the 5-percent increase when the NDAA was marked up in the Senate Armed Services Committee. And the 5-percent increase passed overwhelmingly in the House when they considered the NDAA over 2 months ago.

I have been here for 47 years. This is as close to consensus as we can get—unanimous and near-unanimous votes. So I have to ask, why not take yes for an answer? If I was a cynical person, I would think this delay was deliberate. If I was a cynical person, I would think this delay was meant to drive us into a full-year continuing resolution. If I was a cynical person, I would think that because some in the Republican Party have even expressed this desire out loud.

But for a party that claims to care about our Nation's defense, I suggest they do the math. A full-year CR would not only reduce defense spending instead of increasing it, it would reduce it by \$37 billion compared to the levels set forth in the NDAA that they voted for unanimously. Actually, it would cut defense spending below last year's level.

So stop the hyperbole. Stop the rhetoric. Deal with the reality. I have to ask those Republicans who are advocating for a full-year CR is their support for our Nation's security merely political theater? I hope not because what they are asking for is a tremendous cut in defense, not an increase.

But also I look at the nondefense area. The impact a full-year CR would have on American families in all corners of this country is equally unthinkable. Housing, education, childcare, critical healthcare programs—every one of these are at risk under a full-year continuing resolution. I can't possibly imagine that any Senator of either party is going to go home and say: Oh, I support huge cuts in housing, education, childcare, critical healthcare programs. I cannot possibly believe that is an outcome the other side would endorse, but that is what they are asking for in a CR.

Every week, it seems I receive letters from advocacy groups and industry associations—both those normally associated with Republican positions and those normally associated with Democratic positions—and they all say the same thing. They detail the problems that would come from the full-year CR and ask us to do our job and enact full-

year bills. Among those, they include the National Defense Industrial Association, the Aerospace Industries Association, numerous veterans groups—all groups we say we support.

Mr. President, I ask unanimous consent that four of these letters be printed in the RECORD at the end of my remarks.

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

Mr. LEAHY. These four letters and others expressing concern can be found online at <https://www.appropriations.senate.gov/download/advocacy-and-industry-group-letters>.

Let me be clear. Refusing to come to the negotiating table undermines national security and inhibits our ability to invest in American families, impedes our capability to respond to the coronavirus and what we now see as emerging variants—which I am sure the Presiding Officer hears in his State, I hear in my State, and I guarantee you in the other 48 States, every Senator is hearing about that concern.

But also there are 100 of us. We are elected to represent the whole country, 325 million Americans. We are elected to do our job. If we don't do it, it is irresponsible. That is the reason we are here today kicking the can down the road another 2 months.

Let's stand and vote yes or no on these issues. We have a job to do. The bill we will soon vote on, which I expect will be coming over soon from the House, gives us roughly 2 months to do it, and that is plenty of time.

But I would ask the Republican leadership to step up and engage, and I hope they will do it in the next few weeks.

I am prepared any day—any day, any weekend, any evening, any morning, whenever—if we could do this. Otherwise, we are going to be back here February 18, and the American people, no matter what party they belong to, are going to say: What are you folks doing? Where is this legislation?

So when the bill comes over, I urge my colleagues to vote aye on the bill, but I urge my Republican colleagues to work with me and with the House to ensure that we do not have to pass another one in February.

I have talked with Members of the Republican Party and the Democratic Party. They will tell me privately they are willing to work, they want to work, and they want to get it done. I appreciate that, but now is the time to step up and do it. I think we can. I hope we will.

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

NATIONAL DEFENSE
INDUSTRIAL ASSOCIATION,
Arlington, VA, November 1, 2021.

DEAR CHAIRMAN LEAHY, CHAIRWOMAN DELAUNO AND RANKING MEMBERS SHELBY AND GRANGER: On behalf of the thousands of companies represented by the National Defense Industrial Association (NDIA) and across the defense industrial base, we write to request

the expedited completion of the defense appropriation bill. While we applaud the bipartisan effort to pass a continuing resolution (CR) and avoid a government shutdown, it is a poor stand-in for the full-year appropriations desperately needed by our warfighters and those who provide them with the equipment and services that enable their mission.

We cannot stress enough the importance of the defense appropriations bill to our national security and to a healthy defense industrial base. The limbo caused under CRs wastes precious time and money our nation cannot recover. Delayed new starts and initiatives place a strain on companies and their workforce, particularly as they recalibrate operations to a post-pandemic normal. Our nation's competitors face no similar challenges putting us at a competitive disadvantage, particularly with emerging technologies, and place our supply chains at increasing risk, something we cannot afford after the nearly two years of pandemic impacts.

Doing business with the Federal Government is already hard. The tomes of regulations, burdensome business requirements, sometimes Kafkaesque contracting and oversight procedures, and compressed margins have combined to drive businesses out of the defense sector with a net outflow of well over 10,000 companies since 2011 and, as noted in our annual Vital Signs report, a halving of new entrants to the sector between fiscal 2019 and fiscal 2020 alone. Add to that the uncertainty of "if and when" a full-year defense appropriations gets signed into law, more companies will reassess their participation in the defense industrial base. The ultimate price of this is paid by our warfighters who will lose out on innovations and new capabilities not delivered.

The inefficiencies caused by beginning 12 of the last 13 fiscal years without full-year funding have cost the military services billions lost in inefficient expenditures and program delays. Also, delayed contract starts challenge larger contractors while threaten the existence of smaller prime contractors and small businesses down the supply chain. The effect of that has a human face and a long-term impact. To execute a new-start contract, a company must recruit, hire, and train a workforce despite a tight labor market and a shortage of workers with the required security clearance. Faced with a delayed start, that company must now choose between two bad options, either pay that workforce to stand idle or let those workers go—both of which could lead to contract or business failure and undelivered capabilities to our service members.

With no full-year funding, we cannot afford to go too long without hampering readiness recovery efforts, delaying capabilities to our warfighters, and postponing investments in advanced technologies while allowing our defense industrial base to erode. NDIA supports a bipartisan agreement on domestic and national security spending and encourages the adoption of a two-year budget to prevent another year of budget instability and to provide the needed support to the Department of Defense for their critical missions.

We appreciate your attention to this critical issue and look forward to working with your Committees moving forward.

Very respectfully,

HERBERT J. CARLISLE,
*General, USAF (Ret),
President and CEO,
National Defense Industrial Association.*

ARNOLD L. PUNARO,
*MajGen, USMC (Ret)
Chairman of the
Board, National Defense Industrial Association.*

AEROSPACE INDUSTRIES ASSOCIATION,

November 2, 2021.

DEAR MAJORITY LEADER SCHUMER, SPEAKER PELOSI, RANKING MEMBER MCCONNELL, AND RANKING MEMBER MCCARTHY: The United States aerospace and defense industries are an essential partner with the federal government in an array of efforts vital to our economy and our national security. Each fall, that partnership is tested when those programs are slowed down or deferred by the use of multiple continuing resolutions (CR) to keep the government running. On behalf of our vital industries and our more than two million employees, the Aerospace Industries Association (AIA) strongly urges you to reach a near-term agreement on fiscal year 2022 funding to avoid further CRs beyond December 3, 2021.

Government watchdogs continue to document the waste and unnecessary disruption that CRs cause to federal programs. Multiple agencies advised the Government Accountability Office (GAO) in a 2021 report that longer CRs "contributed to distortions in agencies' spending, adding to the rush to obligate funds late in the year before they expire." The GAO determined that contracting officers working under a CR must continuously align the period of performance under their contracts to the specific timeframe of a given CR, resulting in many unnecessary contract modifications during the year. Hiring of new civilian staff is also delayed, making it harder for agencies to meet their goals. The GAO notes that agencies apply creative workarounds in the first quarter of each fiscal year, because they assume that appropriations bills will not be in place by the beginning of the fiscal year. However, these effects become far more serious, and agency staff have fewer options, when CRs continue into the second quarter and beyond.

The Department of Defense (DOD) is uniquely harmed under CRs because these bills typically prohibit DOD from starting new programs or activities or increasing any program's production rate beyond that of the current fiscal year. Both 'new starts' and rate increases are critical for our national defense because our defense posture and threats are always evolving. As CRs extend to longer periods during the year, this is an increasing problem for which DOD seldom gets relief. DOD reported to the GAO that between FY10 and FY20, they had requested exceptions to CR language (called "anomalies") 1,258 times and had only been granted three percent of those requests. Most of these requested relief from the prohibition on new starts and rate increases. We strongly believe that, should Congress produce CRs extending into the second quarter of FY22, it should eliminate the prohibition on new starts and production rate increases.

FY22 is the first year in a decade when discretionary spending levels have not been fixed in statute by the Budget Control Act. AIA has long argued that statutory caps are not needed because Congress and the administration are able to assess and address the needs of the nation more effectively, and with greater oversight, through the annual appropriations process. Last year, Congress enacted all 12 full year appropriations bills by December 27. If Congress fails to once again enact full-year appropriations bills, or continues running the government into 2022 under continuing resolutions, it will send the wrong signal to the government's partners, like those in our industry. We count on stable, reliable and adequate funding to support the critical capabilities that we provide for all Americans.

Like other industries, COVID-19 took a serious toll on our workforce and the thousands of small- and medium-sized businesses along the supply chain that are at the heart

of the aerospace and defense industries. More than ever, businesses across all industries need predictability and consistency.

We again ask that you ensure that all government programs receive full Fiscal Year 2022 funding on or before December 3, 2021.

Sincerely,

ERIC FANNING,
President and CEO, Aerospace Industries Association.

COALITION ON HUMAN NEEDS,
November 24, 2021.

DEAR CHAIRMAN LEAHY: On behalf of the Coalition on Human Needs, I am writing to strongly urge you to do everything in your power to enact omnibus FY 2022 appropriations legislation including all 12 subcommittee bills, and thank you for your leadership towards this end. Our nation badly needs the increased funding provided in the Senate and House Appropriations Committee bills. We face many increased needs, a great many exacerbated by the pandemic and its economic dislocations. For more than a decade, funding levels for vital human needs programs have shrunk, especially taking inflation into account. If Congress fails to enact omnibus appropriations legislation and instead defaults to a long-term continuing resolution (CR) with flat funding, we will seriously damage our capacity to respond to the multiple public health and economic crises we face.

Members of the Coalition on Human Needs, including human service provider organizations, faith groups, labor, civil rights, policy experts and other advocates concerned with meeting the needs of people with low incomes, enthusiastically welcomed the funding levels provided in the Biden FY 2022 budget and the House and Senate Appropriations Committees. We have tracked nearly 200 human needs programs over the past decade. Between FYs 2010 and 2020, we found that two-thirds of these programs, covering health care, housing, nutrition, social services, education, training, and more, had lost ground, taking inflation into account. In the past year, we have begun to rebuild. But the needs are also growing.

We now face rising prices affecting necessities including utilities, food, and rent. Flat funding from a prolonged CR would fail our people by not providing needed increases in programs such as the Low Income Home Energy Assistance Program (LIHEAP). The Senate Labor-Health and Human Services-Education Subcommittee-introduced bill increases funding by \$175 million. This is too modest when taking into account that natural gas heating costs are projected to rise by 30 percent this winter and heating oil is expected to rise by 43 percent; flat funding would be wholly inadequate. Nutrition programs will also need funding increases because of rising food prices. The Senate Labor-HHS-Education Subcommittee proposal includes \$576 million for home-delivered meals for seniors, an increase of \$300 million above the FY 2021 enacted level. Responding to a serious increase in people experiencing homelessness, the Senate Transportation-Housing and Urban Development Subcommittee-introduced bill would increase Homelessness Assistance programs to \$3.26 billion, \$260 million more than FY 2021. These funds would expand services for homeless youth and people fleeing from domestic violence, and would provide additional permanent housing for chronically unhoused people. While the Senate Subcommittee bill would cover current rental voucher program costs, the House bill would expand rental assistance to 125,000 additional households. These increases are vitally needed. For the first 11 months of this year, median one-bedroom apartment rents rose 12.1 percent; for

two-bedroom units, the median increase was 13.2 percent. In the previous two years, median rent increases were less than 1 percent. Flat funding for housing and homelessness programs would be simply unacceptable.

We have for some time faced a substance use crisis, and have reached 100,000 deaths from opioid overdoses already this year, up from about 93,000 in 2020. The Senate funding level for the Substance Abuse and Mental Health Services Administration (SAMHSA) is \$9.1 billion, \$3.1 billion more than funding in FY 2021. Without this substantial increase, we will not be able to cope with the continuing rise in opioid addiction.

The pandemic has markedly increased mental health problems. From August 2020 to February 2021, the CDC reported an increase in adults with anxiety or depressive disorders, from 36.4 percent to 41.5 percent, and reports rose of unmet mental health care needs. The proposed SAMHSA funding levels allow us to respond more adequately. The Senate Labor-HHS-Education Subcommittee proposal would increase mental health services overall to \$2.97 billion, an increase of nearly \$1.2 billion over FY 2021. In particular, the Senate Subcommittee bill more than doubles funding for the Mental Health Block Grant, to \$1.58 billion for FY 2022. The House-passed funding for Labor-HHS-Education makes a welcome increase in Children's Mental Health funding, stopping the inflation-driven erosion that caused a 14 percent reduction from FY 2010 to FY 2020. We must not return to flat funding when the pandemic has adversely affected the mental health of millions of children and adults.

Over the past decade, we allowed our public health capacity to diminish, and as a consequence we were not ready to cope with COVID-19. The Senate Labor-HHS-Education Subcommittee appropriations bill increases the Centers for Disease Control about \$1.85 billion over the current year, allowing for the agency to rebuild so that it can more effectively respond to COVID-19 and future health threats.

We know our economy is hampered by a mismatch between jobs available and people with the skills to fill those positions. FY 2022 appropriations proposals include increases in Workforce Innovation and Opportunity Act programs (WIOA), YouthBuild, Registered Apprenticeships, and Reintegration of Ex-Offender programs, as well as a new National Youth Employment Program. These will lead to jobs with higher pay and broadly shared economic growth. These increases are needed to overcome a ten-year 17 percent reduction in WIOA programs and to move us forward.

There are too many important programs to list here. But we do wish to underscore that children have experienced many hardships during the pandemic, including unprecedented losses in education and alarming increases in reports of households with children sometimes or often not having enough to eat. The historic increases proposed in Title I K-12 education for students with low incomes and in special education funding are urgently needed to help children overcome the educational setbacks they have experienced. Title I spending rises by at least \$16.6 billion over FY 2021, and there will be a \$2.6 billion increase in IDEA state grants for more than 7.6 million students with disabilities.

The FY 2022 appropriations bills drawn up in the House and/or Senate include many important funding increases to help families care for their children. Funding for the Women, Infants and Children (WIC) nutrition program must accommodate an increase in benefits that was extended through the end of December in the current Continuing Resolution, and must not be allowed to expire at that time. In addition to the mental health,

housing, nutrition, and education funding already mentioned here, there are badly needed increases in child care, Head Start, early learning programs, and child abuse prevention and treatment programs. There are also urgently needed increases in funds to care for unaccompanied migrant children: at \$4.9 billion, a \$3.6 billion increase over FY 2021 in the Senate Labor-HHS-Education Subcommittee bill.

The nation's recovery depends on strengthening a host of domestic programs that have been allowed to shrink for years, not just to get to where they had been before, but to respond to needs far greater because of the pandemic and its global economic dislocations. A long-term continuing resolution would be a severe failure to address these needs. We strongly urge you to enact omnibus appropriations legislation including all twelve bills as soon as possible.

Sincerely,

DEBORAH WEINSTEIN,
Executive Director.

— NOVEMBER 10, 2021.

DEAR MAJORITY LEADER SCHUMER AND MINORITY LEADER MCCONNELL: On behalf of the millions of veterans our organizations represent, we write to express serious concerns about reports that the Senate is considering approving a full-year continuing resolution to fund the federal government for the remainder of fiscal year 2022, which would have significant negative consequences for veterans, their families, caregivers and survivors. Therefore, we are asking that you work together to ensure that veterans programs, benefits and medical services receive the full level of funding for fiscal year 2022 that was approved with strong bipartisan support (25 to 5) by the Senate Appropriations Committee in August.

As you know, Congress approved and the President signed a short-term continuing resolution (Public Law 117-43) on September 30th to fund the federal government through December 3, 2021, extending funding at the levels previously enacted in fiscal year 2021 appropriations legislation. Funding for Department of Veterans Affairs (VA) medical care and benefit payments for fiscal year 2022 was previously approved in December 2020 as advance appropriations in Division J (Military Construction and Veterans Affairs) of the Consolidated Appropriations Act, 2021, Public Law 116-260. However, the advance appropriations process only works properly if funding levels are adjusted to address increased demand for benefits and services as part of the following year's regular appropriations process, as is necessary for fiscal year 2022. Further, if Congress passes a full-year continuing resolution, all other programs, services and benefits would remain funded at fiscal year 2021 levels, which would fall short of the anticipated needs.

For example, a full-year continuing resolution could result in an estimated \$7 billion shortfall in funding for mandatory compensation and pension benefits, in large part due to an increased number of benefit claims resulting from congressional approval of new diseases related to Agent Orange exposure for Vietnam veterans.

In addition, the time it takes to process these and other claims for benefits would be significantly increased without the \$300 million increase for the Veterans Benefits Administration approved by the Senate Appropriations Committee. Similarly, reductions from the Committee-approved levels for the Board of Veterans' Appeals and the National Cemetery Administration would negatively impact veterans and their survivors seeking their services and benefits.

Enacting a full-year continuing resolution would also negatively hamper veterans' abil-

ity to receive timely medical care absent the \$3.3 billion increase for Veterans Medical Community Care approved by the Senate Committee. VA's critical Medical and Prosthetic Research programs would be cut by \$67 million and funding to support VA's health care infrastructure would be cut \$450 million below the levels approved by the Committee if Congress passes a full-year continuing resolution.

As leaders of the Senate, we call on you to reject consideration of a full-year continuing resolution that would reduce veterans' funding below what has already been approved in an overwhelming bipartisan vote of the Senate Appropriations Committee. Instead, we ask that you use your influence to ensure that the Senate completes consideration of the fiscal year 2022 appropriations so that veterans, their families, caregivers and survivors have timely access to all the benefits, services and medical care they have earned.

Respectfully,

LAWRENCE W. MONTREUIL,
*National Legislative
Director, The Amer-
ican Legion.*

JOY J. LLEM,
*National Legislative
Director, DAV (Dis-
abled American Vet-
erans).*

TOM PORTER,
*Executive Vice Presi-
dent, Government
Affairs, Iraq and Af-
ghanistan Veterans
of America.*

HEATHER ANSLEY, ESQ.,
MSW,
*Associate Executive
Director of Govern-
ment Relations, Par-
alyzed Veterans of
America.*

PATRICK MURRAY,
*Director, National
Legislative Service,
Veterans of Foreign
Wars.*

DAN MERRY,
*Colonel, USAF (Ret),
Vice President for
Government Rela-
tions, Military Offi-
cers Association of
America.*

SHARON HODGE,
*Director for Policy and
Government Affairs,
Vietnam Veterans of
America.*

BRIAN DEMPSEY,
*Government Affairs
Director, Wounded
Warrior Project.*

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

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

UNANIMOUS CONSENT AGREEMENT—H.R. 6119

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate resume legislative session and proceed to the immediate consideration of H.R. 6119, which was received from the House and is at the desk; that the only

amendment in order be Marshall-Lee No. 4868; that Senator LEE be recognized to speak for up to 10 minutes and that, following his remarks, the Senate vote on the Marshall amendment; that upon disposition of the Marshall amendment, the bill shall be considered read a third time and the Senate vote on passage of the bill, as amended, if amended, with 60 affirmative votes required for passage; that there be 6 minutes for debate equally divided in the usual form prior to each vote, all without further intervening action or debate.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, I am pleased to announce that an agreement has been reached between Democrats and Republicans that will allow the Senate to take up and pass the continuing resolution to fund the government through February 18. With this agreement, there will be no government shutdown, and I appreciate the work of my colleagues from both sides of the aisle, including Leader McCONNELL, to reach this point. The good, bipartisan work that produced this agreement will give appropriators in both parties and in both Chambers time to reach a comprehensive agreement on appropriations by February 18 of next year.

I am glad that, in the end, cooler heads prevailed. The government will stay open. I thank the Members of this Chamber for walking us back from the brink of an avoidable, needless, and costly shutdown.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

FURTHER EXTENDING GOVERNMENT FUNDING ACT

THE PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and proceed to the consideration of H.R. 6119, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 6119) making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes.

THE PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 4868

Mr. LEE. Mr. President, 45 million Americans, 45 million hard-working moms and dads, neighbors, and friends are being threatened right now with

losing their jobs. They are being threatened not due to cyclical economic conditions, not because jobs aren't available, not because of some war or other calamity; their jobs are being threatened by their own government—a government that has chosen to tell them if they don't comply with a Presidential medical orthodoxy, they will be fired.

This is unfortunate. This is most unfortunate. It is most unfortunate that this power has been exercised this way. The President doesn't have that power. Congress hasn't given the President that power. Congress doesn't have that power to begin with. This is not a power that belongs in the Federal Government to begin with.

As a result of that, 45 million Americans are being threatened with their jobs. They are being forced to choose between an unwanted medical procedure and losing their job.

Look, I want to be very clear. I have been vaccinated. My family has been vaccinated. I believe the development of the vaccine is something of a modern medical miracle. I am grateful for the vaccine. I think the vaccine is helping Americans be safe from the effects of COVID. It is not the government's job. It is not within government's authority to tell people that they must be vaccinated, and if they don't get vaccinated, they will get fired.

It is wrong. It is immoral. You don't tell someone that if they don't do exactly what you want them to do, that they are going to lose their job. The American people overwhelmingly agree.

In fact, according to a recent Axios poll, only 14 percent of all Americans agree with the President of the United States that if someone declines to get the jab, they should lose their job.

Now, this is a huge percentage of the workforce in many States—most States, in fact. Somewhere between a quarter and a third of all workers are now being faced with the possibility of losing their job because of these vaccine mandates. This, at a time when Americans are struggling just to put food on the table, in part, because we have a government that is spending too much money it doesn't have.

It is churning up money, printing it, in effect, in a way that results in rampant inflation; in a way that makes limited paychecks go less far, less capable of buying bread to put on the table. And amidst all of this government-manufactured crisis, government is making it worse; threatening to not just make that paycheck go even less far than it already does because of government but to take it away altogether. That is not kind; that is not the neighborly way in which we like to do things; it is not moral; and it is not constitutional.

Look, it is tragic that this many Americans have to have their jobs threatened as a result of a Presidential temper tantrum. There is nothing about it that is OK. Deep down, we all know that it is not OK.

I will tell you, there is another thing that is not OK. It is not OK that those who want to take away those jobs, those who are just fine with the President exercising this authority fought tooth and nail to prevent the U.S. Senate from taking the vote that we are preparing to take tonight, a simple vote—a simple vote that simply allows us to weigh in and decide whether or not we are going to fund that part of government, that feature of our government that is going to enforce the vaccine mandate.

Those in this Chamber who shamefully were refusing over and over again to let us even cast a vote on that simple measure threatened to shut down all of government because they didn't want to have us have a chance, as the people's elected lawmakers, to decide whether or not we should proceed with vaccine mandate enforcement. They would rather shut down the government and make everything worse than they would stand accountable for what they are doing.

Fortunately, this part of the story at least has a happy ending. We are going to be able to vote on that tonight. We are going to be able to vote on whether or not we fund vaccine mandate enforcement at the Federal level.

This is wonderful. This is fantastic. It should not have resulted in days and days of shutdown threats and days and days of deflection, accusing other people of wanting to shut down the government when all we wanted to do was have a vote, to give a chance to the hard-working mom or dad, soldier, sailor, airman, or marine struggling to put food on the table. That is all we wanted. And all they wanted to do is use it as an excuse to deflect onto others that which they are doing.

We can do better than this. We must do better than this. The American people deserve better than this. That is why I am so glad and grateful that we will be casting this vote tonight.

But know this: This issue is not going away. I hope with everything in me that when we cast this vote tonight, that a majority of us will do the right thing and that we will vote the way that we know we should vote; that we will stand with those people who may lose their jobs. Thirty-one percent of the workers in my State—and in other States, it is higher. Thirty-nine percent of the workers in West Virginia stand to lose their jobs, 37 percent of the workers in Alabama, 33 percent of the workers in Georgia. In State after State, you see hard-working moms and dads being threatened.

This isn't right. It is not even an authority that the President has. It is not authority that the Congress has. We shouldn't be doing this. Deep down, we all know that is right. We also know that some of these problems result from the fact that when we fund the government, we have made significant mistakes as a result of the fact we have allowed so many spending decisions to be concentrated in one vote on one bill,

such that all of government tends to be funded or none of it gets funded.

Sometimes the only opportunity we have to weigh in on a particular matter of public policy, one affecting 45 million American workers in this instance—the only chance we have to do that is on a spending bill, and we don't even get that chance unless we agree we can vote on an amendment on that. That should never result in a shutdown threat.

When those threats are made, we should acknowledge who is making them. Never once has any one of us wanted to shut down the government. We wanted to give the American worker a chance for us to vote for them, a chance for us to stand with them.

I urge—I implore—my colleagues: Please join me in voting to protect the American worker. Don't take away the job of hard-working Americans. Don't fire people because they are not inclined to adhere to Presidential medical orthodoxy. Please support me in this amendment.

The PRESIDING OFFICER. The Senator from Kansas.

AMENDMENT NO. 4868

Mr. MARSHALL. Mr. President, I call up my amendment No. 4868 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from Kansas [Mr. MARSHALL] for himself and for Mr. LEE, proposes an amendment numbered 4868.

The amendment is as follows:

(Purpose: To prohibit the use of Federal funds for implementing or enforcing COVID-19 vaccine mandates)

At the appropriate place, insert the following:

SEC. ____ PROHIBITION ON FUNDING FOR COVID-19 VACCINE MANDATES.

None of the funds appropriated or otherwise made available under this Act may be obligated or expended to—

(1) implement or enforce—

(A) section 1910.501 of title 29, Code of Federal Regulations (or a successor regulation);

(B) Executive Order 14042 of September 9, 2021 (86 Fed. Reg. 50985; relating to ensuring adequate COVID safety protocols for Federal contractors);

(C) Executive Order 14043 of September 9, 2021 (86 Fed. Reg. 50989; relating to requiring Coronavirus Disease 2019 vaccination for Federal employees);

(D) the interim final rule issued by the Department of Health and Human Services on November 5, 2021, entitled "Medicare and Medicaid Programs; Omnibus COVID-19 Health Care Staff Vaccination" (86 Fed. Reg. 61555); or

(E) the memorandum signed by the Secretary of Defense on August 24, 2021, for "Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members"; or

(2) promulgate, implement, or enforce any rule, regulation, or other agency statement, that is substantially similar to a regulation, Executive Order, rule, or memorandum described in paragraph (1).

The PRESIDING OFFICER. There will now be 6 minutes of debate equally divided prior to a vote on amendment No. 4868.

Mr. MARSHALL. Mr. President, this amendment is simple. It prohibits moneys from this bill to be used to fund or enforce the White House's COVID vaccine mandates on the American people for the duration of the CR.

As a physician, I have always supported the vaccine, and I encourage Americans to talk to their doctor about getting vaccinated and about the booster. But whether to receive the vaccine or not is a personal choice. It should not be mandated via unconstitutional Executive actions that the administration acknowledged earlier this year they didn't have the authority to put in place.

No precedent exists in American history for punishing private employers who don't enforce government vaccine edicts. As we all know, multiple Federal courts have put a stop to the OSHA mandate, as well as the Federal contractor and CMS mandates.

What is more, thank goodness, the White House even delayed implementing their mandate for Federal workers until after the holidays. This is an opportunity to right a wrong—for each Member in this body to right a wrong. Let's get employers certainty and employees peace of mind that they will still have a job this new year.

Make no mistake, these vaccine mandates are not about public health or science. If they were, the White House would recognize the 92 percent of Americans—92 percent of Americans—who already built up immunity to this virus between vaccines and natural immunity.

Beside me is a photo of upset union workers in Topeka, KS. These are people who keep our electricity on and houses warm in the winter. These are hard-working Americans who put their lives on the line throughout the pandemic. Tonight, I am their voice. I am their voice and I am proud to be here to keep fighting for them, for their families, and their right to earn a living in this greatest country in the world.

Tonight, I ask my colleagues to join me in this fight and support our amendment and avoid an economic shutdown, avoid brownouts, further supply chain disruptions, labor shortages, higher inflation, and weakening our national security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, COVID-19 has killed over 780,000 people in our country. This pandemic has a higher body count than any war we have ever fought in, and it is not over.

We should be doing everything we can to stop this virus. We should be using every tool to keep America safe. We all know the damage this virus can do to our communities and to our economy. That is why the Biden administration has taken steps to urge employers to make sure their employees are fully vaccinated or test negative for COVID-19 before they come to the

workplace. That is a move that is widely popular with the American people. No one wants to go to work and be worried they might come home to their family with a deadly virus.

Even businesses support this step. The Chamber of Commerce is urging businesses to comply with the administration's emergency temporary standard. Perhaps, more importantly, it is a move that will save lives. We have already seen these requirements have a huge impact. In fact, many businesses with vaccine requirements have seen vaccine rates rise well above 90 percent. OSHA estimates that the Federal standard—which Republicans are fighting to undermine—will help protect 84 million workers, prevent thousands of deaths and over 200,000 hospitalizations from COVID-19.

I do not understand why—after all families have been through, after all we have lost and all the hard work we have done to rebuild—would anyone want to throw that in jeopardy and throw away one of the strongest tools we have to get people vaccinated, keep them safe, and end this pandemic once and for all. It is senseless. It is reckless. I urge my colleagues to vote against it.

I yield the rest of my time to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Mr. President, I rise to support the position of my colleague.

When you are unwilling to describe something accurately, it betrays a weakness in your position. I heard my colleagues complain about the vaccine mandate. It is not a vaccine mandate. It is a vaccine or testing mandate. If you don't want to get a test—if you don't want to get a vaccine, don't get a vaccine. Get a test so you can go to work each week without infecting your colleagues with the deadly disease.

What my colleagues are asking is that people be protected so that they can go to work with a deadly disease, infect coworkers, and still get a paycheck—and still get a paycheck. If you don't want to get a vaccine, get a test. If you are unwilling to protect your coworkers, don't demand a paycheck.

I urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. If you don't want to get the virus, get the vaccine.

The answer to someone not agreeing to your medical advice is not to fire them. It sure as heck isn't to have the President of the United States fine every employer in America that doesn't want to do this, whether they have religious objections or otherwise. This is wrong. We know it is wrong. We can stop this right now.

Please join me in opposing and taking down and refusing to fund for the duration of this continuing resolution that part of government charged with enforcing this immoral, indefensible, unconstitutional, and illegal mandate.

VOTE ON AMENDMENT NO. 4868

The PRESIDING OFFICER. The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Tennessee (Mr. HAGERTY) and the Senator from South Dakota (Mr. THUNE).

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 476 Leg.]

YEAS—48

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

NAYS—50

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

NOT VOTING—2

| | |
|---------|-------|
| Hagerty | Thune |
|---------|-------|

The amendment (No. 4868) was rejected.

(Mrs. MURRAY assumed the Chair.)

The PRESIDING OFFICER (Mr. KING). The clerk will read the bill by title for the third time.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. There will be 6 minutes of debate equally divided prior to a vote on the passage of the bill.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I will be very brief.

I will note that, as chairman of the Appropriations Committee, this bill was negotiated on a bipartisan-bicameral basis to keep the government open and operating until February 18.

I urge every Member to vote "aye." We have to pass it tonight, but I warn and remind every Senator: It is not a substitute for doing our work. We have to use the next 2 months to negotiate and enact full-year appropriations

bills. I hope my Republican friends will come to the table to negotiate topline. The Democrats have made a fair offer, a strong offer, and we need a response.

So I thank Vice Chairman SHELBY for his cooperation and hard work on this bill. I look forward to working with him, as I did earlier today, and will continue to until we get an agreement on a topline and all 12 appropriations bills by February 18.

Let's get to work and show the country the Senate can do its work.

I yield the floor.

VOTE ON H.R. 6119

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that all time be yielded back.

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

With all time having been yielded back, the question is, Shall the bill pass?

Mrs. GILLIBRAND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Tennessee (Mr. HAGERTY), the Senator from Oklahoma (Mr. INHOFE), and the Senator from South Dakota (Mr. THUNE).

The result was announced—yeas 69, nays 28, as follows:

[Rollcall Vote No. 477 Leg.]

YEAS—69

| | | |
|--------------|--------------|------------|
| Baldwin | Heinrich | Portman |
| Bennet | Hickenlooper | Reed |
| Blumenthal | Hirono | Rosen |
| Blunt | Hyde-Smith | Rounds |
| Booker | Kaine | Rubio |
| Brown | Kelly | Sanders |
| Burr | Kennedy | Schatz |
| Cantwell | King | Schumer |
| Capito | Klobuchar | Shaheen |
| Cardin | Leahy | Shelby |
| Carper | Lujan | Sinema |
| Casey | Manchin | Smith |
| Cassidy | Markey | Stabenow |
| Collins | McConnell | Tester |
| Coons | Menendez | Tillis |
| Cornyn | Merkley | Van Hollen |
| Cortez Masto | Moran | Warner |
| Duckworth | Murkowski | Warnock |
| Durbin | Murphy | Warren |
| Feinstein | Murray | Whitehouse |
| Gillibrand | Ossoff | Wicker |
| Hassan | Padilla | Wyden |
| | Peters | Young |

NAYS—28

| | | |
|-----------|----------|------------|
| Barrasso | Fischer | Risch |
| Blackburn | Grassley | Romney |
| Boozman | Hawley | Sasse |
| Braun | Hoeven | Scott (FL) |
| Cotton | Johnson | Scott (SC) |
| Cramer | Lankford | Sullivan |
| Crapo | Lee | Toomey |
| Cruz | Lummis | Tuberville |
| Daines | Marshall | |
| Ernst | Paul | |

NOT VOTING—3

| | | |
|---------|--------|-------|
| Hagerty | Inhofe | Thune |
|---------|--------|-------|

The bill (H.R. 6119) was passed.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, I am happy to let the American people know the government remains open.

(Applause.)

Mr. SCHUMER. Thank you.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Executive Calendar No. 567.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jessica Rosenworcel, of Connecticut, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2020. (Reappointment)

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 567, Jessica Rosenworcel, of Connecticut, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2020. (Reappointment)

Charles E. Schumer, Richard Blumenthal, Richard J. Durbin, Angus S. King, Jr., Chris Van Hollen, Elizabeth Warren, Debbie Stabenow, Gary C. Peters, Tammy Baldwin, Maria Cantwell, Mark R. Warner, Benjamin L. Cardin, Tammy Duckworth, Tina Smith, Margaret Wood Hassan, Tim Kaine, Patty Murray.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Executive Calendar No. 480.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Deirdre Hamilton, of the District of Columbia, to be a Member of the National Mediation Board for a term expiring July 1, 2022.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 480, Deirdre Hamilton, of the District of Columbia, to be a Member of the National Mediation Board for a term expiring July 1, 2022.

Charles E. Schumer, Richard Blumenthal, Richard J. Durbin, Angus S. King, Jr., Chris Van Hollen, Elizabeth Warren, Debbie Stabenow, Gary C. Peters, Tammy Baldwin, Tina Smith, Mark R. Warner, Benjamin L. Cardin, Tammy Duckworth, Margaret Wood Hassan, Tim Kaine, Patrick J. Leahy, Jeff Merkley, Sheldon Whitehouse, Jack Reed.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Executive Calendar No. 513.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Chris Magnus, of Arizona, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 513, Chris Magnus, of Arizona, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

Charles E. Schumer, Richard Blumenthal, Richard J. Durbin, Angus S. King, Jr., Chris Van Hollen, Elizabeth Warren, Debbie Stabenow, Gary C. Peters, Tammy Baldwin, Maria Cantwell, Mark R. Warner, Benjamin L. Cardin, Tammy Duckworth, Tina Smith, Margaret Wood Hassan, Tim Kaine, Patty Murray.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory

quorum calls for the cloture motions filed today, December 2, be waived and that the cloture motions ripen at 5:30 p.m., Monday, December 6.

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

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 543 and 544; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

The question is, Will the Senate advise and consent to the nominations of Larry D. Turner, of North Carolina, to be Inspector General, Department of Labor; and Sandra D. Bruce, of Delaware, to be Inspector General, Department of Education, en bloc?

The nominations were confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

NOTICE OF TIE VOTES UNDER S. RES. 27

Mr. DURBIN. Mr. President, I ask unanimous consent to print the following letters in the CONGRESSIONAL RECORD.

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

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

To the Secretary of the Senate:

PN999, the nomination of Charlotte N. Sweeney, of Colorado, to be United States District Judge for the District of Colorado, having been referred to the Committee on the Judiciary, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 11 ayes to 11 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the Record pursuant to the resolution.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

To the Secretary of the Senate:

PN1170, the nomination of Hernan D. Vera, of California, to be United States District Judge for the Central District of California, having been referred to the Committee on the Judiciary, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 11 ayes to 11 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the Record pursuant to the resolution.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

To the Secretary of the Senate:

PN1169, the nomination of Holly A. Thomas, of California, to be United States Circuit Judge for the Ninth Circuit, having been referred to the Committee on the Judiciary, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 11 ayes to 11 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the Record pursuant to the resolution.

TRIBUTE TO LIEUTENANT COLONEL RENETTE HILTON

Ms. SINEMA. Mr. President, I rise today to congratulate and thank Air Force Lt. Col. Renette Hilton. Renette has been serving as a Department of Defense fellow in my office this year, and she has been an asset to the people of Arizona and the U.S. Congress.

Arizona is home to key parts of the U.S. Air Force working every day to keep our Nation safe and secure. Luke Air Force Base is home to the world's largest fighter wing, the 56th Fighter Wing, where they train on and operate the F-35 Lightning. The F-35 is America's preeminent fifth-generation fighter. Luke Air Force Base also trains pilots for our partner nations, strengthening or relationship with and the security of our allies. Davis-Monthan Air Force Base is similarly critical to our national security. Davis-Monthan has a diverse mission that includes search and rescue, Air Force Southern Command, electronic warfare, and the Aerospace Maintenance and Regeneration Group. Arizona also has one of the most capable Air National Guard units in the country. They organize the busiest aerial refueling operation and continue to innovate to stay on the cutting edge of Air Force capabilities.

In the year she has worked in my office, Renette has become an essential member of the team and a valued connection to the Air Force. She has worked with my policy team to host over 30 meetings with Arizona constituents on a range of topics related to the Nation's defense. She has assisted in making informed recommendations on confirmation votes, cosponsorships, and hearing preparations. She has helped us draft thoughtful and influential policy that I know will help the servicemembers and families of Arizona. Renette has been a steadfast protector of Arizona military missions and communities.

Moreover, Renette went above and beyond to adapt to dynamic staffing in my office. She led our defense team for several months, including coordinating with a legislative correspondent, policy aide, and our defense outreach team across three geographically dislocated offices. In this role, she planned, organized, and directed a staff delegation to multiple bases throughout Arizona and engaged with senior leaders in the military, as well as business, academic, and community stakeholders. She also successfully supported my requests to the National Defense Authorization Act for Fiscal Year 2022.

I am incredibly proud of the work accomplished by Lieutenant Colonel Hilton throughout this challenging year. She has set an outstanding example for others, and my team and I will miss her.

ADDITIONAL STATEMENTS

TRIBUTE TO BEN COOPER

• **Mr. BLUMENTHAL.** Mr. President, today I rise to recognize Mr. Ben Cooper, a lifelong resident of West Hartford, CT, and outstanding World War II veteran who turns 100 on December 24, 2021.

Mr. Cooper was a freshman at The George Washington University when the United States entered World War II. Eager to support his country, he went to work at Colt's Firearms in Connecticut, where he tested machine guns until he was drafted in September 1942. Mr. Cooper was sent for training at Camp Barkeley. While on furlough, he met his future wife, Dorothy, and the two married when he received news he was going to be sent overseas. Mr. and Mrs. Cooper had four children and celebrated their 65th wedding anniversary shortly before Dorothy passed.

After boarding a liberty ship, Mr. Cooper was assigned as a combat medic to the U.S. Army's 45th Infantry Division, also known as the Thunderbird Division, which was largely comprised of Native American soldiers. They saw combat in Italy, France, and Germany. While in Europe, Mr. Cooper was instructed by his friends to keep his dog tags in his pocket rather than around his neck. They were labeled with an "H" for Hebrew, indicating his Jewish

faith, which could have led to harm if he were captured by the Germans. In April 1945, the 45th Infantry Division received orders to secure a camp. As Mr. Cooper explains, no one in the division knew anything about the camp other than their instructions to not allow anyone to enter or exit.

When Mr. Cooper and his division arrived at Dachau in southern Germany, they witnessed scenes he describes as "virtually unspeakable." He met the survivors who were able to walk up to him and was traumatized by what he encountered. On April 29, 1945, the 30,000 prisoners were liberated by American troops, including Mr. Cooper and the 45th Infantry Division. In the following days, the division helped capture Munich.

Though the division was sent to France with the expectation of fighting the Japanese, they were instead discharged when the war ended before they made it to the Pacific. Mr. Cooper returned home to his family and did not speak about Dachau to anyone for 45 years.

In 1990, Mr. Cooper shared his story for the first time, speaking to a group of students. From there, he started to recount his experiences wherever it could be helpful. For over three decades, Mr. Cooper has spoken to schools, colleges, civic groups, and archival projects, repeating his eyewitness account to make sure the realities of the Holocaust are not forgotten.

His speaking engagements have led to a number of remarkable events. At the annual Holocaust commemoration at the Connecticut State Capitol in 1996, he met a man who revealed he and his wife were liberated from Dachau by Mr. Cooper and his division. They recognized the Thunderbird logo on his jacket. The two families became friends, and in 2006, their son performed open heart surgery for Mr. Cooper, who mused, "what goes around comes around."

In 2017, Mr. Cooper was inducted into the Connecticut Veterans Hall of Fame, and in 2019, he received the *Légion d'honneur*, France's highest military merit. That same year, I had the privilege of presenting Mr. Cooper with a certificate of special recognition at the Connecticut Veterans Memorial, where he also received the Connecticut Wartime Service Medal from the Connecticut Department of Veterans Affairs.

Mr. Cooper's lifetime of service and advocacy serves as a model for all of us. On his business cards is the motto that guides him: "No act of kindness, no matter how small, is ever wasted."

Mr. Cooper's courage and compassion will be an enduring legacy. I applaud his many accomplishments and hope my colleagues will join me in congratulating Mr. Ben Cooper on this milestone of his 100th birthday.●

TRIBUTE TO AVERY HERRMANN

• **Mr. MARSHALL.** Mr. President, I rise today to honor and recognize a

young Kansan who has truly gone above and beyond to help others, Ms. Avery Herrmann from Sabetha, KS.

Avery has been making jewelry since 2017 to help support the Kansas Honor Flight. She first began designing jewelry after developing staphylococcal in her right eye. Doctors had told her and her mother, Mary, that Avery should pick up a hobby to help keep her motor functions developing properly. Mary had made jewelry herself as a child, so she showed Avery the tools of the trade, and she hasn't stopped since.

For a while, Avery had kept up with jewelry making for personal use, but the death of her grandfather Robert in 2016 showed her what she could do to make a difference with her skills. Robert was a Korean war veteran who had previously gone on an Honor Flight himself, which was one of his most memorable experiences. After his passing, Avery started Abundant Love jewelry as a tribute to her grandfather and a way to support veterans in her community. With this new business, she began selling earrings online and at various fundraising events. To date, Avery has raised almost \$7,000 through Abundant Love.

Stories like Avery's are what truly show the best of Kansas. I have met with countless veterans on Honor Flights, and each has their own unique and incredible experience like Robert. Avery already is selfless in making and selling her earrings to benefit Honor Flight, but what truly makes this project extraordinary is that she doesn't take a penny for herself. Every single dollar made from Abundant Love goes directly to Honor Flight's benefit. Whether she knows it or not, those veterans appreciate what she does for them, and I join them in showing my appreciation for Avery. I now ask my colleagues to join in me in recognizing Avery for her outstanding service for our Nation's heroes.●

TRIBUTE TO REVEREND ALVIN C. HATHAWAY

• **Mr. VAN HOLLEN.** Mr. President, I rise to pay tribute to a faith leader and community activist from my home State of Maryland who has recently stepped down from his post as senior pastor at Union Baptist Church: Reverend Alvin C. Hathaway. I would like to honor his service to the people of Maryland and enter the details of his journey into the CONGRESSIONAL RECORD so that current and future generations may learn from and study his inspiring career.

The story of Reverend Hathaway's life is deeply bound to the story of Union Baptist Church. Alvin Hathaway grew up on Druid Hill Avenue in West Baltimore in a family that believed deeply in combining education and service—four doors down from the church itself—and he came of age in a neighborhood shaped and nurtured by faith. That community had cradled other great leaders too—leaders who,

like Reverend Hathaway, bent the arc of history toward justice. Thurgood Marshall had lived along the same avenue where he grew up. The late great Maryland Congressman Elijah Cummings was one of his high school classmates. And at an early age, Reverend Hathaway was mentored by another legendary son of Baltimore City and civil rights champion, Reverend Vernon Dobson, with whom he helped organize and found BUILD, Baltimoreans United in Leadership Development. That organization has been serving the people of Baltimore City for over 40 years, helping to improve affordable housing, create jobs, revitalize neighborhoods, and so much more.

Through BUILD, Reverend Hathaway left his mark on Baltimore City early in his career, and his legacy of good works will continue to endure through that powerful organization. But he has never been one to rest on his laurels, and Reverend Hathaway continued throughout his life to find new ways of serving at the intersection of faith and social justice—and of giving back to the church and the community that raised him. After earning a B.A. from the McKendree University School of Religion and an M.A. from Saint Mary's Seminary and University in Baltimore, Reverend Hathaway pursued a Ph.D. at the United Theological Seminary in Ohio, and he chose the history of Union Baptist Church as the focus of his academic study. Through his deep research into the narrative and legacy of that church, Reverend Hathaway became a steward of the church's culture, traditions, and values. I submit that no one knows Union Baptist Church better than Reverend Hathaway.

He then returned to Baltimore City, becoming senior pastor of Union Baptist in 2007, and he channeled his efforts in that role toward renovating the very traditions of the church that he had studied and lived for so many years. Reverend Hathaway marshalled the full force of his religious wisdom and oratorical gift to guide the West Baltimore community forward, through both good times and bad times. His swelling sermons moved a generation—and grew the faith.

But Reverend Hathaway learned early that the duties of a faith leader don't end at the bricks of the church walls. He took the values of his religious devotion and aimed them at the ongoing fight to realize the full promise of civil rights and equal opportunity. His efforts have spanned issues of health equity, civil rights, wages, and employment, but perhaps his greatest fight of them all has been waged through his dedication to expanding access to education. As senior pastor, Reverend Hathaway was deeply committed to bolstering the church's Head Start Program so more children from the surrounding area could receive high-quality early education. I have had the privilege of visiting the Union Baptist Head Start with him to

see, firsthand, the impact his work has had on the community. Reverend Hathaway's legacy can be seen in the wide smiles of the children who benefit from that initiative—and who benefit from his efforts to grow and strengthen that vital program.

While senior pastor at Union Baptist, Reverend Hathaway also served as a longtime leader of Promise Heights, an organization committed to improving outcomes in West Baltimore's Community Schools. He has helped guide the course of higher education through his role on the board of the University of Maryland Medical Center. He was an early and outspoken advocate for bridging the digital divide and narrowing the homework gap so more students could access the internet. And even now, after his retirement, he is leading the fight to transform the now vacant lot of P.S. 103 in West Baltimore into the Justice Thurgood Marshall Center, which will focus on programs supporting education, justice, and ethics.

He has done all this, and more, over the course of an extraordinary career marked by a commitment to his faith, a dedication to the people of Baltimore City, and a belief in the power of community. Though he has retired as the leader of Union Baptist Church, I know that he will carry on in the work that has defined his tenure as senior pastor—and defined his entire life. I am proud to call him a full partner in the work of building a more perfect union, and I will continue standing shoulder-to-shoulder with him in our shared endeavor to invest in the success of all.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:57 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2685. An act to direct the Assistant Secretary of Commerce for Communications and Information to submit to Congress a report examining the cybersecurity of mobile service networks, and for other purposes.

H.R. 4045. An act to direct the Federal Communications Commission to establish a task force to be known as the "6G Task Force", and for other purposes.

H.R. 4055. An act to establish a cybersecurity literacy campaign, and for other purposes.

H.R. 4352. An act to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian Tribes, and for other purposes.

H.R. 5720. An act to amend the Ethics in Government Act of 1978 to provide for a periodic transaction reporting requirement for Federal judicial officers and the online publication of financial disclosure reports of Federal judicial officers, and for other purposes.

At 5:54 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6119. An act making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2685. An act to direct the Assistant Secretary of Commerce for Communications and Information to submit to Congress a report examining the cybersecurity of mobile service networks, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4045. An act to direct the Federal Communications Commission to establish a task force to be known as the "6G Task Force", and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4055. An act to establish a cybersecurity literacy campaign, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4352. An act to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian Tribes, and for other purposes; to the Committee on Indian Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3299. A bill to prohibit the Department of Defense from discharging or withholding pay or benefits from members of the National Guard based on COVID-19 vaccination status.

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-2692. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Hampton Roads Bridge-Tunnel Expansion Project, Hampton/Norfolk, VA" ((RIN1625-AA00) (Docket No. USCG-2020-0117)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2693. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters; Amendment 39-21735" ((RIN2120-AA64) (Docket No. FAA-2021-0106)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2694. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pacific Aerospace Limited Airplanes; Amendment 39-21758" ((RIN2120-AA64) (Docket No. FAA-2021-0576)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2695. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; AERO Sp.zoo. Airplanes; Amendment 39-21732" ((RIN2120-AA64) (Docket No. FAA-2021-0782)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2696. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.); Amendment 39-21730" ((RIN2120-AA64) (Docket No. FAA-2021-0309)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2697. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes; Amendment 39-21731" ((RIN2120-AA64) (Docket No. FAA-2021-0548)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2698. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-21736" ((RIN2120-AA64) (Docket No. FAA-2021-0789)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2699. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Columbia River Outfall Project, Columbia River, Vancouver, WA" ((RIN1625-AA00) (Docket No. USCG-2021-0201)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2700. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Corpus Christi Ship Channel, Corpus Christi, TX" ((RIN1625-AA00) (Docket No. USCG-2021-0760)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2701. A communication from the Yeoman Petty Officer First Class, U.S. Coast

Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Key West Pad-dle Classic, Key West, FL" ((RIN1625-AA00) (Docket No. USCG-2021-0757)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2702. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lake Erie, Lorain, Ohio" ((RIN1625-AA00) (Docket No. USCG-2021-0668)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2703. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Explosives arc at Military Ocean Terminal Concord, Suisun Bay, Concord, CA" ((RIN1625-AA00) (Docket No. USCG-2021-0732)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2704. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Anacostia River, Washington, D.C." ((RIN1625-AA00) (Docket No. USCG-2021-0710)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2705. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Chesapeake Bay, Between Sandy Point and Kent Island, MD" ((RIN1625-AA08) (Docket No. USCG-2021-0505)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2706. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Fireworks Displays, Air Shows and Swim Events in Captain of the Port Long Island Sound Zone" ((RIN1625-AA00) (Docket No. USCG-2021-0135)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2707. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Recurring Marine Events and Fireworks Displays within the Fifth Coast Guard District" ((RIN1625-AA00) (Docket No. USCG-2021-0138)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2708. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Draw-bridge Operation Regulation; Milwaukee, Menomonee, and Kinnickinnic Rivers and Burnham Canals, Milwaukee, WI" ((RIN1625-AA09) (Docket No. USCG-2019-0824)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2709. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Hydroplane and Raceboat Museum Test Area, Lake Washington, WA" ((RIN1625-AA00) (Docket No. USCG-2021-0798)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

((RIN1625-AA00) (Docket No. USCG-2021-0798)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2710. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Draw-bridge Operation Regulation; Rainy River, Rainy Lake and their tributaries, Rainier, MN" ((RIN1625-AA09) (Docket No. USCG-2020-0033)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2711. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Potomac River, Between Charles County, MD and King George County, VA" ((RIN1625-AA00) (Docket No. USCG-2021-0745)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2712. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Potomac River, Prince William County, VA" ((RIN1625-AA00) (Docket No. USCG-2021-0497)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2713. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Sacramento Ironman Triathlon; American River and Sacramento River, Sacramento, CA" ((RIN1625-AA08) (Docket No. USCG-2021-0697)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2714. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Draw-bridge Operation Regulation; New River, Fort Lauderdale, FL" ((RIN1625-AA09) (Docket No. USCG-2019-0955)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2715. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Oceanside Harbor, Oceanside, CA" ((RIN1625-AA08) (Docket No. USCG-2021-0749)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2716. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Diego Bay, San Diego, CA" ((RIN1625-AA08) (Docket No. USCG-2021-0769)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2717. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Perrysburg Regatta, Maumee River, Toledo, OH" ((RIN1625-AA08) (Docket No. USCG-2021-0761)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

EC-2718. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Oaks Park Halloween Fireworks Display, Willamette River, Portland, OR" (RIN1625-AA00) (Docket No. USCG-2021-0789)) received in the Office of the President of the Senate on November 17, 2021; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHATZ, from the Committee on Indian Affairs, without amendment:

S. 1402. A bill to amend the Native American Languages Act to ensure the survival and continuing vitality of Native American languages, and for other purposes (Rept. No. 117-45).

By Mr. SCHATZ, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 989. A bill to establish a Native American language resource center in furtherance of the policy set forth in the Native American Languages Act (Rept. No. 117-46).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BROWN for the Committee on Banking, Housing, and Urban Affairs.

*Arun Venkataraman, of the District of Columbia, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

Alanna McCargo, of Virginia, to be President, Government National Mortgage Association.

*Elizabeth de Leon Bhargava, of New York, to be an Assistant Secretary of Housing and Urban Development.

By Mrs. MURRAY for the Committee on Health, Education, Labor, and Pensions.

*James D. Rodriguez, of Texas, to be Assistant Secretary of Labor for Veterans' Employment and Training.

*Lisa M. Gomez, of New Jersey, to be an Assistant Secretary of Labor.

*Susan Harthill, of Maryland, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2027.

*Maria Rosario Jackson, of the District of Columbia, to be Chairperson of the National Endowment for the Arts for a term of four years.

*Shelly C. Lowe, of Arizona, to be Chairperson of the National Endowment for the Humanities for a term of four years.

By Mr. DURBIN for the Committee on the Judiciary.

Gabriel P. Sanchez, of California, to be United States Circuit Judge for the Ninth Circuit.

Mary Katherine Dimke, of Washington, to be United States District Judge for the Eastern District of Washington.

Maame Ewusi-Mensah Frimpong, of California, to be United States District Judge for the Central District of California.

Jennifer L. Thurston, of California, to be United States District Judge for the Eastern District of California.

Samantha D. Elliott, of New Hampshire, to be United States District Judge for the District of New Hampshire.

Linda Lopez, of California, to be United States District Judge for the Southern District of California.

Katherine Marie Menendez, of Minnesota, to be United States District Judge for the District of Minnesota.

Jinsook Ohta, of California, to be United States District Judge for the Southern District of California.

David Herrera Urias, of New Mexico, to be United States District Judge for the District of New Mexico.

Gregory K. Harris, of Illinois, to be United States Attorney for the Central District of Illinois for the term of four years.

Philip R. Sellinger, of New Jersey, to be United States Attorney for the District of New Jersey for the term of four years.

Brandon B. Brown, of Louisiana, to be United States Attorney for the Western District of Louisiana for the term of four years.

Ronald C. Gathe, Jr., of Louisiana, to be United States Attorney for the Middle District of Louisiana for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. TILLIS (for himself, Mr. MCCONNELL, Mr. COTTON, Mr. CORNYN, Mr. RISCH, Mr. INHOFE, Mr. MORAN, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. HAWLEY, Mr. CRAMER, Mr. GRAHAM, Mr. DAINES, Ms. ERNST, Mr. CRAPO, Mr. LEE, Mrs. CAPITO, Mr. LANKFORD, Mr. HOEVEN, Mr. HAGERTY, Mr. SHELBY, Mr. SCOTT of Florida, Mr. WICKER, Mr. BRAUN, Mr. THUNE, Mr. TUBERVILLE, Mr. YOUNG, Ms. COLLINS, Mr. ROMNEY, Mr. BURR, Mr. PAUL, and Mr. GRASSLEY):

S. 3300. A bill to prohibit the payment of certain legal settlements to individuals who unlawfully entered the United States; to the Committee on the Judiciary.

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

S. 3301. A bill to prohibit discrimination on the basis of mental or physical disability in cases of organ transplants; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY (for himself, Mr. KENNEDY, Mr. SCOTT of South Carolina, Mr. GRAHAM, and Mr. BRAUN):

S. 3302. A bill to amend the Individuals with Disabilities Act to improve provisions relating to dyslexia, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mrs. HYDE-SMITH, Mrs. FEINSTEIN, Mr. SCOTT of Florida, and Mr. PADILLA):

S. 3303. A bill to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration; to the Committee on Commerce, Science, and Transportation.

By Mr. KENNEDY (for himself and Mr. WARNOCK):

S. 3304. A bill to amend title 38, United States Code, to improve the ability of veterans to electronically submit complaints about the delivery of health care services by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. CRUZ (for himself, Mr. INHOFE, Mr. KENNEDY, Mr. TOOMEY, Mr. LEE, and Mr. BARRASSO):

S. 3305. A bill to repeal the amendment made to the Superfund excise taxes by the Infrastructure Investment and Jobs Act; to the Committee on Finance.

By Mr. RUBIO:

S. 3306. A bill to prohibit the purchase of certain telecommunications or aerospace goods or service from entities affiliated with the People's Republic of China or the Russian Federation and to require reporting relating to investment by foreign persons in the aerospace industry in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUNT (for himself and Mr. HAWLEY):

S. 3307. A bill to modify the boundary of the Wilson's Creek National Battlefield in the State of Missouri, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KELLY (for himself and Ms. SINEMA):

S. 3308. A bill to authorize the Colorado River Indian Tribes to enter into lease or exchange agreements and storage agreements relating to water of the Colorado River allocated to the Colorado River Indian Tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. PETERS (for himself and Mr. SCOTT of Florida):

S. 3309. A bill to require SelectUSA to coordinate with State-level economic development organizations to increase foreign direct investment in semiconductor-related manufacturing and production; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN:

S. 3310. A bill to direct the Secretary of Defense to develop a plan to establish the Minority Institute for Defense Research, and for other purposes; to the Committee on Armed Services.

By Mr. MORAN (for himself, Mr. BLUNT, Mr. THUNE, Mr. LEE, Ms. LUMMIS, Mr. JOHNSON, and Mr. CRUZ):

S. 3311. A bill to amend the Federal Trade Commission Act to establish procedures for the treatment of votes by departed Commissioners; to the Committee on Commerce, Science, and Transportation.

By Mr. HAWLEY (for himself, Mr. CORNYN, Mr. TILLIS, Mr. SCOTT of Florida, Mr. TUBERVILLE, Mr. BRAUN, and Mrs. HYDE-SMITH):

S. 3312. A bill to analyze the impacts of establishing U.S. Customs and Border Protection Preclearance facilities in Taiwan and in other Indo-Pacific countries; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CASSIDY (for himself and Mrs. SHAHEEN):

S. Res. 465. A resolution expressing the sense of the Senate that the United States should prioritize within the Government and emphasize with allies the need to provide continued support to, and maintain legal pathways for the emigration out of Afghanistan of, individuals who do not wish to be governed by the Taliban; to the Committee on Foreign Relations.

By Mr. LUJÁN (for himself, Mr. LEAHY, Mr. MARKEY, and Mr. MERKLEY):

S. Res. 466. A resolution expressing the sense of the Senate in support of the International Atomic Energy Agency's (IAEA) nuclear security role; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Mr. RUBIO, Ms. WARREN, Mr. MARKEY, and Mr. SCOTT of Florida):

S. Res. 467. A resolution recognizing the contributions made by the 305-meter radio telescope at the Arecibo Observatory; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 176

At the request of Ms. ROSEN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 176, a bill to require a longitudinal study on the impact of COVID-19.

S. 212

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 212, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 697

At the request of Ms. ROSEN, the name of the Senator from Arizona (Mr. KELLY) 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. 864

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

S. 1136

At the request of Ms. CANTWELL, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 1136, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 1300

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1300, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1488

At the request of Ms. DUCKWORTH, the name of the Senator from Delaware (Mr. COONS) 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. 1568

At the request of Mr. BROWN, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1568, a bill to amend

title XVIII of the Social Security Act to provide a waiver of the cap on annual payments for nursing and allied health education payments.

S. 1574

At the request of Mr. SCOTT of South Carolina, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1574, a bill to codify a statutory definition for long-term care pharmacies.

S. 1621

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 1621, a bill to reauthorize and limit the pre-disaster mitigation program of the Small Business Administration, and for other purposes.

S. 1813

At the request of Mr. COONS, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1848

At the request of Mrs. GILLIBRAND, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1848, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 1856

At the request of Mr. MANCHIN, his name was added as a cosponsor of S. 1856, a bill to enhance the security operations of the Transportation Security Administration and stability of the transportation security workforce by applying the personnel system under title 5, United States Code, to employees of the Transportation Security Administration, and for other purposes.

S. 1964

At the request of Mr. BENNET, the name of the Senator from California (Mrs. FEINSTEIN) 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. 2342

At the request of Mrs. GILLIBRAND, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 2342, a bill to amend title 9 of the United States Code with respect to arbitration of disputes involving sexual assault and sexual harassment.

S. 2720

At the request of Mr. TESTER, the name of the Senator from Connecticut

(Mr. BLUMENTHAL) was added as a cosponsor of S. 2720, a bill to direct the Secretary of Veterans Affairs to establish a national clinical pathway for prostate cancer, and for other purposes.

S. 2821

At the request of Ms. DUCKWORTH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2821, a bill to establish eligibility requirements for education support professionals under the Family and Medical Leave Act of 1993, and for other purposes.

S. 2981

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2981, a bill to amend the National Housing Act to establish a mortgage insurance program for first responders, and for other purposes.

S. 3138

At the request of Mr. MARSHALL, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 3138, a bill to amend the Moving Ahead for Progress in the 21st Century Act to exempt covered farm vehicles from certain requirements, and for other purposes.

S. 3157

At the request of Ms. KLOBUCHAR, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 3157, a bill to require the Secretary of Labor to conduct a study of the factors affecting employment opportunities for immigrants and refugees with professional credentials obtained in foreign countries.

S. 3193

At the request of Mr. DAINES, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3193, a bill to amend title XVIII of the Social Security Act to expand the scope of practitioners eligible for payment for telehealth services under the Medicare program, and for other purposes.

S. 3212

At the request of Mr. PADILLA, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3212, a bill to provide benefits for non-citizen members of the Armed Forces, and for other purposes.

S.J. RES. 29

At the request of Mr. BRAUN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S.J. Res. 29, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to "COVID-19 Vaccination and Testing; Emergency Temporary Standard".

S. RES. 461

At the request of Mr. BOOKER, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. Res. 461, a resolution commemorating

and supporting the goals of World AIDS Day.

AMENDMENT NO. 4860

At the request of Mr. MENENDEZ, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors 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.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 465—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES SHOULD PRIORITIZE WITHIN THE GOVERNMENT AND EMPHASIZE WITH ALLIES THE NEED TO PROVIDE CONTINUED SUPPORT TO, AND MAINTAIN LEGAL PATHWAYS FOR THE EMIGRATION OUT OF AFGHANISTAN OF, INDIVIDUALS WHO DO NOT WISH TO BE GOVERNED BY THE TALIBAN

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

S. RES. 465

Whereas, on August 15, 2021, the government of the Islamic Republic of Afghanistan collapsed, with President Ashraf Ghani fleeing to the United Arab Emirates;

Whereas, on the same day, the Taliban seized Kabul, the capital city of Afghanistan;

Whereas the United States immediately began an emergency evacuation of Afghanistan, focusing on United States citizens, individuals with special immigrant visas, and refugees with Priority 1 and Priority 2 designations;

Whereas, on August 31, 2021, the United States ended its evacuation efforts in Afghanistan, leaving United States citizens and an unknown—but notably high—number of visa-eligible Afghans and other allies at risk of harm from the Taliban;

Whereas Afghan citizens in Afghanistan are increasingly at risk of food insecurity and poverty;

Whereas the increase of poverty in Afghanistan creates conditions that could lead to a dramatic increase in human trafficking and child, early, or force marriage, which disproportionately impact women and girls;

Whereas the United States has a legal duty to protect United States citizens and lawful permanent residents from harm;

Whereas the United States has a moral duty and security interest in protecting the Afghan citizens who worked to build a democracy for themselves based on assurances from the United States Government that such efforts would be defended by the United States and its allies;

Whereas the United States has a humanitarian responsibility to protect individuals who—

(1) are at risk of retribution based on their—

(A) religious beliefs;

(B) activities supporting democracy in Afghanistan; or

(C) defense of human rights, especially women's rights and empowerment;

(2) are in imminent danger due to the absence of the United States-led coalition in Afghanistan, which spanned two decades; or

(3) are at risk of hunger or starvation;

Whereas the United States has ended its military presence in Afghanistan and will conduct any remaining operations in Afghanistan from Doha, Qatar; and

Whereas the United States should not accept the loss of two decades of nation-building, civil society strengthening, elections monitoring, advances in rights for girls and women, cultural exchange programs, and many other initiatives in collaboration with the people of Afghanistan: Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that—

(A) the Secretary of State, in consultation with relevant Federal agencies, should lead a coordinated effort—

(i) to extract United States citizens and lawful permanent residents from Afghanistan;

(ii) to support Afghan citizens in their efforts to safely leave Afghanistan; and

(iii) to maintain open lines of contact and help with individuals remaining in Afghanistan under the Taliban;

(B) to carry out the coordinated effort described in subparagraph (A), the Secretary of State should—

(i) advise and consult with appropriate parties to advocate for the rights and freedoms of the people of Afghanistan at all international venues and with the governments of partner countries; and

(ii) oversee support such as—

(I) assistance mechanisms for Afghan citizens who are in need of humanitarian assistance or who are defending the human rights and freedoms of Afghan citizens; and

(II) other mechanisms sufficient to continue to advocate for United States interests with United States allies and among the international community;

(iii) continue the coordinated effort described in subparagraph (A) until the later of—

(I) the date on which the Secretary of State has assisted in physically relocating, from Afghanistan to locations outside of the internationally recognized border of Afghanistan, any—

(aa) citizen of the United States; and

(bb) lawful permanent resident of the United States;

(II) the date on which an independent human rights monitor has been established and is functioning in Afghanistan; and

(III) the date on which the Secretary of State identifies a neutral international organization or entity that is able to vie for United States interests in Afghanistan till such a time as Afghanistan is returned to legitimate government;

(C) the United States should—

(i) work with the United Nations to establish humanitarian corridors from and to countries bordering Afghanistan, including Tajikistan, which has indicated willingness to receive Afghan refugees; and

(ii) work with such countries to ensure the efficient and safe reception and processing of Afghan refugees, in accordance with international humanitarian law, to be registered by the United Nations High Commissioner for Refugees and processed swiftly and equitably for travel to recipient countries, including the United States;

(D) such humanitarian corridors should be free from obstruction by the Taliban, and safe passage should be provided by the United Nations or any other organization;

(E) humanitarian assistance should continue to be provided to Afghanistan through

the United Nations and international nongovernmental organizations, with special focus on the most vulnerable individuals, including women, girls, and individuals from ethnic minority groups, while also ensuring that the assistance does not benefit the Taliban politically or otherwise;

(F) the United Nations should appoint an independent, nongovernmental human rights monitor, who—

(i) should have continued free access throughout Afghanistan to ensure the Taliban is not brutalizing individuals and families living in Afghanistan; and

(ii) should report to the United Nations Security Council in an ongoing fashion on the human rights and humanitarian situation on the ground in Afghanistan;

(G) the United States should convene a high-level summit to identify and consult with countries willing and able to receive Afghan refugees; and

(H) the Secretary of State should ensure robust interagency coordination and improve collaboration and transparency with Congress, United States civil society, and resettlement agencies so as to improve processing, service provision, and United States capacity to welcome; and

(2) the Senate discourages the United States Government from engaging with the Taliban in any way that would grant the Taliban benefits typically afforded to legitimate governments or would otherwise legitimize the Taliban, including by—

(A) making deposits through the World Bank Group, the International Monetary Fund, or the Department of the Treasury or facilitating any other transactions that would provide economic support to the Taliban;

(B) providing any foreign assistance for a nonhumanitarian purpose that might benefit or accrue to the Taliban;

(C) facilitating any exchange of Ambassadors or fielding any diplomatic mission that goes beyond an “interest section” necessary for diplomatic conversations without recognition; or

(D) allowing the Taliban to occupy Afghanistan's seat in the United Nations.

SENATE RESOLUTION 466—EXPRESSING THE SENSE OF THE SENATE IN SUPPORT OF THE INTERNATIONAL ATOMIC ENERGY AGENCY'S (IAEA) NUCLEAR SECURITY ROLE

Mr. LUJÁN (for himself, Mr. LEAHY, Mr. MARKEY, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 466

Whereas the International Atomic Energy Agency (IAEA), created in 1957 for the purpose of assisting states in the development and use of nuclear technology for peaceful purposes, plays a critical role in the global nuclear security regime;

Whereas the agency's activities in nuclear security date back to the 1970s, when the agency began providing ad hoc training courses in physical protection;

Whereas these responsibilities expanded following the collapse of the former Soviet Union, reports of nuclear smuggling in the late 1990s, and again after the devastating terror attacks on September 11, 2001;

Whereas the agency established the Nuclear Security Fund to assist countries in protecting their nuclear and radiological materials and facilities;

Whereas the agency's nuclear security efforts are sustained by its technical expertise,

experience, transparency, and confidentiality;

Whereas rogue regimes and clandestine organizations continue to exhibit the ambition to acquire nuclear materials that can be used to build crude radiological and nuclear weapons;

Whereas the IAEA Office of Nuclear Security relies almost exclusively on voluntary funding, which is inherently unpredictable and inconsistent; and

Whereas the 2016 Nuclear Security Summit in Washington, D.C., issued an Action Plan on April 1, 2016, citing the agency's need for "reliable and sufficient resources": Now, therefore, be it

Resolved, That the Senate—

(1) maintains that the International Atomic Energy Agency (IAEA) plays an indispensable role in strengthening nuclear security and safety around the globe;

(2) reaffirms that the United States has a vital interest in preventing the spread of nuclear weapons and securing nuclear materials; and

(3) encourages the United States and other member states of the IAEA to take steps to ensure that the IAEA has the resources needed to successfully carry out its duties, including—

(A) supporting the IAEA to continue convening ministerial meetings on nuclear security to promote political commitment;

(B) contributing to the implementation of the IAEA's Nuclear Security Plan through reliable and sufficient resources;

(C) providing appropriate political, technical, and financial support to the Nuclear Security Fund; and

(D) developing a comprehensive strategy to encourage non-state, private sector contributions to the Nuclear Security Fund.

SENATE RESOLUTION 467—RECOGNIZING THE CONTRIBUTIONS MADE BY THE 305-METER RADIO TELESCOPE AT THE ARECIBO OBSERVATORY

Mr. BLUMENTHAL (for himself, Mr. RUBIO, Ms. WARREN, Mr. MARKEY, and Mr. SCOTT of Florida) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 467

Whereas the Department of Defense began developing the Arecibo Observatory located in Barrio Esperanza, Arecibo, Puerto Rico, during the 1950s, and its characteristic instrument, a large radio telescope of 305 meters in diameter was completed in 1963;

Whereas the facility was later owned by the National Science Foundation, and supported by the National Aeronautics and Space Administration and various university partners;

Whereas the Arecibo Observatory's 305-meter fixed spherical radio telescope, was the world's largest single-dish radio telescope until the Five-Hundred-Meter Aperture Spherical Radio Telescope located in Gzhzhou, China, began observing in 2016;

Whereas the 305-meter radio telescope made unparalleled contributions to the fields of radio astronomy, planetary, and atmospheric sciences, and played a role in inspiring thousands of students in Puerto Rico, the Nation, and the world to pursue careers in STEM fields through the Arecibo Observatory Education and Public Outreach Programs;

Whereas the radio telescope significantly advanced the field of radio astronomy, including the first indirect detection of gravitational waves, the first detection of extrasolar planets, innumerable contribu-

tions to the field of time domain astronomy and the study of the interstellar medium, and played a key role in the search for extraterrestrial intelligence;

Whereas the Arecibo Observatory had the best planetary radar system in the world, used by the National Aeronautics and Space Administration for near-Earth object detection and was an essential part of the agency's planetary defense program;

Whereas the planetary radar at the Arecibo Observatory has contributed fundamentally and significantly to the knowledge of the solar system;

Whereas the Arecibo Observatory's Incoherent Scatter Radar and supporting facilities have provided fundamental understanding of the ionosphere and upper atmosphere, and the interface between the atmosphere and space that protects the planet from solar wind, meteors, and other potential threats; and

Whereas, December 1, 2021, marks the 1-year anniversary of the uncontrolled collapse sustained by the radio telescope after a series of cable failures in tower 4: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the loss of the Arecibo Observatory's radio telescope due to its collapse and its implications for the loss of a unique world-class multidisciplinary science facility which conducted research in the areas of space and atmospheric sciences, radar astronomy and planetary sciences, astronomy, and astrophysics;

(2) acknowledges that the uncontrolled collapse of the 305-meter radio telescope represents a remarkable loss of astronomical observation capabilities, scientific research and development, planetary defense capabilities, and applied science advantage for the United States;

(3) recognizes the rich scientific, educational, and economic benefits that the Arecibo Telescope has made to the people of Puerto Rico, the Nation, and the world;

(4) recognizes the work and contributions made by the thousands of dedicated staff who have supported the Arecibo Observatory for close to 6 decades;

(5) commends the National Science Foundation for convening a virtual workshop in June 2021, to explore ideas for future scientific and educational activities at the Arecibo Observatory; and

(6) encourages the National Science Foundation, the National Aeronautics and Space Administration, and other agencies to study means of replacing the scientific capabilities that were lost at the Arecibo Observatory, utilizing new state-of-the-art technologies at the site.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4866. Mr. SULLIVAN 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 4867. Mr. SULLIVAN 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.

SA 4868. Mr. MARSHALL (for himself, Mr. LEE, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill H.R. 6119, making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes.

SA 4869. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill H.R. 6119, supra; which was ordered to lie on the table.

SA 4870. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill H.R. 6119, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4866. Mr. SULLIVAN 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 III, add the following:

SEC. 318. DESIGNATION OF CATEGORICAL EXCLUSIONS FROM ENVIRONMENTAL ASSESSMENTS OR ENVIRONMENTAL IMPACT STATEMENTS FOR PERMANENT DEPLOYMENT OF LIMITED NUMBER OF AIRCRAFT WITH STRATEGIC SIGNIFICANCE.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Air Force shall designate as an action categorically excluded from the requirements relating to environmental assessments or environmental impact statements for purposes of appendix B of part 989 of title 32, Code of Federal Regulations (or successor regulations), and part 1501 of title 40, Code of Federal Regulations (or successor regulations), any project—

(1) that is critical to national security, maximizes aircraft for contingencies, and enhances operational flexibility; and

(2) that consists of beddown or plus-up of a small number of aircraft to an installation with similar aircraft that does not result in an increase of more than 300 permanent personnel or logistics support requirements at the receiving installation.

(b) APPLICATION OF EXCLUSION.—Subsection (a) shall apply to any aircraft and infrastructure directly supporting a beddown or plus-up described in such subsection, including operational facilities, operational support facilities, and on-base housing.

(c) REPROGRAMMING.—The Secretary of the Air Force may reprogram such funds allocated to the Department of the Air Force as the Secretary considers necessary to expedite a beddown or plus-up described in subsection (a), including for infrastructure supporting such beddown or plus-up pursuant to subsection (b).

(d) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall prescribe such regulations as are necessary to carry out this section.

SA 4867. Mr. SULLIVAN 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 title VI, add the following:

SEC. 607. MODIFICATIONS TO CALCULATION OF BASIC HOUSING ALLOWANCE FOR REMOTE OR ISOLATED AREAS.

(a) IN GENERAL.—Section 403(b) of title 37, United States Code, is amended by adding at the end the following new paragraph:

“(9) In the case of a military housing area determined by the Secretary of Defense to be remote or isolated, the Secretary shall determine the costs of adequate housing under paragraph (2) based on the higher of the median or the mean rent in that area.”.

(b) ABSORPTION RATE FOR OUT-OF-POCKET EXPENSES.—Paragraph (3) of such section is amended by adding at the end the following new subparagraph:

“(C) In the case of a military housing area determined by the Secretary of Defense to be remote or isolated, the percentage to be used for purposes of subparagraph (A)(ii) shall be zero percent for months occurring after 2021.”.

SA 4868. Mr. MARSHALL (for himself, Mr. LEE, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill H.R. 6119, making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____ PROHIBITION ON FUNDING FOR COVID-19 VACCINE MANDATES.

None of the funds appropriated or otherwise made available under this Act may be obligated or expended to—

(1) implement or enforce—

(A) section 1910.501 of title 29, Code of Federal Regulations (or a successor regulation);

(B) Executive Order 14042 of September 9, 2021 (86 Fed. Reg. 50985; relating to ensuring adequate COVID safety protocols for Federal contractors);

(C) Executive Order 14043 of September 9, 2021 (86 Fed. Reg. 50989; relating to requiring Coronavirus Disease 2019 vaccination for Federal employees);

(D) the interim final rule issued by the Department of Health and Human Services on November 5, 2021, entitled “Medicare and Medicaid Programs; Omnibus COVID-19 Health Care Staff Vaccination” (86 Fed. Reg. 61555); or

(E) the memorandum signed by the Secretary of Defense on August 24, 2021, for “Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members”; or

(2) promulgate, implement, or enforce any rule, regulation, or other agency statement, that is substantially similar to a regulation, Executive Order, rule, or memorandum described in paragraph (1).

SA 4869. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill H.R. 6119, making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____ CONGRESSIONAL REVIEW OF CERTAIN ACTIONS RELATING TO IRAN SANCTIONS

SEC. ____ 01. SHORT TITLE.

This title may be cited as the “Iran Sanctions Relief Review Act of 2021”.

SEC. ____ 02. CONGRESSIONAL REVIEW OF CERTAIN ACTIONS RELATING TO SANCTIONS IMPOSED WITH RESPECT TO IRAN.

(a) SUBMISSION TO CONGRESS OF PROPOSED ACTION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, before taking any action described in paragraph (2), the President shall submit to the appropriate congressional committees and leadership a report that describes the proposed action and the reasons for that action.

(2) ACTIONS DESCRIBED.—

(A) IN GENERAL.—An action described in this paragraph is—

(i) an action to terminate the application of any sanctions described in subparagraph (B);

(ii) with respect to sanctions described in subparagraph (B) imposed by the President with respect to a person, an action to waive the application of those sanctions with respect to that person; or

(iii) a licensing action that significantly alters United States foreign policy with respect to Iran.

(B) SANCTIONS DESCRIBED.—The sanctions described in this subparagraph are sanctions with respect to Iran provided for under—

(i) the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note);

(ii) the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.);

(iii) section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a);

(iv) the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.);

(v) the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8801 et seq.);

(vi) the International Emergency Economic Powers Act (50 U.S.C. 1701 note); or

(vii) any other statute or Executive order that requires or authorizes the imposition of sanctions with respect to Iran.

(3) DESCRIPTION OF TYPE OF ACTION.—Each report submitted under paragraph (1) with respect to an action described in paragraph (2) shall include a description of whether the action—

(A) is not intended to significantly alter United States foreign policy with respect to Iran; or

(B) is intended to significantly alter United States foreign policy with respect to Iran.

(4) INCLUSION OF ADDITIONAL MATTER.—

(A) IN GENERAL.—Each report submitted under paragraph (1) that relates to an action that is intended to significantly alter United States foreign policy with respect to Iran shall include a description of—

(i) the significant alteration to United States foreign policy with respect to Iran;

(ii) the anticipated effect of the action on the national security interests of the United States; and

(iii) the policy objectives for which the sanctions affected by the action were initially imposed.

(B) REQUESTS FROM BANKING AND FINANCIAL SERVICES COMMITTEES.—The Committee on Banking, Housing, and Urban Affairs of the Senate or the Committee on Financial Services of the House of Representatives may request the submission to the Committee of the matter described in clauses (ii) and (iii) of subparagraph (A) with respect to a report submitted under paragraph (1) that relates to an action that is not intended to significantly alter United States foreign policy with respect to Iran.

(5) CONFIDENTIALITY OF PROPRIETARY INFORMATION.—Proprietary information that can be associated with a particular person with respect to an action described in paragraph (2) may be included in a report submitted under paragraph (1) only if the appropriate congressional committees and leadership provide assurances of confidentiality, unless that person otherwise consents in writing to such disclosure.

(6) RULE OF CONSTRUCTION.—Paragraph (2)(A)(iii) shall not be construed to require the submission of a report under paragraph (1) with respect to the routine issuance of a license that does not significantly alter United States foreign policy with respect to Iran.

(b) PERIOD FOR REVIEW BY CONGRESS.—

(1) IN GENERAL.—During the period of 30 calendar days beginning on the date on which the President submits a report under subsection (a)(1)—

(A) in the case of a report that relates to an action that is not intended to significantly alter United States foreign policy with respect to Iran, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report; and

(B) in the case of a report that relates to an action that is intended to significantly alter United States foreign policy with respect to Iran, the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report.

(2) EXCEPTION.—The period for congressional review under paragraph (1) of a report required to be submitted under subsection (a)(1) shall be 60 calendar days if the report is submitted on or after July 10 and on or before September 7 in any calendar year.

(3) LIMITATION ON ACTIONS DURING INITIAL CONGRESSIONAL REVIEW PERIOD.—Notwithstanding any other provision of law, during the period for congressional review provided for under paragraph (1) of a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2), including any additional period for such review as applicable under the exception provided in paragraph (2), the President may not take that action unless a joint resolution of approval with respect to that action is enacted in accordance with subsection (c).

(4) LIMITATION ON ACTIONS DURING PRESIDENTIAL CONSIDERATION OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) passes both Houses of Congress in accordance with subsection (c), the President may not take that action for a period of 12 calendar days after the date of passage of the joint resolution of disapproval.

(5) LIMITATION ON ACTIONS DURING CONGRESSIONAL RECONSIDERATION OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) passes both Houses of Congress in accordance with subsection (c), and the President vetoes the joint resolution, the President may not take that action for a period of 10 calendar days after the date of the President's veto.

(6) EFFECT OF ENACTMENT OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under subsection (a)(1) proposing an action described in subsection (a)(2) is enacted in accordance with subsection (c), the President may not take that action.

(c) JOINT RESOLUTIONS OF DISAPPROVAL OR APPROVAL.—

(1) DEFINITIONS.—In this subsection:

(A) JOINT RESOLUTION OF APPROVAL.—The term “joint resolution of approval” means only a joint resolution of either House of Congress—

(i) the title of which is as follows: “A joint resolution approving the President’s proposal to take an action relating to the application of certain sanctions with respect to Iran.”; and

(ii) the sole matter after the resolving clause of which is the following: “Congress approves of the action relating to the application of sanctions imposed with respect to Iran proposed by the President in the report submitted to Congress under section 02(a)(1) of the Iran Sanctions Relief Review Act of 2021 on _____ relating to _____.”, with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(B) JOINT RESOLUTION OF DISAPPROVAL.—The term “joint resolution of disapproval” means only a joint resolution of either House of Congress—

(i) the title of which is as follows: “A joint resolution disapproving the President’s proposal to take an action relating to the application of certain sanctions with respect to Iran.”; and

(ii) the sole matter after the resolving clause of which is the following: “Congress disapproves of the action relating to the application of sanctions imposed with respect to Iran proposed by the President in the report submitted to Congress under section 02(a)(1) of the Iran Sanctions Relief Review Act of 2021 on _____ relating to _____.”, with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(2) INTRODUCTION.—During the period of 30 calendar days provided for under subsection (b)(1), including any additional period as applicable under the exception provided in subsection (b)(2), a joint resolution of approval or joint resolution of disapproval may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader’s designee) or the minority leader (or the minority leader’s designee).

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a joint resolution of approval or joint resolution of disapproval has been referred has not reported the joint resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(4) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—A joint resolution of approval or joint resolution of disapproval introduced in the Senate shall be—

(i) referred to the Committee on Banking, Housing, and Urban Affairs if the joint resolution relates to a report under subsection (a)(3)(A) that relates to an action that is not intended to significantly alter United States foreign policy with respect to Iran; and

(ii) referred to the Committee on Foreign Relations if the joint resolution relates to a report under subsection (a)(3)(B) that relates to an action that is intended to significantly alter United States foreign policy with respect to Iran.

(B) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval or joint resolution of disapproval was referred has not reported the joint resolution within 10 calendar days after the date of referral of the joint resolution, that committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any

time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a joint resolution of approval or joint resolution of disapproval to the Senate or has been discharged from consideration of such a joint resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution of approval or joint resolution of disapproval shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a joint resolution of approval or joint resolution of disapproval, including all debatable motions and appeals in connection with the joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) TREATMENT OF SENATE JOINT RESOLUTION IN HOUSE.—In the House of Representatives, the following procedures shall apply to a joint resolution of approval or a joint resolution of disapproval received from the Senate (unless the House has already passed a joint resolution relating to the same proposed action):

(i) The joint resolution shall be referred to the appropriate committees.

(ii) If a committee to which a joint resolution has been referred has not reported the joint resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(iii) Beginning on the third legislative day after each committee to which a joint resolution has been referred reports the joint resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(B) TREATMENT OF HOUSE JOINT RESOLUTION IN SENATE.—

(i) RECEIPT BEFORE PASSAGE.—If, before the passage by the Senate of a joint resolution of approval or joint resolution of disapproval, the Senate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

(I) That joint resolution shall not be referred to a committee.

(II) With respect to that joint resolution—
(aa) the procedure in the Senate shall be the same as if no joint resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the joint resolution from the House of Representatives.

(ii) RECEIPT AFTER PASSAGE.—If, following passage of a joint resolution of approval or joint resolution of disapproval in the Senate, the Senate receives an identical joint resolution from the House of Representatives, that joint resolution shall be placed on the appropriate Senate calendar.

(iii) NO COMPANION MEASURE.—If a joint resolution of approval or a joint resolution of disapproval is received from the House, and no companion joint resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the House joint resolution.

(C) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a joint resolution of approval or joint resolution of disapproval that is a revenue measure.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term “appropriate congressional committees and leadership” means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the majority and minority leaders of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

SA 4870. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill H.R. 6119, making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 14 and 15, insert the following:

U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT
OPERATIONS AND SUPPORT

For an additional amount for “Enforcement and Removal Operations”, \$1,600,000,000, to remain available until expended, for necessary expenses in support of operations necessary to detain and deport a higher number of illegal aliens who have been convicted of a criminal offense in the United States.

AUTHORITY FOR COMMITTEES TO
MEET

Ms. STABENOW. 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 Thursday, December 2, 2021, to conduct a hearing on nominations.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, December 2, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, December 2, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, December 2, 2021, at 10:15 a.m., to conduct a hearing on nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, December 2, 2021, at 9 a.m., to conduct an executive business meeting.

PRIVILEGES OF THE FLOOR

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that my Defense fellow, Ashley Carline, and Pearson fellow, Megan Tetrick, be given floor privileges for the remainder of the 117th Congress.

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

ORDERS FOR MONDAY, DECEMBER 6, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, December 6; 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; that upon the conclusion of morning busi-

ness, the Senate proceed to executive session to resume consideration of the Rosenworcel nomination.

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

ORDER OF BUSINESS

Mr. SCHUMER. For the information of Senators, there will be a rollcall vote at 5:30 p.m. on cloture on the Rosenworcel nomination.

ADJOURNMENT UNTIL MONDAY, DECEMBER 6, 2021, AT 3 P.M.

Mr. SCHUMER. Mr. 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 9:29 p.m., adjourned until Monday, December 6, 2021, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL RESERVE SYSTEM

JEROME H. POWELL, OF MARYLAND, TO BE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOUR YEARS. (RE-APPOINTMENT)

EXECUTIVE OFFICE OF THE PRESIDENT

NANI A. COLORETTI, OF CALIFORNIA, TO BE DEPUTY DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE SHALANDA D. YOUNG.

SHALANDA D. YOUNG, OF LOUISIANA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE RUSSELL VOUGHT.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

JODI BETH HERMAN, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE RICHARD C. PARKER.

DEPARTMENT OF STATE

STEVEN H. FAGIN, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF YEMEN.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

BIDTAH N. BECKER, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2022. (NEW POSITION)

ESTRELLITA BOGRAD BRODSKY, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2026, VICE RUSSELL A. BERMAN, TERM EXPIRED.

GRETCHEN GONZALEZ DAVIDSON, OF MICHIGAN, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2022, VICE THOMAS EDGAR ROTHMAN, TERM EXPIRED.

VANESSA NORTINGTON GAMBLE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2026, VICE JOHN FONTE, TERM EXPIRED.

DAVID ANTHONY HAJDU, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2026, VICE PHYLLIS KAMINSKY, TERM EXPIRED.

JERRY KANG, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2026, VICE JOYCE MALCOLM, TERM EXPIRED.

KATHRYN KAHRS MATTHEW, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HU-

MANITIES FOR A TERM EXPIRING JANUARY 26, 2026, VICE NOEL VALIS, TERM EXPIRED.

DEPARTMENT OF EDUCATION

GLENN LAUREEN WRIGHT-GALLO, OF NEVADA, TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION, VICE JOHNNY COLLETT, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

SHAWN R. JOKINEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531, 716, AND 7064:

To be lieutenant colonel

JESSICA K. SMYTH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BROCK A. CHAVEZ

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 8132:

To be lieutenant commander

STEPHEN B. KOYE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

MICHAEL J. URBATIS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 8132:

To be lieutenant commander

ALEXANDER C. CHARALAMBOUS
RAMA K. MUTYALA
TAIBATU E. I. OBASI

DISCHARGED NOMINATION

The Senate Committee on the Judiciary was discharged from further consideration of the following nomination pursuant to S. Res. 27 and the nomination was placed on the Executive Calendar:

RACHAEL S. ROLLINS, OF MASSACHUSETTS, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MASSACHUSETTS FOR THE TERM OF FOUR YEARS.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 2, 2021:

DEPARTMENT OF STATE

C.B. SULLENBERGER III, OF TEXAS, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COUNCIL OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

DEPARTMENT OF THE TREASURY

BRIAN EDDIE NELSON, OF CALIFORNIA, TO BE UNDER SECRETARY FOR TERRORISM AND FINANCIAL CRIMES.

DEPARTMENT OF LABOR

LARRY D. TURNER, OF NORTH CAROLINA, TO BE INSPECTOR GENERAL, DEPARTMENT OF LABOR.

DEPARTMENT OF EDUCATION

SANDRA D. BRUCE, OF DELAWARE, TO BE INSPECTOR GENERAL, DEPARTMENT OF EDUCATION.