

fortifying our military. A Ukrainian victory will put Russia in its place and make other countries, namely China, think twice before taking aggressive military actions of their own. In these moments, it is our responsibility to support peace and preserve a stable world for future generations.

The bill the Senate will soon vote on is at least as much an American national security bill as it is support for Ukraine's heroic fight for survival. In fact, roughly 25 percent of the funds in this bill are allocated to replenish U.S. weapons stockpiles. This isn't money for weapons for Ukraine, but to ensure that, even after all the military aid we have provided to Ukraine, we have sufficient stockpiles to ensure our national security in case of another contingency. In fact, a combined total of roughly 40 percent of the funds in this bill will go to fortify our military, both at home and in Europe. Roughly 50 percent of the funds in this bill will go to supplying specific equipment needed by Ukraine's military, as well as the militaries of our NATO frontline allies, and to meet the humanitarian needs of Ukrainians suffering from Russian attacks.

I have heard from hundreds of Iowans whose hearts go out to the people of Ukraine after seeing countless reports of Russian brutality. Because of our own history, Americans naturally sympathize with an underdog seeking freedom and independence in the face of an imperialist tyrant. But, as I have said, this bill is not primarily about sympathy for Ukraine, as natural as that is.

This bill is about American national security. By fighting and dying to defend their land, Ukrainians are doing us a favor. Putin is a threat. If he is stopped in Ukraine, it will save greater expense in American taxpayer money, not to mention the potential spilling of American blood. This bill is not cheap, but compared to the size of our economy, our investment in Ukrainian victory is still smaller percentagewise than that of several Eastern Flank NATO allies, who know full well that any weapons transferred to Ukraine now are ones our own troops won't have to use to defend NATO territory in the future. This is a good investment in our future security.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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 Calendar No. 368, H.R. 7691, a bill making emergency supplemental appropriations for assistance for the situation in Ukraine for the fiscal year ending September 30, 2022, and for other purposes.

Charles E. Schumer, Patrick J. Leahy, Richard Blumenthal, Mazie Hirono, Christopher Murphy, Tina Smith, Robert Menendez, Christopher A. Coons, Michael F. Bennet, Robert P. Casey, Jr., Benjamin L. Cardin, Elizabeth Warren, Edward J. Markey, Tim Kaine, Patty Murray, Jack Reed, Sheldon Whitehouse.

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

The question is, Is it the sense of the Senate that debate on H.R. 7691, a bill making emergency supplemental appropriations for assistance for the situation in Ukraine for the fiscal year ending September 30, 2022, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Nevada (Ms. ROSEN), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

The yeas and nays resulted—yeas 86, nays 11, as follows:

[Rollcall Vote No. 190 Leg.]

YEAS—86

Baldwin	Hassan	Reed
Barrasso	Heinrich	Risch
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rounds
Blunt	Hoeven	Rubio
Booker	Hyde-Smith	Sanders
Burr	Inhofe	Sasse
Cantwell	Johnson	Schatz
Capito	Kaine	Schumer
Cardin	Kelly	Scott (FL)
Carper	Kennedy	Scott (SC)
Casey	King	Shaheen
Cassidy	Klobuchar	Shelby
Collins	Lankford	Sinema
Coons	Leahy	Smith
Cornyn	Lujan	Stabenow
Cortez Masto	Manchin	Sullivan
Cotton	Markey	Tester
Cramer	McConnell	Thune
Cruz	Menendez	Tillis
Daines	Merkley	Toomey
Duckworth	Moran	Warner
Durbin	Murkowski	Warnock
Ernst	Murphy	Warren
Feinstein	Murray	Whitehouse
Fischer	Ossoff	Wicker
Gillibrand	Padilla	Wyden
Graham	Peters	Young
Grassley	Portman	

NAYS—11

Blackburn	Hagerty	Marshall
Boozman	Hawley	Paul
Braun	Lee	Tuberville
Crapo	Lummis	

NOT VOTING—3

Brown	Rosen	Van Hollen
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The PRESIDING OFFICER (Mr. SCHATZ). On this vote, the yeas are 86, the nays are 11.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motions to commit and the amendments pending thereto fall, and under the previous order the pending amendments are withdrawn.

The clerk will read the title of the bill for the third time.

The bill was ordered to a third reading and was read the third time.

VOTE ON H.R. 7691

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. HEINRICH. 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. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Nevada (Ms. ROSEN), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

The result was announced—yeas 86, nays 11, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—86

Baldwin	Hassan	Reed
Barrasso	Heinrich	Risch
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rounds
Blunt	Hoeven	Rubio
Booker	Hyde-Smith	Sanders
Burr	Inhofe	Sasse
Cantwell	Johnson	Schatz
Capito	Kaine	Schumer
Cardin	Kelly	Scott (FL)
Carper	Kennedy	Scott (SC)
Casey	King	Shaheen
Cassidy	Klobuchar	Shelby
Collins	Lankford	Sinema
Coons	Leahy	Smith
Cornyn	Lujan	Stabenow
Cortez Masto	Manchin	Sullivan
Cotton	Markey	Tester
Cramer	McConnell	Thune
Cruz	Menendez	Tillis
Daines	Merkley	Toomey
Duckworth	Moran	Warner
Durbin	Murkowski	Warnock
Ernst	Murphy	Warren
Feinstein	Murray	Whitehouse
Fischer	Ossoff	Wicker
Gillibrand	Padilla	Wyden
Graham	Peters	Young
Grassley	Portman	

NAYS—11

Blackburn	Hagerty	Marshall
Boozman	Hawley	Paul
Braun	Lee	Tuberville
Crapo	Lummis	

NOT VOTING—3

Brown	Rosen	Van Hollen
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The bill (H.R. 7691) was passed.

SMALL BUSINESS COVID RELIEF ACT OF 2022—MOTION TO PROCEED—Resumed

The PRESIDING OFFICER (Mr. KING). Under the previous order, the Senate will resume consideration of the motion to proceed to S. 4008, which the clerk will report.

The senior assistant legislative clerk as follows:

Motion to proceed to Calendar No. 344, S. 4008, a bill to provide COVID relief for restaurants, gyms, minor league sports teams, border businesses, live venue service providers, exclave businesses, and Providers of transportation services.

The PRESIDING OFFICER. The Senator from Indiana.

UNANIMOUS CONSENT REQUEST—S. 4046

Mr. BRAUN. Mr. President, I rise here today to talk about the IRS. It is not going to take long because it is so easy to understand.

The IRS has a bad track record. They often fail to be good stewards of taxpayer money and protect highly sensitive information. Yet the President and congressional Democrats want to throw another \$80 billion into the IRS with no real return on investment, the way I can see it.

They have a history of weaponizing against conservative organizations and for hassling hard-working taxpayers and small business owners with audits. If you look at it statistically, they are hitting small businesses by number a lot harder than some of the fat-cat tax cheats. It is unacceptable to treat American taxpayers in this way.

The IRS does not need more power; it needs to—we need to be assured that it is going to do a better job at what it is supposed to do. Solution? Last month, I introduced a bill with a number of IRS reforms to hold the Agency accountable and protect taxpayers. The Simplify, Don't Amplify the IRS Act would stop the Biden administration from growing the power of the IRS. The bill would stop attempts to target Americans and small businesses by snooping into their bank accounts, credit union accounts, Venmo, PayPal, and Cash App. It would repeal the Democratic ban on cutting State taxes. It would hold IRS employees accountable when they release private taxpayer information and ensure that the IRS spends time not doing its union activity when it should be helping Americans when they have an issue, especially during tax filing season.

The taxpayer deserves the best possible service we can provide. We can debate how much money the IRS needs. It needs to do its job right first before we give it more money. The solution is the Don't Amplify the IRS Act.

Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 4046 and that the Senate proceed to its immediate consideration. 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?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, it is not an atomic secret around here that I very much enjoy working with our colleague from Indiana. We talk often about issues like healthcare and economic priorities. I will just say that I wish we agreed on this one as well.

Colleagues, the net effect of this proposal is to hobble the IRS and let the wealthiest in America get out of paying what they owe. And there is a lot to discuss here. Like Senator BRAUN, I am going to keep this short.

First, I think it is important to get at this back-and-forth between the political parties. I see the Presiding Officer in the chair, and he, too, has been interested in tax reform.

Look, I would be the first to say that the tax system in many respects is just broken, just a mess. The debate with respect to the role of the parties needs to start with what happened in 2017.

In 2017, we had the President's tax reform proposal, President Trump's proposal, comprehensive proposal, all kinds of changes. If Senate Republicans had wanted to fix the IRS and do what our colleague from Indiana is talking about and simplify the system, they could have done that in the 2017 tax law. It was a big opportunity with everything in front of us.

I and others had worked on a bipartisan bill. Our former colleague Senator Gregg, our former colleague Senator Coats—he and I—the two of them—we had bipartisan bills. Part of it was simplifying the system, and Republicans in 2017 passed on that. They made the Tax Code even more complicated. That point No. 1.

Point No. 2 is the Agency is struggling with basic services because, year after year, there have been Republican budget cuts that have decimated the ability of the Agency to meet people's needs. Now Republicans are the guy in the hot dog suit, swearing up and down that they are trying to find the guy who did this.

I am just going to talk for a moment about how this happened because when the IRS struggles to enforce tax laws, wealthy tax cheats are able to skip out on paying what they owe, and they want to keep it that way.

That was not always the case. Ronald Reagan—nobody's idea of somebody who worshipped Big Government—increased the number of employees at the IRS over his 8 years in office. There used to be bipartisan agreement on these kinds of big issues, just like I pursued with Senator Gregg, a former colleague, and Senator Coats. There used to be bipartisan agreement that the IRS was able to do its job if there was basic tax fairness, making sure that everybody paid their fair share. So much for those days. Now what we have are wall-to-wall attacks from our colleagues on the other side and budget cuts that hurt middle-class taxpayers and boost wealthy tax cheats.

I will close with just a couple of specifics. If you want more secrecy and more dark money influencing our political system—and I have had more than a thousand open-to-everybody townhall meetings at home. There are no rallies for more dark money and more secrecy in the political system, but, regrettably, that is exactly what you bet with the proposal from our colleagues on the other side.

In 2018, on the same day that the Justice Department unveiled charges against a Russian spy who was working to influence our elections, the Trump administration out of nowhere basically blindsided the public by opening the floodgates to foreign money and special interest dollars in our elections. The rule makes it even easier for powerful people to try to hot-wire our

elections. As it stands today, that rule can be overturned. Regrettably, this proposal locks it in place with black letter law.

We are coming up on the election season, of course. My home State just had primaries. Families from sea to shining sea get bombarded by political ads and mailers. When there is more dark money in politics, voters are thrown into the shadows. It is even harder for them to figure out who is trying to influence their vote. Is this ad paid for by a polluting corporation? Is it paid for by a foreign power who is looking to undermine our security? Is it paid for by a wealthy tax cheat who has absolutely no interest in working people in America?

Across the street, there are six Republicans on the Supreme Court who seem to look at every opportunity and embrace it to have more dark money make its ways into the nooks and crannies of our political system. For example, just a few days ago, the Court ruled on a campaign finance case brought by our colleague from Texas, Senator CRUZ. The six Republican Justices sided with the Republican Senator—a huge win for the most powerful political donors who, as far as I can tell, are going to be able to funnel more shady payoffs directly into the bank accounts of more wealthy incumbent Republicans.

Colleagues, the Congress does not have to go along with what I think is just a pillaging of core democratic principles. There ought to be less money, less secrecy in our elections, not more. For these reasons, I object.

I want to tell my colleague from Indiana that I look forward to getting back to working with him on topics where we have broad agreement.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

The Senator from Indiana.

Mr. BRAUN. Mr. President, I enjoy working with my colleague because healthcare, in my opinion, is one of the biggest issues that beset the country. He has pledged to look to maybe try to reform it before we get more government involved with it.

Hot off the press: \$19 billion in improper earned income tax credits from the IRS. Let's fix the place before we give it more money.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, those Senators who voted to gift \$40 billion to Ukraine argue that it is in our national security interest. I wonder if Americans across our country would agree if they had been shown the cost, if they had been asked to pay for it. If the supporters of foreign aid for Ukraine had been honest with Americans, they could have instituted a Ukraine war tax. I am sure it would have been quite popular because, by my calculation, each income tax payer in our country would need to pay \$500 to support this

\$40 billion, which by some accounts is a downpayment and will need to be replenished in about 4 months. So a \$500 tax to every American income tax payer would pay for this. But that is not the way things are done in Washington. What we do is say: Put it on my tab. We don't want to be honest. We don't want to be transparent with the taxpayer. We just add it to the debt.

We could have also taken the \$40 billion from elsewhere in the budget. We could have said: Well, we spent \$770 billion on our military, and that \$770 billion is more than the next eight countries combined. We could have taken it out of our military budget. If it is in our national security interests, perhaps it could be a military expenditure.

But, no, we don't want to tax the people. We don't want them to know there is a payment or punishment for this. We don't want to take it from somewhere else where somebody else is getting rich off of this money. No, what we do is simply borrow it. "Put it on my tab" is what Congress says, so, yes, that is what will happen.

When Americans go to the grocery store, they will pay, yet again, higher prices. When Americans go to the gas pump, they will spend even more for their gas because there is no free lunch. Forty billion cannot be created out of thin air, although it sort of is by the Fed. In being creative and increasing the demand, it causes inflation. Debt leads to inflation.

Now, when the ink is not even dry on the money that we are shoveling out the door for Ukraine, the Democrats are back. It hasn't yet been an hour. We are still in the same hour that \$40 billion was given away to a foreign country.

Now that the \$40 billion is gone, they are somewhere, somewhere busily with a printing press printing that money up, the ink is not yet dry, now they want \$48 billion more for COVID bailouts.

Well, perhaps there was another alternative. Perhaps, instead of locking down the economy—which studies now show did not mitigate the virus, did not change the trajectory of the virus—perhaps instead of locking the economy down and ruining businesses, we could have not locked the economy down. That was an alternative and one—if this ever happens again, we should learn a lesson: The lockdowns did not change the trajectory of the virus; they bankrupted folks. But it is not the answer.

The answer isn't to lock down the economy again and just bail people out because, guess what, almost \$6 trillion was spent bailing out the economy. We didn't have it. We didn't have a rainy day fund. You can't go to the Federal Reserve and open a big safe door and say, ah, there is the money, we will give it to people that we ruined by shutting the economy down.

There is no money. We are already a trillion dollars in the hole, if you just look at our ordinary expenses—Medi-

care, Medicaid, Social Security, the military, food stamps, a few more social programs—that is the budget. That is a trillion dollars short. What comes in, what goes out, we are a trillion dollars short, and in the last 2 years we borrowed \$6 trillion more. Is it any wonder we have inflation?

But the other side is not even saying they understand where inflation comes from. They think it is greed. I wouldn't accept that from a third grade class. It is moronic. What do they suppose? Everyone all got together, and the people that control the gas price became greedy last month. Well, that is absurd on the face of it. Greed has nothing to do with this. People are always self-interested. Inflation comes from an expansion of the money supply. M2 is a broad measure of the money supply. The last 3 years, the M2 has been expanding at a 15 percent annual clip. You cannot expand the money supply 15 percent and not get inflation.

In January of last year, the M2 was expanding at an annualized rate of 27 percent. Why? Because we don't have money to pay for all the stuff we give to people. It is dishonest; it is deceitful. We give people stuff and say, here's free stuff. You don't have to work anymore; we are closing your business down. But here is some money. But we don't have it, so we are going to print it up or borrow it.

That is what went on. Over the last 2 years, Congress went on a spending spree. More than \$6 trillion was given away. What my colleagues may be shocked to learn is it is never really free. There is no such thing as a free lunch. In fact, lunch actually costs a lot more than it did before.

Congress started spending all of this free money, but while the \$30 trillion national debt continues to climb, Congress continues to spend. You would think they would be chastened. We have nearly double digit inflation out there. You think they would be saying, oh, my goodness, we have to quit digging the hole deeper. No, instead we sent 40 billion out before lunch; they want to send 48 billion more after lunch.

Last month, they sent over a \$100 billion in subsidies out. They doubled the size of one of the most wasteful government organizations we have: the National Science Foundation.

So, no, they are not chastened. Inflation is caused by borrowing and debt and the Fed monetizing it. So what are they doing in the last 2 months? They are making it worse. After 2 years of running up the taxpayers' credit card by 6 trillion, you would think they would be beginning to grasp the problem. Small businesses, hard-working Americans simply can't spend any more of the money we don't have. We can't just keep giving away money. Maybe we shouldn't be surprised that Democrats have now come to the realization or have not come to the realization that their authoritarian lockdowns and endless spending caused

the highest inflation in 41 years. Yet in today's exercise, Democrats want to spend another \$48 billion.

Where is the emergency? The lockdowns have mostly been ended over the last year, and yet there is this all, hurry up we must print up more money. The \$40 billion we gave to Ukraine, the ink is not even dry, but we have to shovel out another 48 billion. Where is the emergency?

There will be 40 billion in this for restaurants. New grants will go to yachts, yacht clubs, limousine businesses, racket clubs, and luxury gyms, and minor league sports. Oh boy, we have an emergency that we need to get the minor league sports involved with the bailout, while Americans across the country are getting poorer.

Americans can't afford to put the gas in their car to go on vacation. Americans are losing income every day. The average American family is paying \$100 more every week, \$100 more; \$5,200 a year is being lost to inflation for the average American family. What are we doing to protect them?

I have great sympathy for businesses that were forced to shut down during the pandemic. The lockdowns should never have happened. And we have no evidence that the COVID lockdowns and restrictions altered the trajectory of the virus or saved one life. Petty tyrants have shut down businesses not based on science but based on a perverted political science.

No government check, no passing out of a bailout can beat the operating of the market. The marketplace is the only thing that created the great wealth of our country and the only thing that can continue to help us. Yet the other side insisted on economic shutdowns, only to prop up the market with the taxpayers' wallet and borrowed money.

Democrats need to wake up and realize that dumping more money in the economy is simply pouring \$5-a-gallon gas on an already out-of-control fire. America can be a rising Nation again if we let it. The people have had enough with mandates and lockdowns. It is time to end the bailouts and, once again, let the free market reign again.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent that the following Senators be permitted to complete their remarks prior to the scheduled votes: Senators LEE, MURRAY, CARDIN, and SCHUMER.

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

UNANIMOUS CONSENT REQUEST

Mr. LEE. Mr. President, in recent weeks, American moms and dads have been scouring supermarkets and drugstores looking for baby formula. Parents are desperate to feed their infants and repeatedly check brick-and-mortar and online stores, ask family and friends to purchase and ship formula wherever they might be, purchase

mother's milk online, and even hospitalize their babies in some instances because they can't find formula. The situation is worse still for those parents who need specialty formula for babies with medically-required diets.

What parents experience today is rightly called the formula crisis. In one of the most stressful times of life, the parents of newborns are left in an unimaginable position. My heart breaks for those infants and for their parents. The sound of a baby's cry carries a different weight in times like these.

Families in my own State feel this crisis quite acutely. Utah has the largest families, the most children per capita, and the highest birthrate of any State in the Union. Utah's families do, indeed, feel this acutely. I have read and I have heard so many heart-wrenching stories from Utah families. Their searches have expanded from the local grocery store to stores across town to the internet and, finally, to total desperation, as formula has become out of stock everywhere within reach.

Unfortunately, when the White House was asked recently what parents should do, the White House said:

Ask your pediatrician, who may have formula samples, for possible alternatives.

What an embarrassing stopgap measure.

Now, look, not every crisis is one that, like this one, is a government's own creation. Not every crisis is one that, like this one, could, therefore, be resolved with fairly simple action. It is inexcusable that their response was to just ask your pediatrician because your pediatrician might have samples on hand.

Then there are some in Congress who simply want to throw money at the problem without addressing the weaknesses in this critical supply chain or without removing the redtape that caused this problem to begin with and is now standing in the way of parents. American babies deserve better.

Today, the Senate can help American families by immediately passing my bill called the FORMULA Act. This bill responds to the crisis in three simple ways that will help solve the formula crisis and feed American babies.

First, my bill would suspend tariff collection and quantity on formula imports. Formula that we can bring in from abroad is taxed at a rate of 17.5 percent upon entering the United States. We can help ease the skyrocketing prices and encourage companies to import as much baby formula as possible simply by suspending this collection of tariffs.

Second, my bill would temporarily allow formula imports from a number of safe countries like those in Europe from which we are comfortable importing pharmaceutical products. This will allow us to access plentiful and safe formula supplies coming from abroad and meet the needs that we have today.

Finally, my bill would allow WIC recipients to buy imported brands of for-

mula with WIC vouchers. Under the current system, most WIC parents can buy only a specific brand, the brand listed on the voucher label, which, in many circumstances, might be unavailable.

My bill will allow these parents to buy from available stock and feed their children.

Keeping American infants fed should be one of the least controversial proposals imaginable. American babies are going hungry, and the Federal Government is standing in the way.

My FORMULA Act will help solve the formula crisis and make sure American babies do not go unfed.

I am pleased to be joined in this effort by Senators GRASSLEY, DAINES, CASSIDY, and WICKER. This bill has the support of a number of outside groups and countless Americans. If we can help solve this crisis today, we can make sure American babies' cries do not go unanswered. We must pass the FORMULA Act.

To that end, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4261, which is at the desk; 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 Washington.

Mrs. MURRAY. Mr. President, reserving the right to object.

As a mom and grandmother, I share my colleague's deep concern about the infant formula shortage; but I am concerned with the Senator's proposal to address it, and so I will be offering the Senate an alternative here in just a moment that addresses those concerns while building on common ground and the need to end this shortage.

So I object to the Senator's proposal and seek recognition to offer my proposal.

The PRESIDING OFFICER. The objection is heard.

The Senator from Washington.

Mrs. MURRAY. Mr. President, as a mom and grandmother, I share my colleague's concern about the infant formula shortage, and I have been pressing the FDA and infant formula manufacturers for answers and actions on this going back to when the Abbott recall was first announced back in February. And I am glad the Biden administration is taking some action to address this crisis: FDA's announcement earlier this week to make it easier to import baby formula during this crisis and President Biden's announcement yesterday that he will use the Defense Production Act to bring more formula to market, because I want to see formula back on the shelves as soon as possible.

But I also want parents to know the formula that they are giving their child is safe, which is why I have serious concerns about the broad waivers of FDA authority in the bill that was

just offered. For example, waiving the nutrient requirements for infant formula.

FDA actually requires infant formula to include 30 essential nutrients—too much or too little of those nutrients can put the health of our most vulnerable at risk—or labeling requirements for directions on preparation and use, which are really important to keep babies safe.

I want us to quickly find common ground on steps to end this shortage safely, give parents the formula they need, and make sure this situation never happens again.

I am sure the Senator from Utah wants that too. I really do think we can get this done. And that is why I would like to offer to pass another bill I have right now, which ensures FDA can take the steps to increase supply without compromising standards and which, similar to Senator LEE's bill, would waive tariffs on importing baby formula during this crisis.

And I do want to continue working on other bipartisan steps here. I know that Senator STABENOW and Senator BOOZMAN are working on legislation at this very moment to make adjustments to the WIC program, similar to another part of Senator LEE's effort that I think is also crucial.

So while I have concerns with how some of the proposals to waive FDA authority will make it harder for FDA to keep babies safe, I think there is a bipartisan path forward for some of these ideas, and I urge Senator LEE to work with me and our colleagues to find that.

Mr. President, right now, I ask unanimous consent that the Senate proceed to the immediate consideration of my bill, which is at the desk, to temporarily allow the importation of infant formula free of duty and free of quantitative limitation and to require the Food and Drug Administration to issue guidance related to increasing the supply of infant formula. 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 Utah.

Mr. LEE. Mr. President, reserving the right to object, I appreciate the remarks and the shared enthusiasm that my friend and colleague, the distinguished Senator from Washington, has expressed, a shared vision that we have for wanting to protect American babies.

I am also disappointed that she has objected to a reform that would put directly needed infant formula onto shelves and into the hands of millions of Americans in need.

This is not, of course, the time for political wins; it is a time for solutions. And it can't be ignored that Big Government has, in fact, caused the shortage and the crisis involving baby formula.

If we walk away from this current crisis and we somehow try to attribute its causes simply to inflation and supply chain disruptions, we will have missed out on a bigger picture of involving how government regulations have contributed to the outcome.

If there were not serious prohibitions and restrictions on trade, we would have a far larger baby formula import market. But because the FDA and other health regulators arbitrarily decided that other countries' standards for mixtures were not suitable for American infants, foreign products have been excluded from our grocery shelves at a time when we need them the very most.

Now, make no mistake—the Abbott recall was not the cause of this shortage but, rather, the culminating event of a long, brewing storm.

Unless we reshape our regulatory environment, we will continue to lack the formula that parents need to feed their children.

The counteroffer that my colleague has presented today does three things. First, it fails to actually put formula into the hands of Americans. Second, it empowers the very actors that have created this shortage through overregulation. And, lastly, it fails to make any reforms to the WIC program.

This proposal by my colleague misses the mark, and on that basis, I object and would like to offer a counter proposal.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, and so although I object, as I stated previously, this is not the time for political wins; it is the time for solutions. So I would like to present a counteroffer to my colleague's proposal. I believe an agreement on meaningful solutions can and should be reached.

This bill would incorporate provisions passed by the House yesterday, enabling WIC recipients to buy formula by granting the Secretary of Agriculture the permanent flexibility to waive certain WIC requirements.

Additionally, this bill would incorporate my colleague's waiver on the tariffs on infant formula and import quantity restrictions.

Further, it would waive the excessive regulations on infant formula that have made it impossible for safe formula to be available to American families in need.

So to that end, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4262, which is at the desk. 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?

Mrs. MURRAY. The Senator from Washington.

Mrs. MURRAY. Mr. President, reserving the right to object, and I really

do appreciate the Senator's efforts to address some of the concerns I have here, but the bill that he is offering will still ultimately exempt formula from FDA standards that are really critical for safety. We owe it to parents to know that when they purchase formula, it is safe.

So I would like to keep working with Senator LEE and our colleagues to make progress on this as soon as possible. I hope we can continue to do that; but at this point, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, it is important to note here that nothing in my proposal would put formula on the shelves that is not safe.

By opening up some of the import restrictions and the regulatory restrictions, it adheres still to the same safety standards that we rely on. It does allow for the importation of some product from other countries—other countries that we have deemed sufficiently safe that we allow their imports in the pharmaceutical arena. There is no reason we can't do that here.

The PRESIDING OFFICER. The Senator from Maryland.

S. 4008

Mr. CARDIN. Mr. President, shortly we are going to be voting on a motion to proceed to S. 4008. This is the bill that would replenish the restaurant revitalization fund for the 170,000 restaurants that were shut out of getting funds when the program was first enacted. A hundred thousand got the relief; 170,000 were shut out through no fault of their own.

So this is a matter of basic fairness. It is also a matter of need. These restaurants—many of which are ready to go out of business—they need the money to pay off their debts that they took out to stay open, and they are competing with restaurants next door that have gotten that relief, and they can't compete on a level playing field.

This has been a bipartisan bill from the beginning. We started with this last August, a bipartisan group working on it. We have placed guardrails on this bill. There is no double-dipping. You can't have both. The PPP money has to be subtracted. It has to be used for permitted uses such as paying down your debt or construction of outdoor seating or protective equipment. There is pro rata reduction if there are not enough funds that are appropriated so we don't have to come back again.

Mr. President, I ask unanimous consent to have printed in the RECORD letters of support from the National Restaurant Association, Distilled Spirits Council, American Bus Association, National School Transportation Association, Minor League Teams and Community Gym Coalition. These are groups that we have added that have similar circumstances as the restaurants.

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

NATIONAL RESTAURANT ASSOCIATION,

May 18, 2022.

DEAR SENATORS CARDIN AND WICKER: The Senate is expected to consider legislation that would finally replenish the Restaurant Revitalization Fund (RRF), a critical program for a sector still struggling with pandemic-related debts and losses. On behalf of the restaurants and the communities we support nationwide, we urge your full support.

The RRF has been a lifeline for restaurants that received grants last year. Initially funded at \$28 billion, the RRF worked as planned, helping restaurants stay in business and serve their communities. In fact, 92% of RRF recipients said the grant helped them pay expenses or debt that had accumulated since the beginning of the pandemic, according to National Restaurant Association research.

As you are aware, the RRF's initial funding of \$28 billion was quickly depleted, leaving 177,000 restaurants that were promised funds with nothing. While the restaurant industry appreciates Congress' help in establishing the program, the outcome unfairly pitted restaurants against each other in a battle where Congress ultimately chose the winners and losers.

The Senate has before it an opportunity to right this wrong by passing S. 4008—the Small Business COVID-19 Relief Act of 2022 to replenish the RRF and provide fairness and equity to restaurants that have been desperately waiting for help. Our research shows that additional round of RRF grants would be just as effective as the first. Nearly 50% of restaurant operators that did not receive RRF grants feel it's unlikely that they will stay in business, and 94% said a future grant would enable them to retain or hire back employees.

Two years into the pandemic, these 177,000 restaurants continue to struggle to survive as inflation, increased food costs, a labor shortage, and supply chain disruptions continue to place greater strains on them than ever before. Unlike the nation's overall economy, which is showing signs of improvement, the restaurant industry is still down nearly 800,000 jobs and \$300 billion in lost sales.

The RRF was born out of an emergency and helped restaurants endure the disaster brought on by government ordered shutdowns and capacity restrictions. Replenishing the RRF should still be considered an emergency, no different than a hurricane, tornado, or wildfires.

On behalf of restaurants across the country, we strongly support S. 4008—the Small Business COVID-19 Relief Act of 2022 and thank you for your tireless leadership to shepherd this critical legislation through the Senate so that restaurants can get back to serving their local communities.

Sincerely,

SEAN KENNEDY,

Executive Vice President, Public Affairs,

National Restaurant Association.

Alabama Restaurant & Hospitality Association; Alaska Cabaret, Hotel, Restaurant & Retailers Association; Arizona Restaurant Association; Arkansas Hospitality Association; California Restaurant Association; Colorado Restaurant Association; Connecticut Restaurant Association; Delaware Restaurant Association; Restaurant Association of Metropolitan Washington; Florida Restaurant & Lodging Association; Georgia Restaurant Association; Hawaii Restaurant Association; Idaho Lodging & Restaurant Association; Illinois Restaurant Association; Indiana Restaurant & Lodging Association; Iowa Restaurant Association; Kansas Restaurant & Hospitality Association; Kentucky Restaurant Association; Louisiana Restaurant Association; Hospitality Maine; Restaurant Association of Maryland; Massachusetts Restaurant Association; Michigan Restaurant & Lodging Association; Hospitality

Minnesota; Mississippi Hospitality & Restaurant Association; Missouri Restaurant Association; Montana Restaurant Association; Nebraska Hospitality Association; Nevada Restaurant Association.

New Hampshire Lodging & Restaurant Association; New Jersey Restaurant & Hospitality Association; New Mexico Restaurant Association; New York State Restaurant Association; North Carolina Restaurant & Lodging Association; North Dakota Hospitality Association; Ohio Restaurant Association; Oklahoma Restaurant Association; Oregon Restaurant & Lodging Association; Pennsylvania Restaurant & Lodging Association; Puerto Rico Restaurant Association; Rhode Island Hospitality Association; South Carolina Restaurant & Lodging Association; South Dakota Retailers Association; Hospitality Tennessee; Texas Restaurant Association; Utah Restaurant Association; Vermont Chamber of Commerce; Virginia Restaurant, Lodging & Travel Association; Washington Hospitality Association; West Virginia Hospitality & Travel Association; Wisconsin Restaurant Association; Wyoming Hospitality & Travel Coalition.

DISTILLED SPIRITS COUNCIL
OF THE UNITED STATES,

May 18, 2022.

Subject: Support the Small Business COVID Relief Act (S. 4008) on the Floor This Week.

DEAR SENATORS: When the Small Business COVID Relief Act of 2022 (S. 4008), comes to the floor this week, we respectfully urge support for this important piece of COVID-19 economic relief legislation.

Among other things, this legislation would replenish the Restaurant Revitalization Fund (RRF) and provide critical funding to allow the U.S. Small Business Administration to process the applications of eligible entities that previously applied to the program.

Demand for the Restaurant Revitalization Fund far exceeded the initial tranche of funding: More than 278,000 applications were submitted to the program, but the U.S. Small Business Administration was only able to fund approximately 101,000. Hospitality industry businesses like restaurants, bars, and distilleries that depend on in-person visitors face a long, uneven recovery from the pandemic and these funds are critical to businesses across the country. According to research by the National Restaurant Association, the RRF saved more than 900,000 jobs at restaurants that received grants. Their estimates indicate that fully funding the RRF will save more than 1.6 million restaurant jobs still on the line.

Please support the recovery of the hospitality industry by supporting additional funds for the RRF and voting in favor of the Small Business Covid Relief Act, S. 4008. Please don't hesitate to reach out if you have any questions.

Sincerely,

KELLY POULSEN,
Vice President, Federal Government Relations.

JESSICA BRADY,
Senior Director, Federal Government Relations.

AMERICAN BUS ASSOCIATION.

The American Bus Association—the industry leader advancing North American motorcoach travel and tourism—released a statement of support today of the Senate Small Business Committee's legislation to provide COVID relief to restaurants and other small businesses.

This vital legislation will help a still struggling motorcoach industry, by provide an additional \$2 billion for grant funding to the Coronavirus Economic Relief for Transportation Services (CERTS) program for motorcoaches, school buses and passenger vessels. In addition, this legislation would treat the CERTS grants like all other pandemic aid programs by exempting the grants from treatment as income.

"According to independent research, the motorcoach industry recorded an 82.6 percent loss of business in 2020, a 60 percent loss in 2021 and continues to operate well below pre-COVID levels because of the pandemic," said Peter Pantuso, ABA President & CEO. "While we saw limited recovery over the past couple of years, the Delta and Omicron variants significantly slowed down recovery. We are not like to see full recovery until at least 2023 or 2024."

"This industry is not asking for a government handout," said Pantuso. "But we need a bridge to help our industry survive the pandemic. Nearly half of the motorcoach companies have closed over the last two years, mostly small family and minority businesses, and America can't afford for us to lose more."

The American Bus Association thanks Senator Cardin (D-MD) and Senator Wicker (R-MS) for their hard work in crafting this important legislation and for their commitment to help the nation's small businesses recover from this pandemic. The American Bus Association urges all Senators to support the Cardin-Wicker proposal when it comes up for a vote as an amendment to the COVID Health Supplemental.

ABOUT THE AMERICAN BUS ASSOCIATION

The American Bus Association (ABA) is the trade organization of the intercity bus industry, with more than 1,000 motorcoach and tour company members in the United States and Canada. Its members operate charter, tour, regular route, airport express, special operations, and contract services. Another 2,800 members are travel and tourism organizations and suppliers of bus products and services who work in partnership with the North American motorcoach industry.

NATIONAL SCHOOL
TRANSPORTATION ASSOCIATION,
April 1, 2022.

STATEMENT OF THE NATIONAL SCHOOL TRANSPORTATION ASSOCIATION IN SUPPORT OF THE CARDIN-WICKER AMENDMENT TO THE COVID HEALTH SUPPLEMENTAL

The National School Transportation Association (NSTA) supports the Cardin-Wicker planned amendment to the Covid Health Supplemental to provide an additional \$2 billion to the CERTS relief program, as well as make CERTS grants tax-exempt.

NSTA is the leading resource for school bus transportation solutions and the voice for private contractors for over 55 years. We are a membership organization for school bus contract-operators engaged primarily in transporting students to and from school and school-related activities. Members range from small family businesses serving one school district, to large corporations operating tens of thousands of buses across multiple states. Regardless of size, our operators are staunchly committed to the safe and efficient transportation of our nation's schoolchildren. Private school bus contractors account for 38 percent of the nation's pupil transportation services and employ more than 250,000 individuals as bus drivers, mechanics, maintenance workers, dispatch, and office workers.

Daily, almost 26 million K-12 students are transported by an estimated 480,000 yellow

school buses. Every day, the lives of these children are entrusted to certified school transportation professionals, who have received special training and have the experience to ensure the safe transport of students. School buses remain the safest way to transport a child to-and-from school, and school-related activities, as they are the most regulated form of transportation. Students are significantly safer riding to and from school in a school bus than walking, riding bikes, or riding/driving in their family car. The number of fatalities of school age children traveling to and from school, per 100 million vehicle miles traveled (VMT), is 70 times higher in passenger vehicles than in school buses.

School bus companies suffered tremendous losses during the pandemic as schools closed and many districts refused to pay school bus contractors. NSTA estimates that 60 percent of school districts did not pay contractors during school closures, despite expressing the desire to have the contractor keep their valued employees and be ready to restart transportation on a moment's notice. The CERTS program was crucial to help school bus contractors stay viable and continue to employ our valued employees, however, the CERTS program was initially appropriated at \$2 billion. The Department of Treasury received applications from companies totaling over \$8 billion in revenue losses from 2019-2020. This figure does not include additional revenue losses our companies incurred in 2021 as the pandemic still kept many schools shut down for much of last year as well.

The amendment also includes a provision to provide tax exemption for CERTS relief grants, consistent with other Covid relief programs, such as the Paycheck Protection Program, restaurant and venue relief programs. While we deeply appreciate the CERTS grant funds designed as emergency relief due to the devastating impacts of the pandemic on our businesses, CERTS funds should be treated the same as other covid relief when it comes to taxes.

NSTA strongly supports the amendment to provide critical additional funds and tax relief to help school bus companies continue to recover, so that we can provide safe and efficient school bus transportation to the nation's schoolchildren.

APRIL 5, 2022.

DEAR MAJORITY LEADER SCHUMER, MINORITY LEADER MCCONNELL, SPEAKER PELOSI, AND MINORITY LEADER MCCARTHY: On behalf of professional minor league sports teams across the country, we are writing in support of the amendment to the COVID-19 supplemental bill offered by Senators Ben Cardin and Roger Wicker to provide much-needed relief for our teams. Teams in leagues across the spectrum of sports have lost tens of millions of dollars since the outset of the COVID-19 pandemic, and action is desperately needed now to protect these small businesses and safeguard their vital economic contributions to communities across the nation.

The first year of the pandemic was particularly devastating for professional minor league sports teams, with many losing more than 90 percent of their revenue during this first year alone as a result of mandated closures. These financial losses were compounded by challenges in year two including limited attendance, canceled games, and increased costs as teams worked to operate safely during the pandemic. As we enter year three of the pandemic, teams continue to grapple with decreased consumer confidence as a result of the COVID-19 variants, which is impacting ticket sales for the upcoming minor league baseball season and causing postponements and cancellations for the 2021-2022 minor league hockey season. So far this

season, approximately 100 games have been postponed or canceled across the professional minor hockey leagues.

Our teams were excluded from previous relief packages enacted by Congress and therefore did not receive the help that was made available to other small businesses in the live entertainment industry. Unfortunately, our situation is only worsening as a result of the Omicron variant. While we had hoped to be past the pandemic at this point, persisting variants have demonstrated that the pandemic is not yet over.

Research generally suggests that the presence of minor league sports teams is associated with an increase in per capita incomes, which often may stem from teams generating new spending by out-of-area visitors and encouraging residents to spend inside the local economy. Minor league sports franchises are pillars of the community and assets that our cities and industries need, not only for the economic impact they make on their communities and for the significant charitable efforts made in their markets, but also for their ability to draw in a strong workforce of individuals who call their cities home, and these small businesses continue to struggle to stay afloat in the absence of relief from Congress.

Our teams have been left behind and desperately need help now. We ask that you support the Cardin-Wicker amendment to provide critical relief for professional minor league sports teams in the COVID-19 supplemental. We appreciate your consideration of this request and your continued support of our teams.

Sincerely,

Jason Freier, Executive Board Member, Minor League Baseball, Reid Ryan, Executive Board Member, Minor League Baseball, Scott Howson, President and Chief Executive Officer, American Hockey League, Doug Price, Commissioner, Southern Professional Hockey League, Chad Volpe, Executive Board Member, Minor League Baseball, Ken Babby, Executive Board Member, Minor League Baseball, Ryan Crelin, Commissioner ECHL, Alec Papadakis, Chief Executive Officer, United Soccer League, Joshua Schaub, Commissioner, American Association of Professional Baseball, Steve Tahsler, Deputy Commissioner, Frontier League of Professional Baseball, Dan Moushon, President, Appalachian League, Rick White, President, Atlantic League of Professional Baseball, Mike Shapiro, President, Pioneer Baseball League.

COMMUNITY GYMS COALITION

AND IHRSA,

May 17, 2022.

On behalf of America's more than 40,000 fitness facilities fighting to foster and strengthen Americans' health and fitness, the Community Gyms Coalition

(CGC) and IHRSA, the global health and fitness association, enthusiastically endorse S. 4008, the Small Business COVID Relief Act of 2022, and call on Congress to enact it as soon as possible.

COVID-19, and almost every state's response to it, has devastated America's gyms and fitness facilities. As of December, more than 25 percent of fitness facilities in the U.S.—including 30 percent of studios—have closed permanently. Operators have suffered revenue losses of over \$29.2 billion. These figures have undoubtedly increased, leaving tens of thousands of operators struggling under debts taken on so that they could continue improving Americans' health and fitness.

Federal programs to support small businesses struggling due to COVID-19 have

proven to be of little benefit for most fitness facilities, leaving them little opportunity to recover from the initial shutdowns and restrictions. The Paycheck Protection Program (PPP) and Economic Injury Disaster Loans (EIDL) do not meet the cost structures of fitness facilities. The Targeted EIDL Advance, the Supplemental Targeted Advance, and state-level grant programs have not provided nearly the funding necessary to keep many owners and operators from closing their facilities due to accrued debt and deferred rent or mortgage payments.

Due to these circumstances, gyms and fitness facilities still require specific support in order to offer their essential services. S. 4008 provides this support by establishing the Gym and Fitness Center Recovery Fund to dispense grants to distressed fitness facilities, and appropriating \$2 billion for that purpose. Publicly-traded companies, facilities with pandemic-related revenue losses less than 25 percent, and facilities which offer golf, hunting, sailing, shooting, or riding are expressly ineligible.

Gyms and fitness facilities, much like restaurants and other industries reliant on physical presence, were directly harmed by government-mandated closures and restrictions. Though gyms have suffered the same hardships as similarly affected businesses, they have not yet received effective aid. The Small Business COVID Relief Act would correct this oversight, saving thousands of gyms and fitness facilities across the country from bankruptcy.

We commend Senator Cardin and Senator Wicker for introducing the Small Business COVID Relief Act, and we urge every senator to support its passage. There is nothing more important than safeguarding the health and fitness of all Americans.

Mr. CARDIN. Mr. President, I know that there are Members who want to target this and so do we. We believe that we will be able to bring the cost of this bill down, but we first need to get on the bill.

I particularly want to thank Senator WICKER and Senator COLLINS and Senator MURKOWSKI for giving us suggestions, and we are going to permit amendments on this bill to bring its cost down.

Senator MANCHIN has made a specific suggestion on making sure we prioritize the payment of debt.

We also believe we can target this to the small businesses that need it the most.

I want to thank Senator OSSOFF. I want to thank Senator MURPHY. I want to thank Senator KING, our Presiding Officer there, and so many of our other Members who have been working with us in order to get this bill to the finish line.

I would urge my colleagues to vote for the motion to proceed. This is a cloture; this is not the final passage. This is to get on the bill so we can take up amendments, target it to those small businesses that desperately need it.

We have offsets in the bill. It is a responsible bill. It needs to be passed. It carries out our commitment, and I would urge our colleagues to support the legislation.

Mr. DURBIN. Mr. President, on another important issue, small businesses across the country are still reeling from the pandemic. And as the Nation

finally begins to emerge from 2 years of lockdowns, our small business community is facing another set of challenges: supply shortages and inflation.

Later today, the Senate is expected to vote on legislation that would help restaurants, gyms, minor league teams, and other small businesses find solid footing after years of unprecedented disruptions. These small businesses are the lifeblood of our communities, whether it be in Chicago, my hometown of Springfield, or other towns across Illinois.

This bipartisan package would make sure that they can continue to recover and create jobs in their communities—because we know that, when these businesses struggle, our communities struggle. I have heard from small business owners throughout Illinois who want to keep workers on the payroll and provide a space for people to come together, but they need our help to get to the other side of the pandemic.

That is exactly the situation Kevin Cary is in. He owns Begyle Brewing in Chicago and is one of the hundreds of thousands of business owners in America who has tried to do everything right during this pandemic. He followed the rules when Chicago's COVID precautions forced him to temporarily close his doors . . . he has kept his staff employed throughout the pandemic; and he has braced through multiple waves of COVID—from Alpha to Omicron, which infected his staff, and forced him to keep his doors closed through the holiday season, a big time for business.

And Kevin is still doing his part to be a good neighbor. Even with the pressures of inflation, he has held off on raising prices because, in his words, "we're a community-supported brewery. I personally have a problem with charging more . . . [I] would rather fight pressures on cost than . . . raise prices on consumers."

But there is only so much business owners like Kevin can do on their own. Without additional relief, the prospects are bleak. Replenishing the Restaurant Revitalization Fund would allow Kevin to pay Begyle's bills that are past due, help him afford increasing supply costs, and enable him employ more Illinoisans. But most importantly, Kevin will be able to have the peace of mind that his business—which supports him, his wife, and his one-year old daughter—will keep its doors open.

Our favorite small businesses and restaurants bring us together. They have done their part to help us get through the pandemic, and now it is time for us to help them. I want to thank Senators WICKER and CARDIN, as well as many other colleagues on both sides of the aisle, for their work on this bipartisan package. I hope more of my Republican colleagues will join us in passing this much-needed relief for small businesses in our communities.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, now 2 years after the start of COVID, our

country has come very far, but it would be a dreadful mistake to think the work is done.

Today, the Senate should vote to move forward to give America's restaurants, local gyms, minor league teams, and other small businesses a much-needed lifeline. We will give our restaurants a much-needed lifeline to get back on their feet after the pandemic.

Our restaurants and small businesses are suffering. They need help. This bill says help is on the way.

These restaurants are the beating hearts of our communities. We are not talking about huge restaurants. They are not big venues with big publicity.

The restaurants we are talking about are family-owned restaurants, family-owned businesses, where Americans have always come together. They are the beating hearts of our communities.

To have banks foreclose on these places because they are struggling with loans left over from COVID when they were forced to close would be a tragedy—a tragedy for jobs lost, for the communities affected, and for creating future prosperity.

So the Senate should be leaping into action to support our restaurants and small businesses.

I want to thank the diligent, persistent work by the great Senator from Maryland, BEN CARDIN—the work he has done.

I want to thank his partner, Senator WICKER. This is a bipartisan bill.

And to just debate how we can help these vital parts of the American economy, these vital parts of American communities, is not too much to ask.

I urge both sides of the aisle for a strong yes vote.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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 motion to proceed to Calendar No. 344, S. 4008, a bill to provide COVID relief for restaurants, gyms, minor league sports teams, border businesses, live venue service providers, exclave businesses, and providers of transportation services.

Charles E. Schumer, Benjamin L. Cardin, Tammy Duckworth, John W. Hickenlooper, Gary C. Peters, Ron Wyden, Elizabeth Warren, Jacky Rosen, Mark Kelly, Ben Ray Lujan, Catherine Cortez Masto, Robert P. Casey, Jr., Tammy Baldwin, Mazie K. Hirono, Maria Cantwell, Chris Van Hollen, Margaret Wood Hassan.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 4008, a bill to provide COVID relief for restaurants, gyms,

minor league sports teams, border businesses, live venue service providers, exclave businesses, and providers of transportation services, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Nevada (Ms. ROSEN), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Iowa (Ms. ERNST) and the Senator from Kansas (Mr. MARSHALL).

The yeas and nays resulted—yeas 52, nays 43, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—52

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

NAYS—43

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

NOT VOTING—5

Brown	Marshall	Van Hollen
Ernst	Rosen	

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 43.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 855, Stephanie Dawkins Davis, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Charles E. Schumer, Cory A. Booker, Tammy Baldwin, Patrick J. Leahy,

Patty Murray, Tina Smith, Sheldon Whitehouse, John W. Hickenlooper, Gary C. Peters, Benjamin L. Cardin, Jeanne Shaheen, Jon Tester, Richard J. Durbin, Catherine Cortez Masto, Mazie K. Hirono, Amy Klobuchar, Maria Cantwell.

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

The question is, Is it the sense of the Senate that debate on the nomination of Stephanie Dawkins Davis, of Michigan, to be United States Circuit Judge for the Sixth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from New Hampshire (Ms. HASSAN), the Senator from Nevada (Ms. ROSEN), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Indiana (Mr. BRAUN), the Senator from Louisiana (Mr. CASSIDY), the Senator from North Dakota (Mr. CRAMER), the Senator from Iowa (Ms. ERNST), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MARSHALL), the Senator from Kansas (Mr. MORAN), the Senator from Ohio (Mr. PORTMAN), the Senator from South Dakota (Mr. ROUNDS), the Senator from North Carolina (Mr. TILLIS), and the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from North Carolina (Mr. TILLIS) would have voted "nay" and the Senator from Indiana (Mr. YOUNG) would have voted "nay."

The yeas and nays resulted—yeas 48, nays 36, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—48

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

NAYS—36

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rubio
Boozman	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Lummis	Toomey
Daines	McConnell	Tuberville
Fischer	Paul	Wicker