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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. ESHOO).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 30, 2022.

I hereby appoint the Honorable ANNA G. ESHOO to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Holy and eternal God, with You a day is like a thousand years and a thousand years a day. In the face of the 280 days of warfare in Ukraine, help us not to doubt Your sway over time and Your sovereignty over our lives. You are not slow to keep Your promise, but we ask Your patience with us when we pray for immediate resolution.

Grant each side and all those immersed in this conflict moral clarity in the midst of this horror. Grant us Your vision where there seems to be no end in sight. Reveal Your perfect justice and restore the livelihoods which have been destroyed and the souls which have been crushed.

Uphold those who remain faithful to the cause of righteousness. Continue to grant them the spiritual strength that has, throughout their adversity, served as a testimony to the resilience to be found only in You.

For in You, they are known, though regarded as unknown; they are dying and yet they live on; beaten and yet not killed; sorrowful, yet always rejoicing. For they have found that in You, O Lord, is peace.

Grant then Your peace to Ukraine and all who suffer from injustice in this world. In the strength of Your name we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1 of rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. BUTTERFIELD) come forward and lead the House in the Pledge of Allegiance.

Mr. BUTTERFIELD 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

REMEMBERING BETTY RAY McCAIN

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Madam Speaker, it is with great sadness that I must rise today to pay tribute to the Honorable Betty Ray McCain, a North Carolina trailblazer, who at the age of 91 passed away on last Wednesday. Betty McCain lived a remarkable life. Her many contributions to the Democratic Party and her unselfish leadership to the State of North Carolina are immeasurable.

Born in Faison, North Carolina, Betty graduated as valedictorian from Faison High School in 1947. She graduated from St. Mary's College and then received a master's degree in music from Columbia University.

Following her marriage to Dr. John Lewis McCain, they moved to Wilson, North Carolina, my hometown, where they were engaged in all aspects of public life. It is in Wilson where Betty McCain began her career in local and national politics and became known for her incredible wit.

During the administration of our beloved former Governor Jim Hunt, Betty McCain served as Secretary of the Department of Cultural Resources.

Betty McCain is survived by her son, Paul, and his wife, Beth; daughter, Eloise, and her husband, Robby; grandchildren: Elizabeth; Emily; John, II; Mary; and Bayly.

HONORING THE NORTH CAROLINA TRUCKERS WHO DELIVERED THE CAPITOL CHRISTMAS TREE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Madam Speaker, yesterday, on the west front lawn of the Capitol, we celebrated the lighting of this year's Capitol Christmas tree.

The 78-foot red spruce named ''Ruby'' comes from Pisgah National Forest in western North Carolina.

Madam Speaker, this magnificent tree did not magically appear at the Capitol. Proud members of North Carolina's trucking industry made this happen.

Ralph, Eddie, and Ryan Hardy of Hardy Brothers Trucking in Siloam, North Carolina, adapted one of their trucks to carry Ruby. Harold and Deborah Kingdon drove the special truck on the 14-day journey to Washington to deliver Ruby.

Printed on recycled paper.

Words cannot express how grateful we are for truckers everywhere, along with the State's countless farmers and growers. Truly, they are the backbone of North Carolina's economy, and they deserve our profound gratitude.

THE SKYROCKETING COST OF EVERYDAY GOODS

(Mr. JOYCE of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOYCE of Pennsylvania. Madam Speaker, this Christmas, Americans are facing hard choices about the gifts they can afford to buy their friends and their loved ones.

The skyrocketing cost of everyday goods and services will now cost American families over $700 each month.

According to a survey published by the Associated Press, one in three Americans are now reported to be falling behind on their bills and expenses.

It is now more clear than ever that American families cannot afford President Biden's failed policies.

Reversing this inflation will only happen when we stop the tax-and-spend spree that the liberals in this body have championed.

American families will only be financially secure when President Biden stops wasting money and wasting taxpayer dollars.

We need to return to fiscal restraint and responsibility. We need to stop spending money that we do not have on policies that we do not need.

AMERICAN MEN NEED TO RECLAIM MASCULINITY

(Mr. CAWTHORN asked and was given permission to address the House for 1 minute.)

Mr. CAWTHORN. Madam Speaker, it used to be a rite of passage in this country for young men to be punched in the face when they did something stupid. Our Nation used to believe that there was strength and purpose in taking the hits, learning from your mistakes, and growing through the adversity.

America is weak. Her sons are sickly and her daughters are decrepit. Our country now faces the consequences of enabling a participation trophy society.

We are no longer the United States. We have become a nanny state. Our young men are taught that weakness is a strength, that delicacy is desirable, and that being a soft metrosexual is more valuable than training the mind, body, and soul.

Social media has weakened us, siphoning our men of their will to fight, to rise in a noble manner, square their jaws, and charge once more into the breach of light to defend what they love.

So in this precipice of disaster, I ask the young men of this Nation a question: Will you sit behind a screen while the storied tales of your forefathers become myth, or will you stand resolute against the dying light of America's golden age? Will you reclaim your masculinity? Will you become a man to be feared, to be respected, to be looked up to, or will you let this Nation's next generation be its final generation?

RECOGNIZING INDIANA COUNTY UNITED WAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize the work of the Indiana County United Way in raising more than $35,000 as a part of their Turkeython fundraiser.

The United Way of Indiana County recently partnered with radio host Todd Marino of ''Indiana in the Morning'' to create a telethon to raise funds to feed children, families, and veterans on Thanksgiving.

In addition, 78 volunteers from United Way partner organizations set up donation drop areas around Indiana County to collect donations from generous residents.

Each donation helped to ensure those facing hunger had a turkey to eat on Thanksgiving and could still enjoy the holiday.

I thank the volunteers of the Indiana County United Way for their work in helping every child to enjoy Thanksgiving with their families.

The volunteers of the United Way devoted their time and energy to giving back to their community and helping to alleviate hunger during this holiday season.

Madam Speaker, I ask my colleagues to join me in thanking the Indiana County United Way and their partners for doing their part to spread generosity and goodwill during this time of the year.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3372, ONE STOP SHOP COMMUNITY REENTRY PROGRAM ACT OF 2021; PROVIDING FOR CONSIDERATION OF H.R. 6878, PREGNANT WOMEN IN CUSTODY ACT; PROVIDING FOR CONSIDERATION OF H.R. 8876, JACKIE WALORSKI MATERNAL AND CHILD HOME VISITING REAUTHORIZATION ACT OF 2022; PROVIDING FOR CONSIDERATION OF H.J. RES. 100, PROVIDING FOR A RESOLUTION WITH RESPECT TO THE UNRESOLVED DISPUTES BETWEEN CERTAIN RAILROADS REPRESENTED BY THE NATIONAL CARRIERS' CONFERENCE COMMITTEE OF THE NATIONAL RAILWAY LABOR CONFERENCE AND CERTAIN OF THEIR EMPLOYEES; AND FOR OTHER PURPOSES

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 117–587) on the resolution (H. Res. 1499) providing for consideration of the bill (H.R. 3372) to authorize implementation grants to community-based nonprofits to operate one-stop reentry centers; providing for consideration of the bill (H.R. 6878) to address the health needs of incarcerated women related to pregnancy and childbirth, and for other purposes; providing for consideration of the bill (H.R. 8876) to reauthorize the Maternal, Infant, and Early Childhood Home Visiting program, and for other purposes; providing for consideration of the joint resolution (H.J. Res. 100, to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees; and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H.R. 3372, ONE STOP SHOP COMMUNITY REENTRY PROGRAM ACT OF 2021; PROVIDING FOR CONSIDERATION OF H.R. 6878, PREGNANT WOMEN IN CUSTODY ACT; PROVIDING FOR CONSIDERATION OF H.R. 8876, JACKIE WALORSKI MATERNAL AND CHILD HOME VISITING REAUTHORIZATION ACT OF 2022; PROVIDING FOR CONSIDERATION OF H.J. RES. 100, PROVIDING FOR A RESOLUTION WITH RESPECT TO THE UNRESOLVED DISPUTES BETWEEN CERTAIN RAILROADS REPRESENTED BY THE NATIONAL CARRIERS' CONFERENCE COMMITTEE OF THE NATIONAL RAILWAY LABOR CONFERENCE AND CERTAIN OF THEIR EMPLOYEES; AND FOR OTHER PURPOSES

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I

call up House Resolution 1499 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1499

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3372) to authorize implementation grants to community-based nonprofits to operate one-stop reentry centers. All points of order against consideration of the bill are waived. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees; (2) the further amendment printed in part B of the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6878) to address the health needs of incarcerated women related to pregnancy and childbirth, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part C of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees; (2) the further amendment printed in part D of the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 8876) to reauthorize the Maternal, Infant, and Early Childhood Home Visiting program, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-69 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their respective designees; and (2) one motion to recommit.

SEC. 4. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 100) to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees; (2) one motion to recommit.

SEC. 5. (a) At any time through the legislative day of Friday, December 2, 2022, the Speaker may entertain motions offered by the Majority Leader or a designee that the House suspend the rules as though under clause 1 of rule XV with respect to multiple measures described in subsection (b), and the Chair shall put the question on any such motion without debate or intervening motion.

(b) A measure referred to in subsection (a) includes any measure that was the object of a motion to suspend the rules on the legislative day of November 29, 2022, November 30, 2022, December 1, 2022, or December 2, 2022, in the form as so offered, on which the yeas and nays were ordered and further proceedings postponed pursuant to clause 8 of rule XX.

(c) Upon the offering of a motion pursuant to subsection (a) concerning multiple measures, the ordering of the yeas and nays on postponed motions to suspend the rules with respect to such measures is vacated to the end that all such motions are considered as withdrawn.

SEC. 6. Notwithstanding clause 8 of rule XX, further proceedings on a vote by the yeas and nays on the question of adoption of a motion that the House suspend the rules offered on the legislative day of November 29, 2022 may be postponed through the legislative day of December 2, 2022.

SEC. 7. House Resolution 1495 is hereby adopted.

SEC. 8. House Concurrent Resolution 118 is hereby adopted.

SEC. 9. During the remainder of the One Hundred Seventeenth Congress, it shall not be in order to offer a motion under clause 7(c) of rule XXII with respect to H.R. 4521.

SEC. 10. Upon adoption of this resolution it shall be in order to consider in the House the concurrent resolution (H. Con. Res. 119) providing for a correction in the enrollment of H.J. Res. 100. All points of order against consideration of the concurrent resolution are waived. The concurrent resolution shall be considered as read. All points of order against provisions in the concurrent resolution are waived. The previous question shall be considered as ordered on the concurrent resolution to adoption without intervening motion or demand for division of the question except 10 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees.

□ 0915

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Minnesota (Mrs. FISCHBACH) pending which I yield myself such time as I may consume. During consideration of this resolution all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, yesterday the Rules Committee met and reported a rule, House Resolution 1499, providing for consideration of five measures: H.R. 3372, H.R. 6878, H.R. 8876, H.J. Res. 100, and H. Con. Res. 119.

The rule provides for consideration of both H.R. 3372 and H.R. 6878 under structured rules, with 1 hour of debate each equally divided and controlled by the chair and the ranking minority member of the Committee on the Judiciary, self-executes a manager's amendment from Chairman NADLER for each bill, makes in order one amendment for each bill, and provides one motion to recommit for each measure.

The rule provides for consideration of H.R. 8876 under a closed rule with 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means and provides a motion to recommit.

The rule provides for consideration of H.J. Res. 100 under a closed rule with 1 hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure and provides one motion to recommit.

The rule provides for consideration of H. Con. Res. 119 under a closed rule, with 10 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure.

The rule provides the majority leader or his designee the ability this week to en bloc requested roll call votes on suspensions. The rule also provides roll call votes on suspension bills considered on November 29 may be postponed through December 2.

Additionally, the rule deems as passed House Resolution 1495 and H. Con. Res. 118, and provides that during the remainder of the 117th Congress it shall not be in order to offer a motion to instruct with respect to H.R. 4521.

Madam Speaker, before we begin, I just want to take a moment to honor the life and service of our colleague, Congressman Donald McEachin, who passed away earlier this week. I have known Don for many, many years. We were both in the College Democrats when we were at American University many years ago.

He was an exceptional public servant fighting for the people of Virginia's Fourth Congressional District since 2017, and having served on Virginia's General Assembly before that. Don was a fierce champion for social justice and a protector of the environment.

He will be missed, and our prayers go out to his family, his friends, and his staff during this difficult time.

Madam Speaker, before us today are three bills: one to improve the current support system for formerly incarcerated individuals; one to ensure pregnant women in custody get the care that they need; and one to reauthorize a critical program that provides American families life-changing aid.

We are also here to consider two resolutions that will help us avoid a catastrophic shutdown of our national railroad system.

Let's talk specifics. First, we have H.R. 3372, the One Stop Shop Community Reentry Program Act. Getting folks back on their feet after incarceration should involve more than a $10 bus ticket and the hope that they won't re-offend. But critical reentry programs and other lifelines for formerly incarcerated individuals are often located in different places, making it challenging to obtain comprehensive services. Studies show that these kinds of barriers to reentry support put individuals returning to their communities at risk of returning to the criminal justice system.

The One Stop Shop Community Reentry Program Act authorizes grants for community organizations to create centralized reentry intake and coordination centers. These centers would provide resources for housing, employment, education, and medical and mental health services all under one roof. This commonsense bill will better support those who were formerly incarcerated and reduce re-offense rates.

Second, we have H.R. 6878, the Pregnant Women in Custody Act. Roughly 58,000 pregnant women are admitted into prison every year. Unfortunately, many facilities fail to provide pregnant women with the necessary care, including an appropriate diet and medical care. They may even be shackled or put in restrictive housing for extended periods, which could threaten their ability to have a healthy and safe pregnancy.

Incarcerated women deserve access to prenatal and postpartum care that can help prevent maternal health complications and ensure that newborns have a healthy start in life. The Pregnant Women in Custody Act establishes care standards for how Federal facilities treat pregnant and postpartum women in custody, including requiring Federal facilities to provide pregnant inmates access to medical and mental health services.

We also have H.R. 8876, The Jackie Walorski Maternal and Child Home Visiting Reauthorization Act. This bill reauthorizes the transformative Maternal, Infant, and Early Childhood Home Visiting Program that provides in-home services to improve maternal and child health, family safety and stability, child development and school readiness. The program will be reauthorized for 5 more years and will receive a significant increase in funding so that the services the program provides can be made available to more mothers, families, and children.

In my mind, there is no better way to honor the memory of our dear colleague, Congresswoman Jackie Walorski. She was an incredible friend of mine who worked tirelessly to improve the lives of children.

Then we have H.J. Res. 100, legislation to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees.

H.J. Res. 100 adopts the tentative agreement that unions and railroads negotiated in September to avoid a rail shutdown. I am proud that our pro-union and pro-worker President and Labor Secretary, Joe Biden and Marty Walsh, fought hard to get a fair deal for railroad employees. This agreement secures significant advances for workers, including a 24 percent raise, no changes in copays, deductibles, or coinsurance costs, and increased safety protections.

I want to be clear that this agreement is not perfect, which is why we will also bring to the floor H. Con. Res. 119, a separate resolution that we will debate and vote on today right after we consider the rail shutdown bill. This resolution would amend the rail shutdown bill to add paid sick leave for workers, an important policy that should be a fundamental right for all working Americans and that many of us have advocated for.

Quite frankly, the fact that paid leave is not part of the final agreement between railroads and labor is, in my opinion, obscene. It should be there, and I hope it will be there at the end of this process.

Democrats are putting people over politics to fight for workers. Every worker ought to have the security of fair wages. Every worker ought to be able to take a sick day if they need to. We saw that during the pandemic. This is an issue of basic fairness, but it is also an issue of public health. I mean, this is basic commonsense stuff.

The labor movement built America. After decades of stagnant wages and declining benefits, I am proud that the workers of this country are once again standing up for their rights and demanding changes. Their management ought to listen, and this Congress ought to listen, too.

By sending it as a separate resolution, we are giving the Senate the ability to take it up in addition to the main bill. If they don't have the votes to pass it, they can still send the bill averting a rail strike straight to the President. But the Senate ought to do the right thing and adopt this amendment.

Democrats are going to continue to fight like hell, just like we have been doing for all of our workers so they can have good wages, safe jobs, and paid sick leave, but we also need to listen to our labor leaders and rank-and-file. This underlying agreement was approved by labor and management negotiators in September, and since then the majority of the unions in the industry have voted to approve the deal.

While I and others are reluctant to override standard ratification procedures, President Biden has called on Congress to act without delay to avoid what would be a catastrophic shutdown, and that is exactly what we are doing here today. The passage of H.J. Res. 100 and H. Con. Res. 119 would be a win for workers across the country, and I strongly, strongly, strongly urge the Senate to approve both resolutions so we can swiftly get them to the President's desk.

I further urge all my colleagues to support this rule, and I reserve the balance of my time.

Mrs. FISCHBACH. Madam Speaker, I yield myself such time as I may consume. First, I would like to share the thoughts of sympathy for the family and friends of our colleague Mr. McEachin that my colleague from Massachusetts did express.

Madam Speaker, I thank the Representative from Massachusetts for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Today we are here to consider a rule providing for a number of bills and resolutions.

H.R. 3372, the One Stop Shop Community Reentry Program Act, will improve public safety and help individuals reentering society after incarceration by reauthorizing two types of grants: One for nonprofits to create community reentry centers; and one for States, Tribes, and local governments to operate reentry assistance hotlines.

Republicans are committed to improving public safety and cutting down on repeat offenses. Providing pathways for successful transitions from incarceration back to the community is crucial to that. Need-based programs like these provide valuable tools for these individuals that in turn benefit the broader community.

At a time when industries across the board are facing labor shortages, I appreciate the effort by my colleagues to move this legislation forward to improving incarcerated individuals' transitions to society.

H.R. 6878, the Pregnant Women in Custody Act requires the Director of Bureau of Prisons to provide appropriate services, education, and programs to incarcerated pregnant women. While thoughtful Republican amendments were rejected in Judiciary Committee, this is a bill that will protect the lives of mothers and their unborn babies.

□ 0930

H.R. 8876, the Jackie Walorski Maternal and Child Home Visiting Reauthorization Act, honors the late Congresswoman, and my mentor, by reintroducing her bill to reauthorize the maternal, infant, and early childhood home visiting program and increase its Federal investment over the years.

I am honored to cosponsor this bill, which will increase the annual funding level and provide increased investment in home visiting in every State and territory.

Funding for this bill is fully offset and tied to proven results, sending real help to the neediest communities.

Overall, I am pleased to see that these bills have gone through the appropriate processes and that this body will consider truly bipartisan legislation, an unfortunate rarity in this Congress.

We are also here to discuss H.J. Res. 100, which would prevent a rail strike that would cripple our already burdened supply chain in the middle of the holiday season.

Our economy can't handle that kind of hit, and we are running out of time for the parties to come to an agreement on their own. The fact is, the Biden administration overpromised and underdelivered, and now Congress again needs to step in to fix the mess.

Our country's economy can't handle a strike that reports say would cost $2 billion a day. A rail strike would mean halting transportation of raw materials and food and beverages, not to mention passengers trying to visit their families. It would mean farmers in my district and across the country would be cut off from fertilizer for their crops, their crops for global markets.

The resolution under this rule would codify the President's emergency board recommendations, a deeply unfortunate but necessary action Congress must take to avoid an economic disaster.

Again, it is unfortunate that the situation has come to Congress stepping into collective bargaining negotiations, but the consequences of a strike are far too severe.

However, we are not debating these bills today. We are debating the rule. Madam Speaker, I would point out before I reserve that multiple items were added to this just hours before and during Rules Committee yesterday. Also included, the rule deems and provides for consideration multiple pieces of legislation that Republicans were not informed would be included until just minutes before voting on reporting the rule.

One of these provides H. Con. Res. 119, an enrollment correction to H.J. Res. 100, that goes well beyond the bounds of the President's own request in a pointed recommendation, to the point where Congress is not only stepping into collective bargaining but now effectively negotiating on behalf of one of the parties.

Another last-minute addition, and by last minute, I mean literally during committee, was the deeming of a bill to rename a room on the Capitol campus after the current Speaker of the House.

Madam Speaker, I started the day yesterday hoping to strike a more positive tone than I typically do regarding rules, but unfortunately, this rule has morphed into a Christmas tree of the ugliest kind, adding all kinds of limbs and ornaments with virtually zero notice or agreement from our side of the aisle.

Madam Speaker, it is for this reason that I oppose the rule, and I ask Members to do the same. I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I include in the RECORD an article from the AP titled: ''Railroads reject sick time demands, raising chance of strike.''

[From AP News, Nov. 22, 2022]

RAILROADS REJECT SICK TIME DEMANDS, RAISING CHANCE OF STRIKE

(By Josh Funk)

OMAHA, NEB. (AP)—American consumers and nearly every industry will be affected if freight trains grind to a halt next month.

One of the biggest rail unions rejected its deal Monday, joining three others that have failed to approve contracts over concerns about demanding schedules and the lack of paid sick time. That raises the risk of a strike, which could start as soon as Dec. 9 under a deadline that was pushed back Tuesday.

It wouldn't take long for the effects of a rail strike to trickle through the economy. Many businesses only have a few days' worth of raw materials and space for finished goods. Makers of food, fuel, cars and chemicals would all feel the squeeze, as would their customers.

That's not to mention the commuters who would be left stranded because many passenger railroads use tracks owned by the freight railroads.

The stakes are so high for the economy that Congress is expected to intervene and impose contract terms on railroad workers. The last time U.S. railroads went on strike was in 1992. That strike lasted two days before Congress intervened. An extended rail shutdown has not happened for a century, partly because a law passed in 1926 that governs rail negotiations made it much harder for workers to strike.

Here are some of the expected impacts of a rail strike:

$2 BILLION A DAY

Railroads haul about 40% of the nation's freight each year. The railroads estimated that a rail strike would cost the economy $2 billion a day in a report issued earlier this fall. Another recent report put together by a chemical industry trade group projected that if a strike drags on for a month some 700,000 jobs would be lost as manufacturers who rely on railroads shut down, prices of nearly everything increase even more and the economy is potentially thrust into a recession.

And although some businesses would try to shift shipments over to trucks, there aren't nearly enough of them available. The Association of American Railroads trade group estimated that 467,000 additional trucks a day would be needed to handle everything railroads deliver.

CHEMICALS RUN DRY

Chemical manufacturers and refineries will be some of the first businesses affected, because railroads will stop shipping hazardous chemicals about a week before the strike deadline to ensure that no tank cars filled with dangerous liquids wind up stranded.

Jeff Sloan with the American Chemistry Council trade group said chemical plants could be close to shutting down by the time a rail strike actually begins because of that.

That means the chlorine that water treatment plants rely on to purify water, which they might only have about a week's supply of on hand, would become hard to get. It would be hard for manufacturers to make anything out of plastic without the chemicals that are part of the formula. Consumers will also pay more for gasoline if refineries shut down, either because they can't get the ingredients they need to make fuel or because railroads aren't available to haul away byproducts like sulfur.

Chemical plants also produce carbon dioxide as a byproduct, so the supply of carbon dioxide that beverage makers use to carbonate soda and beer would also be restricted, even though the gas typically moves via pipelines.

PASSENGER PROBLEMS

Roughly half of all commuter rail systems rely at least in part on tracks that are owned by freight railroads, and nearly all of Amtrak's long-distance trains run over the freight network.

Back in September, Amtrak canceled all of its long-distance trains days ahead of the strike deadline to ensure passengers wouldn't be left stranded in remote parts of the country while still en route to their destination.

And major commuter rail services in Chicago, Minneapolis, Maryland and Washington state all warned then that some of their operations would be suspended in the event of a rail strike.

FOOD FEARS

It would take about a week for customers to notice shortages of things like cereal, peanut butter and beer at the grocery store, said Tom Madrecki, vice president of supply chain for the Consumer Brands Association.

About 30% of all packaged food in the U.S. is moved by rail, he said. That percentage is much higher for denser, heavier items like cans of soup.

Some products, like cereal, cooking oils and beer, have entire operations built around rail deliveries of raw ingredients like grain, barley and peanuts, along with shipments of finished products.

Those companies typically keep only two to four days' worth of raw ingredients on hand because it's expensive to store them, Madrecki said, and grocers also keep a limited supply of products on hand.

Madrecki said big food companies don't like to discuss the threat of a rail strike because of worries about product shortages can lead to panic buying.

HUNGRY HERDS

Any disruption in rail service could threaten the health of chickens and pigs, which depend on trains to deliver their feed, and contribute to higher meat prices.

''Our members rely on about 27 million bushels of corn and 11 million bushels of soybean meal every week to feed their chickens. Much of that is moved by rail,'' said Tom Super, a spokesman for the National Chicken Council, a trade group for the industry raising chickens for meat.

The National Grain and Feed Association said a rail strike now would hit pork and chicken producers in the southern U.S. hardest, because their local supply of corn and soybeans from this year's harvest is likely exhausted and they'd have to ship feed by truck, dramatically increasing costs.

''They only have so much storage. They can't go without rail service for too long before they'd have to shut down the feed mills and they run into problems,'' said Max Fisher, the NGFA's chief economist.

RETAIL RISKS

Jess Dankert, the vice president for supply chain at the Retail Industry Leaders Association, said retailers' inventory is largely in place for the holidays. But the industry is developing contingency plans.

''We don't see, you know, canceling Christmas and that kind of narrative,'' Dankert said. ''But I think we will see the generalized disruption of really anything that moves by rail.''

David Garfield, a managing director with the consulting firm AlixPartners, said a rail strike could still impact holiday items shipped to stores later in December, and would definitely hamper stocking of next season's goods.

Retailers are also concerned about online orders. Shippers like FedEx and UPS use rail cars that hold roughly 2,000 packages in each car.

AUTOMOBILE ANGST

Drivers are already paying record prices and often waiting months for new vehicles because of the production problems in the auto industry related to the shortage of computer chips in recent years.

That would only get worse if there is a rail strike, because roughly 75% of all new vehicles begin their journey from factories to dealerships on the railroad. Trains deliver some 2,000 carloads a day filled with vehicles.

And automakers may have a hard time keeping their plants running during a strike because some larger parts and raw materials are transported by rail.

Mr. McGOVERN. Madam Speaker, a railroad shutdown would cost the economy $2 billion and would wreak havoc on so many fundamental goods and services Americans rely on.

Chemicals that purify water and provide safe drinking water across the country will become scarce. Gas prices will go up. Commuter rails that carry tens of thousands of people to work each day would no longer run.

There will be shortages of nearly every kind of food in our grocery stores, as well as shortages of all kinds of products in retail stores. Packages and online orders will come to a halt just before the holidays.

So, there is no question that something needs to be done to avert the shutdown, but we have to do something that is actually respectful of the workers.

I include in the RECORD an article from The Guardian titled: ''U.S. railroad workers prepare for strike as rail companies see record profits.''

[From the Guardian, Sep. 14, 2022]

US RAILROAD WORKERS PREPARE FOR STRIKE AS RAIL COMPANIES SEE RECORD PROFITS

(By Michael Sainato)

US freight railroad workers are close to striking over claims that grueling schedules and poor working conditions have been driving employees out of the industry over the past several years.

Heated negotiations over a new union contract between railroad corporations and 150,000-member-strong labor unions have been ongoing for nearly three years. A ''cooling off'' period imposed by the Biden administration after it issued recommendations to settle the dispute ends on Friday. If no deal is reached, unions are threatening industrial action—the first since 1992—and workers say they will quit an industry already facing staff shortages.

The consequences of a strike would be severe. Rail moves close to 40% of the US's long-distance trade and a strike could cost the US economy $2bn a day, according to a recently issued Association of American Railroads report, disrupting travel, commutes and the shipment of commodities and other goods across the country.

But workers argue the industry is in crisis. Between November 2018 and December 2020, the railroad industry lost 40,000 jobs in the US, according to data from the Bureau of Labor Statistics. The US railroad industry's workforce dropped from more than 1 million workers in the 1950s to fewer than 150,000 in 2022.

The cost-cutting has contributed to big windfalls at BNSF and Union Pacific, the two largest railroad corporations in North America, which reported record profits in 2021. BNSF is owned by billionaire investor Warren Buffett's Berkshire Hathaway conglomerate. US railroads have paid out $196bn in stock buybacks and dividends to shareholders since 2010.

''The job is just really becoming fewer people doing more work faster,'' said Ross Grooters, a locomotive engineer for Union Pacific in Iowa and co-chair of Railroad Workers United. ''We've seen in this country all workers getting more and more squeezed.''

''These railroads are making billions of dollars. In the past, we've been well compensated for being on call 24/7, 365 days a year. That's been eroded over the course of my career in the last two decades to where it's just not appealing enough to attract people into the workplace,'' said Grooters.

Labor cuts, lack of paid days off, precision scheduling systems to reduce headcounts, disciplinary attendance policies that issue points against workers for any time taken off and unfair and punishing on-call schedules have made it more difficult to continue working in the railroad industry, said Grooters, and workers claim these issues aren't being addressed in proposed new union contract agreements.

''When I first was hired out on the railroad my paychecks seemed to stretch a lot further than it does today. I don't think that's a unique experience for railroad workers. We really need to stop that trend. And hopefully, we railroad workers can help fight back against profiteering from the richest people in this country,'' said Grooters.

With talks stalling, the Biden administration convened a presidential emergency board (PEB) earlier this year that issued recommendations for a settlement on 16 August.

Ten of the 12 labor unions currently negotiating new contracts have reached tentative agreements for workers to vote on, but the Brotherhood of Locomotive Engineers and Trainmen (BLET) and the International Association of Sheet Metal, Air, Rail and Transportation Workers (Smart), which represent half of railroad union workers, have said workers will strike if attendance and scheduling issues aren't resolved.

Workers still have to vote on the tentative agreements reached so far, and some have expressed criticisms that the recommendations don't adequately address staffing and scheduling issues.

''The PEB punted on just about every single issue, and left people feeling kind of betrayed and kind of vacant, because of the discontent on the railroad right now,'' said Ron Kaminkow, general secretary of Railroad Workers United who currently works as an Amtrak engineer in Reno, Nevada, and serves as vice-president of BLET Local 51.

Kaminkow said many railroad workers don't have any paid time off at all, with the PEB recommending just one added day of paid time off. Workers are currently on call consistently throughout the year, making a life-work balance near impossible and contributing to fatigue issues, illnesses, job safety and discontent among the workforce.

''It's our speculation that if this contract is approved and the PEB recommendations form the basis for a tentative agreement, and this is what we end up with, you will probably see thousands of workers in train engine service who will wait to get the best paid lump sum settlement and then they'll quit. So it doesn't solve any of the problems that the industry is facing,'' Kaminkow added. ''I've worked in the industry 26 years, and it's—I never thought I'd see it like this.''

BLET members voted 99.5% in favor of authorizing a strike in July 2022, representing around 23,000 workers under the new contract negotiations.

BLET and Smart issued a joint statement on 11 September criticizing railroad corporations for warning shippers of embargoes on certain shipments ahead of the end of the federally mandated cooling off period, claiming the railroad industry is using supply chain and economic concerns to try to impose a bad contract on the unions that doesn't address the attendance and scheduling concerns of workers.

A survey conducted by Railroad Workers United on the PEB recommendations received responses from 3,162 railroad workers, with over 90% of respondents saying they would vote against tentative agreements based on the recommendations and would approve of a strike after the federally mandated cooling off period.

Railroad workers have emphasized their grueling schedules, a disciplinary attendance system and lack of paid days off, and workers constantly having to be on call to report to work within two hours or less as major points of criticism of the PEB recommendations that failed to address these issues.

Under the Railway Labor Act, railroad corporations and labor unions have to adhere to federally mandated cooling off periods to try to resolve labor disputes. Once the cooling off period ends, on 16 September, a variety of scenarios could result, either through strikes or lockouts of workers by railroad corporations—or Congress could act to impose its own settlement or extend the cooling off period to continue negotiations and avoid any disruptions to interstate commerce.

''If Congress imposes the results of the PEB, or imposes a bad contract down our throat without addressing the attendance policy, or quality of life issues, or our taxable meal issues, without addressing any of that, then people are just going to leave. They already are, but people are just going to continue leaving the industry,'' said Michael Paul Lindsey, a locomotive engineer for Union Pacific in Idaho for 17 years.

''They can try to force us out of a strike, but they can't force us to not quit, and that

could result in an even bigger effect on the economy. Congress needs to think long and hard before they force it within the strike, because if they do, it will have a much bigger strike as people resign and leave the industry,'' he said.

Mr. MCGOVERN. Madam Speaker, our railroad workers work tirelessly to keep our country running. They face grueling schedules with next to no vacation days and no paid medical leave if they get sick or injured. They are made to endure greater safety risks as the industry pushes to reduce crew sizes.

Simply put, these workers are overworked, understaffed, and underpaid, and they have been operating without a contract for more than 2 years. So, H.J. Res. 100 and H. Con. Res. 119 together provide these workers with the rights they both need and the rights that they deserve.

Madam Speaker, I include in the RECORD an AP article titled: ''Pelosi, dominant figure for the ages, leaves lasting imprint.''

[From AP News, Nov. 18, 2022]

PELOSI, DOMINANT FIGURE FOR THE AGES, LEAVES LASTING IMPRINT

(By Calvin Woodward and Nancy Benac)

WASHINGTON (AP).—There are two searing scenes of Nancy Pelosi confronting the violent extremism that spilled into the open late in her storied political career. In one, she's uncharacteristically shaken in a TV interview as she recounts the brutal attack on her husband.

In the other, the House speaker rips open a package of beef jerky with her teeth during the Jan. 6, 2021, Capitol insurrection, while on the phone with Mike Pence, firmly instructing the Republican vice president how to stay safe from the mob that came for them both. ''Don't let anybody know where you are,'' she said.

That Pelosi, composed and in command at a time of chaos, tart but parochial-school proper at every turn, is the one whom lawmakers have obeyed, tangled with, respected and feared for two decades.

She is the most powerful woman in American politics and one of the nation's most consequential legislative leaders—through times of war, financial turmoil, a pandemic and an assault on democracy.

Now, at 82, in the face of political loss and personal trauma, she decided her era was ending.

Pelosi stood in the well of a rapt House on Thursday and announced she would not seek a Democratic leadership position in the Congress that convenes in January, when Republicans take control of the chamber. Pelosi, who will remain a member of the House, took her time revealing the news, looking back over an improbable career and recalling her first visit to the Capitol at age 6 with her congressman father.

''Neverwould I have thought that I would go from homemaker to House speaker,'' she allowed. On her future, she told reporters: ''I like to dance, I like to sing. There's a life out there, right?''

Polarizing and combative, Pelosi nevertheless forged compromises with Republicans on historic legislation.

Across the policy spectrum, whether you liked the results or not, she delivered votes that touched ordinary lives in many ways. Among them: how millions get health care, the state of the roads, the lightened burden of student debt, the minimum wage, progress on climate change that took over a decade to bear fruit.

Even former Republican Speaker Newt Gingrich, a self-described ''partisan conservative who thinks that most of her positions are insane,'' said Pelosi had a ''remarkable'' run. This, from a fellow ''troublemaker with a gavel,'' as she called herself. He flamed out; she didn't.

''Totally dominant,'' Gingrich said of her in an interview. ''She's clearly one of the strongest speakers in history. She has shown enormous perseverance and discipline.''

Those qualities are essential if you don't want to be run out of town, as was a succession of modern Republican speakers, back to Gingrich. It's one thing to herd sheep. It's another thing altogether to herd Democrats and all their messy factions.

Pelosi dealt with conservative Blue Dog Democrats, the liberal women of the Squad, the Out of Iraq Caucus—not to mention old-guard legislators who treated their committees like fiefdoms.

Many of the above, at one point or another, earned her look of icy disapproval, well practiced and not always reserved just for the other side.

''Politics is tough,'' she said in 2015, ''but intraparty? Oh, brother.''

Squad member Ilhan Omar of Minnesota, not always Pelosi's biggest fan, spoke Thursday of how Pelosi had ''served as a beacon of hope'' to her and her family when they migrated from Somalia.

Omar, at times the subject of ''send her back'' chants during Donald Trump's rallies, recalled that Pelosi had invited her to join her on a 2019 trip to Africa ''to represent how far we have come as a country.''

Princeton political scientist Frances Lee said there's no doubt Pelosi was a ''truly great legislative leader, among a handful truly in command. She's really had her party in the House of Representatives in hand. The difficulty of managing them should not be underrated. It didn't always look pretty but she held the party together.''

Pelosi prevailed—for nearly 20 years as House Democratic leader including nearly eight as speaker in two separate stints—with hard-nosed sentiments like these:

''Whoever votes against the speaker will pay a price.''—to Democrats who resisted her push for a select committee on climate change early in her speakership.

''Nobody's walking out of here saying anything, if they want to keep an intact neck.''—to negotiators trying to work out a 2007 House-Senate compromise to restrain pork, according to the notes of John A. Lawrence, her then-chief of staff and author of a new insider book on her speakership, ''Arc of Power.''

Sometimes, she could snap her lawmakers into line without a word.

A flick of her hand was all it took to silence Democrats who cheered when the House first passed articles of impeachment against Trump. It was an occasion for sobriety and Pelosi was a stickler for institutional decorum. But not always.

She ripped up her copy of Trump's 2020 State of the Union speech, on the dais behind him, on camera. The theatrical protest at one of American democracy's prime rituals raised questions about whether Pelosi, in that moment, had become what she despised in Trump.

Afterward, she said she had extended her ''hand of friendship'' to him when he arrived but he did not take it. ''He looked a little sedated,'' she added. As she read quickly through her copy of the speech while Trump delivered it, she stewed over the lines and decided to take action.

''He has shredded the truth in his speech, shredded the Constitution in his conduct—I shredded the address,'' she said crisply. ''Thank you all very much.''

THE VILLAINIZATION

In 2007, Republican President George W. Bush opened his speech as the ''first president to begin his State of the Union with these words: Madam Speaker.'' He grinned, she beamed, an ovation followed.

Although she maintained a genial relationship with the Bush family—especially the elder George Bush—Republican campaigns seized on her as the perfect foil early on and never let go. She was pilloried as ''Darth Nancy'' in the 2006 campaign and the villainization got much uglier, complete with gun imagery, as the years passed and politics became more toxic.

''She was, she is, the personification of the San Francisco liberal,'' Lawrence said in an interview. ''It was made to order for them.''

But ''with her there was a viciousness. The fact that she fit that bill so perfectly—a smart, attractive, effective woman . . . they knew they could caricature and stigmatize things about her, her appearance and style, in a way that was a very effective dog whistle of misogyny.''

Republicans often did it simply to raise money, and it worked. Then they used her in ads to attack Democratic congressional candidates. Some of those worked, too,

At least publicly, she would never attribute the attacks to the fact she's a woman, Lawrence said. ''She would say, 'They did it because I'm effective.''' Then ''pretend to flick dust'' off her immaculate jacket.

''Darth Nancy'' was a quaint, faraway insult by the time the pro-Trump mob came looking for her that Jan. 6. Their sign at the Capitol said ''Pelosi is Satan.''

Rifling through her desk in the abandoned speaker's office, they found a pair of boxing gloves.

Pink ones.

THE DO-LOTS CONGRESS

Over the years, Pelosi honed the art of aiming high, then disappointing one faction of her party or another without losing her core of support. Rare is the major achievement that was as far left as the party's left wing wanted it to be.

But many are the major achievements. She settled for an ''Obamacare'' bill that did not give everyone the option of government health insurance, but did, over time, fundamentally expand access to health care.

As financial institutions and large segments of the economy sank into the Great Recession, with the 2008 election looming, she settled for a Bush-era stimulus package that essentially bailed out Wall Street—when liberal Occupy Wall Street activists had very different ideas.

She delivered Democratic votes to help even some Trump initiatives get over the line, like early COVID–19 pandemic relief, before swinging behind President Joe Biden on some of the most far-reaching legislation since Lyndon Johnson's Great Society push in the 1960s.

And Bono, who worked with Pelosi over the years on combating AIDS, said in a statement to the AP after a performance Thursday night in Scotland: ''When the story of the end of AIDS is written, Nancy Pelosi's name will stand out in boldface.''

''I am honored to have learned so much from her grit and grace, and to call her a friend,'' he added.

For all the accolades, Pelosi crushed a multitude of toes along the way.

''Her instincts are to find a path and if you happen to be standing in the hole, she's going to treat you like a running back,'' said political scientist Cal Jillson at Southern Methodist University. ''If she can go through you, fine. If not, you're headed to the medicine tent.''

Some of the toes squashed by Pelosi belong to Jane Harman, a fellow Californian who long ran in the same circles as the speaker. She returned to Congress in 2001 after a two-year gap, armed with a written promise from Democratic leaders that she could reclaim her seniority and become chair of the sought-after Intelligence Committee if the party took control of the chamber.

When Democrats did so in 2007 and Pelosi became speaker, she bumped Harman from the committee, citing term limits that had not always been evenly applied. Harman believes the real reason was that Pelosi was under pressure from liberals not to give the job to someone who had supported the war in Iraq.

''I think, looking back, that she was under pressure from the left not to promote somebody who had voted for the war.''

Still, Harman, who left Congress in 2011 to lead the Wilson Center think tank, allows that Pelosi has ''a very good political radar and she has kept the caucus together.''

When Pelosi entered Congress in 1987, men chaired all the House committees and no women had led one since the 1970s, by the reckoning of House historians. In the 1970s, the most popular committee chair appointment for women in the House was to lead the Select Committee on the House Beauty Shop before that panel vanished at the end of that decade.

Under Pelosi, women took over more panels and gained weightier assignments while the speaker worked to advance authority for minorities in her ranks as well as their numbers.

''She led in a way that did set the stage for other women and open the doors for their potential,'' said Debbie Walsh, director of the Center for American Woman and Politics, at Rutgers University. ''Things have moved. And she is a big part of that.''

THE PELOSI CEILING

Because of the speaker's longevity, however, many other up-and-comers in the party besides Harman have discovered they could only rise so far before hitting the Pelosi ceiling. The top job simply hadn't been available.

Pelosi faced none of the questions about sharpness or stamina that dog Biden, 80 on Sunday. She still races around Congress, in high heels, at a pace that people half her age can find hard to match.

But even before the elections, concern had grown in the ranks about the crowd of older Democratic leaders from the same era still in charge. ''No brewing rebellion,'' said Lee at Princeton, but ''a sense that maybe it is time.''

Leon Panetta, former CIA and Defense chief and chief of staff to President Bill Clinton, had nothing but praise for Pelosi's leadership and skill but said she ''probably could have spent more time building a stronger bench in terms of leadership in the House and trying to make sure that others could follow in her path. That becomes a question mark now as to just exactly who's going to be able to replace her.''

Panetta met her in the 1980s when he was a congressman from California and she was getting started as a Democratic fund-raiser extraordinaire after her family had moved to that state. She had already learned lessons about transactional politics as the politically engaged daughter of Thomas J. D'Alesandro Jr., a three-term Baltimore mayor and five-term member of Congress from Maryland.

Her prowess in persuading people to open their wallets on behalf of Democratic candidates was one of the keys to her success. Harman calls those dollars crucial to the ''big tent'' that Pelosi erected for her caucus and to her ability to hold sway over it—''a $1.25 billion tent.''

Michigan Rep. Fred Upton, a Republican who was in the same freshman class with Pelosi and is retiring from Congress, said of her: ''This is why the Democrats had more money than God. She was magic, and I don't think she lost a vote.''

Gingrich tacks on other elements of her power: ''Her fund raising, her ability to inspire intense loyalty, her willingness to punish people who don't do what she wants.''

''As a professional, you have to have great respect for her ability to acquire and wield power and her ability to build what was an effective machine,'' he said.

Senate Republican leader Mitch McConnell said in a statement that despite their many disagreements, ''I have seen firsthand the depth and intensity of her commitment to public service. There is no question that the impact of Speaker Pelosi's consequential and path-breaking career will long endure.''

In Pelosi's reign, nothing was left to chance—even her clothing was curated to send a message: She paired a black dress worn during the Trump impeachments with a gold pin depicting the mace of the House, a symbol of her power. When she swooshed out the doors of the White House after one particularly pointed encounter with Trump, her sunglasses and burnt-orange winter coat were quickly the stuff of social media memes.

On Thursday, for the big reveal of her plans, Pelosi wore suffragette white and her mace brooch.

Pelosi told reporters the attack on her husband, Paul, also 82, last month made her inclined to stay in leadership, so as not to give extremists the satisfaction of seeing her leave. She might have hung in, she indicated, if Democrats had won a majority.

The attacker, who police say had come looking for the speaker, fractured her husband's skull with a hammer. Pelosi said she is working through ''survivor's guilt.''

Could there be a third-generation Pelosi headed to Congress after the speaker and her father? It's long been thought that Nancy's daughter, Christine, would be at the front of the line for the congressional seat whenever Pelosi decided to retire.

In her time, Pelosi went beyond domestic politics to stake a claim to congressional influence in foreign policy on behalf of the House as an institution, pointing her gavel outward in a way speakers had rarely done.

Well beyond her annual Mother's Day visits to women in combat overseas, Pelosi traveled to foreign leaders with a mission to project U.S. stability, particularly during the unpredictable Trump years but also before and after.

She traveled secretly to Kiev early in the Russia-Ukraine war and caused some grief in the Biden administration with her diplomatically dicey visit to Taiwan this year.

Pelosi had a history of standing up to China. In her first foreign trip after being elected to Congress in 1987, she joined other U.S. lawmakers in 1991 in unfurling a banner at Tiananmen Square after Chinese authorities crushed prodemocracy demonstrations there in 1989. Her recent Taiwan visit was another slap at Beijing.

For all her clout in government, Pelosi was an unpopular figure in the country overall. In a Pew Research Center poll conducted in late June and early July, only about a third of respondents had a favorable opinion of Pelosi, while 6 in 10 were unfavorable toward her.

Most Democrats and Democratic leaners—about 6 in 10—were thumbs up about her, though she lagged Biden and Vice President Kamala Harris, both rated favorably by three-quarters of Democrats. About 9 in 10 Republicans viewed her unfavorably.

Through it all, she went at practically everything as if it had a best-before date. After all, she would say, ''Power is perishable.'' Washington is ''the perishable city.''

Mr. MCGOVERN. Madam Speaker, Speaker PELOSI's election was a historic moment for the women of this country, a moment for which they had been waiting for over 200 years.

When she took the gavel, Speaker PELOSI noted: ''Never losing faith, we waited through the many years of struggle to achieve our rights. But women weren't just waiting; women were working. Never losing faith, we worked to redeem the promise of America, that all men and women are created equal.''

I am so proud of the example that Speaker PELOSI has set for young women across the country, young women like my daughter, Molly, who looks up to her as a role model.

Naming the caucus room in the Cannon House Office Building after Speaker NANCY PELOSI will serve as a reminder to all of our daughters and granddaughters that the sky is the limit and that no position in this democracy is out of reach for anyone who works hard and dreams big.

Madam Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Madam Speaker, I yield myself such time as I may consume. As I said, it is refreshing that we are looking at truly bipartisan legislation today, and I am glad to see that we are taking up important issues that affect so many people across the country. However, because the rule provides no real opportunity to improve or amend the underlying bills and has morphed into the Christmas tree of last-minute additions, I must oppose the rule, and I ask Members to do the same.

Madam Speaker, I yield back the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, most of these bills that are included in this rule should have passed on suspension. Unfortunately, many of my friends on the other side of the aisle have turned the Republican Party into the party of no: no plans, no ideas, just blame—blame Biden, blame the Democrats, blame everybody else.

I mean, look at the bills that we are considering here. These should have all been suspension bills, and why aren't they? I don't know. You have to ask my Republican friends.

H.R. 3372, H.R. 6878, and H.R. 8876 all passed out of committee with an overwhelming majority of votes from both Democrats and Republicans. They are noncontroversial. They are bipartisan solutions to fix issues Americans across the country experience every day.

Similarly, H.J. Res. 100 and H. Con. Res. 119 will deliver a historic victory on securing critical rights for railroad workers while also helping us avoid a catastrophic shutdown.

The gentlewoman talks about a Christmas tree. We had to include in this rule a provision allowing us to hold a ceremony in the rotunda honoring Capitol Police for their heroism on January 6. We couldn't even get the Republicans to agree to unanimous consent to honor the Capitol Police in the rotunda.

That is why it is in this rule. It is awful. I mean, they talk about how they support the police. We can't even get them to honor the police in this Capitol who protected our lives on January 6. So, it is included in this rule because we couldn't get unanimous consent from the other side of the aisle.

I remember when we used to be able to pass bipartisan bills like this without coming to the floor with a rule.

Look, by a margin of just over 3,000 votes in the five closest seats, you are going to be in the majority in January. I hope all of you figure out what you are doing before then because I haven't seen anything to date that shows that that party is serious about putting people over politics and actually legislating. I think today is kind of an example of that, why we have had to include these noncontroversial items in a rule.

Madam Speaker, I urge all of my colleagues to vote ''yes'' on this rule, ''yes'' on the previous question, and ''yes'' on the underlying legislation.

Ms. JACKSON LEE. Madam Speaker, I rise in strong support of H. Res 1499, the rule for consideration of H.J. Res. 100 and H. Con. Res. 119, two resolutions that would address unresolved disputes between certain railroads and their employees (as well as three other bills on other matters).

The resolutions before us today would avert a debilitating catastrophic rail strike on December 9th. The two resolutions are the result of the Biden Administration's negotiations with railroad companies and railroad worker unions to craft an agreement that would treat rail employees fairly in light of longstanding workforce issues.

President Biden has called upon Congress to pass this legislation in accordance with our authority under the Interstate Commerce Clause to ensure the uninterrupted operation of our nation's critical transportation systems that impact every American and our entire economy.

Congress has the responsibility to prevent a disruption of rail service that would cripple our economy and impose severe hardships on every American that would have a very tangible effect, especially as we head into the holiday season.

H.J. Res. 100 would adopt the Tentative Agreement that was reached in September between railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and the railroad workers represented by twelve unions and related organizations.

The key provisions of the Tentative Agreement that makes great strides toward protecting the rights and advancing the basic needs of rail employees for the next 2 years include:

a 24 percent pay raise and a $5,000 bonus;

no changes in copays, deductibles or coinsurance costs for health care services; and

some allowance of time off for routine, preventative and emergency medical care.

These are very substantial advances that justify our support of this resolution, both because they improve conditions for rail employees and because passage of this resolution is absolutely essential to avert a strike and disruption of rail service that would be catastrophic for our entire country.

However, the progress made by negotiations is not enough. It does not sufficiently safeguard rail workers' rights and dignity in ways that are recognized as essential in America.

It is absolutely essential that workers be given seven days annually of paid time off when they are sick.

I applaud the four rail worker unions that have objected to the Tentative Agreement because of its failure to provide seven days of paid time off for sick leave.

That is why this rule also allows for consideration of H. Con. Res. 119 that would supplement the Tentative Agreement by directing the railroads and the unions to negotiate within 30 days a means to provide seven days of paid time off annually for sick leave without any adverse impact on a worker's employment status.

Seven days of paid time off annually when a rail worker becomes sick is essential for a number of reasons.

First, it is the right thing to do, as it is morally repugnant that rail employees are expected to be immune to sickness and should be economically hampered when they become ill.

Second, because railroads have decreased their workforce by almost one-third in recent years compared to previous levels, the workplace demands on rail workers have increased. That increased work precipitates sickness. It is unconscionable and illogical for railroads to elevate their employees' health risks, and then fail to stand by them when they get sick.

Third, railroads have been raking in extraordinary profits in recent years, in part by reducing their workforce and placing higher burdens on their remaining employees. As a result, the railroads cannot claim that they are unable to financially afford seven days of paid time off annually for their employees who enable the companies to be so profitable.

Paid sick leave for employees is a bare necessity, which I believe should be extended to paid time off for family medical leave, such as when a rail worker needs to care for their sick child or take them to a doctor. I will continue to fight for employees to gain this basic benefit, even though that effort will have to be resumed at another time.

Paid time off for sick leave is a top priority for rail workers, especially because their jobs expose them to risks that can manifest in health problems. It also carries an additional consequence, as paid time off requires railroads to be more flexible in establishing work schedules that are responsive to employees' health and family needs.

It is ironic that railroads resist providing flexibility to their workers' schedule needs while, at the same time, those railroads routinely plead for the public's patience and understanding when it comes to the railroads' schedules of transport and delivery.

My Congressional District in Houston is regularly affected by railroad delays that impair mobility, timeliness, and delivery of materials in Houston. The problem is so pervasive that the railroads have gained a reputation in Houston and Harris County for their constant delays.

The railroads' resistance to provide essential protections for their employees is, unfortunately, emblematic of their prioritization of their own interests over the public interest.

The railroads repeatedly demonstrate this, for example, in my Congressional District, by their lassitude in cleaning up the toxic contamination and Superfund consequences imposed by creosote.

This is a long-festering problem for which I have been advocating resolution for years. But even so, the creosote problem in Houston continues, and the railroads still have not taken sufficient action to remediate the problem.

Madam Speaker, it is imperative that we pass this rule and the two resolutions addressing the needs of railroad employees that it allows to be brought to the floor today.

If we do not pass these resolutions, rail service will be interrupted nationwide, causing severe hardships to families and all aspects of the American economy. The effects of a stoppage in service would include:

as many as 765,000 workers, including many union members, would lose their jobs in just the first two weeks of a strike;

millions of families wouldn't be able to get groceries, medications, and other goods;

many communities wouldn't be able to acquire the essential materials to keep their water supply clean; businesses wouldn't be able to get their products to market; and perishable goods would spoil before reaching consumers.

Madam Speaker, in light of the harsh consequences that our country would suffer if we do not pass these two resolutions, I strongly support passage of both resolutions and urge all of my colleagues to join me in voting to pass them.

Mr. MCGOVERN. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. FISCHBACH. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 216, nays 202, not voting 13, as follows:

[Roll No. 489]

YEAS—216

Adams	Blumenauer	Bustos
Aguilar	Blunt Rochester	Butterfield
Allred	Bonamici	Carbajal
Auchincloss	Bourdeaux	Cárdenas
Axne	Bowman	Carson
Barragán	Boyle, Brendan F.	Carter (LA)
Bass	Brown (MD)	Cartwright
Beatty	Brown (OH)	Case
Bera	Brownley	Casten
Beyer	Bush	Castor (FL)
Bishop (GA)		Castro (TX)

Cherfilus-McCormick
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Peltola
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (NY)
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—202

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Conway
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Flood
Flores
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gimenez
Gohmert
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Harris
Harshbarger
Hartzler
Hern
Herrell
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kustoff
LaMalfa
Lamborn
Latta
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Obernolte
Owens
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sempolinski
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zeldin

NOT VOTING—13

Bergman
Diaz-Balart
Fallon
Gibbs
Green (TN)
Herrera Beutler
Kinzinger
LaHood
Langevin
LaTurner
Lowenthal
McKinley
Palazzo

□ 1022

Ms. WASSERMAN SCHULTZ changed her vote from ''nay'' to ''yea.''

Ms. GRANGER changed her vote from ''present'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LANGEVIN. Madam Speaker, I was unavoidably detained on roll call vote #489. Had I been present, I would have voted "yea."

Stated against:

Mr. BERGMAN. Madam Speaker, please accept this personal explanation as I was unexpectedly detained during vote proceedings. Had I been present, I would have voted "nay" on rollcall number 489.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Axne (Wild)
Bass (Cicilline)
Brooks (Moore (AL))
Brown (MD) (Evans)
Cárdenas (Correa)
Clyburn (Butterfield)
Conway (Valadao)
Craig (Stevens)
DeFazio (Pallone)
DeSaulnier (Beyer)
Doyle, Michael F. (Pallone)
Gaetz (Bishop (NC))
Garbarino (Miller-Meeks)
Gonzalez, Vicente (Correa)
Gooden (TX) (Miller-Meeks)
Gosar (Weber (TX))
Johnson (GA) (Pallone)
Johnson (TX) (Pallone)
Keating (Neguse)
Kind (Schneider)
Kirkpatrick (Pallone)
Lawson (FL) (Evans)
Long (Fleischmann)
Luria (Wexton)
Newman (Correa)
O'Halleran (Stanton)
Pressley (Neguse)
Roybal-Allard (Correa)
Rush (Beyer)
Ryan (OH) (Correa)
Simpson (Fulcher)
Sires (Pallone)
Strickland (Butterfield)
Swalwell (Correa)
Titus (Pallone)
Van Drew (Reschenthaler)
Welch (Pallone)
Williams (GA) (McBath)

DESIGNATING THE CAUCUS ROOM IN THE CANNON HOUSE OFFICE BUILDING AS THE ''SPEAKER NANCY PELOSI CAUCUS ROOM''

The SPEAKER pro tempore. Pursuant to House Resolution 1499, H. Res. 1495 is considered as adopted.

The text of the resolution is as follows:

H. RES. 1495

Resolved, That the caucus room in the Cannon House Office Building (room 390) is designated as the ''Speaker Nancy Pelosi Caucus Room''.

AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL FOR A CEREMONY TO PRESENT CONGRESSIONAL GOLD MEDALS TO THE UNITED STATES CAPITOL POLICE AND OTHERS WHO PROTECTED THE CAPITOL ON JANUARY 6, 2021

The SPEAKER pro tempore. Pursuant to House Resolution 1499, H. Con. Res. 118 is considered as adopted.

The text of the concurrent resolution is as follows:

H. CON. RES. 118

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF ROTUNDA FOR CEREMONY TO PRESENT CONGRESSIONAL GOLD MEDALS TO UNITED STATES CAPITOL POLICE AND OTHERS WHO PROTECTED THE CAPITOL ON JANUARY 6, 2021.

The rotunda of the Capitol is authorized to be used on December 6, 2022, for a ceremony to present Congressional Gold Medals to the United States Capitol Police and others who protected the Capitol on January 6, 2021. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2930. An act to enhance protections of Native American tangible cultural heritage, and for other purposes.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 5796. An act to amend title 35, United States Code, to establish a competition to award certificates that can be redeemed to accelerate certain matters at the Patent and Trademark Office, and for other purposes.

H.R. 8404. An act to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes.

PROVIDING FOR A RESOLUTION WITH RESPECT TO THE UNRESOLVED DISPUTES BETWEEN CERTAIN RAILROADS REPRESENTED BY THE NATIONAL CARRIERS' CONFERENCE COMMITTEE OF THE NATIONAL RAILWAY LABOR CONFERENCE AND CERTAIN OF THEIR EMPLOYEES

Mr. PAYNE. Madam Speaker, pursuant to House Resolution 1499, I call up the joint resolution (H.J. Res. 100) to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 1499, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 100

Whereas the unresolved labor disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and their employees represented by certain labor organizations threaten essential transportation services of the United States;

Whereas it is in the national interest, including the national health and defense, that essential transportation services be maintained;

Whereas the President, pursuant to the provisions of section 10 of the Railway Labor Act (45 U.S.C. 160), by Executive Order No. 14077 of July 15, 2022, created Presidential Emergency Board No. 250 to investigate the disputes and report findings;

Whereas the recommendations of Presidential Emergency Board No. 250 issued on August 16, 2022, formed the basis for tentative agreements between all of the parties to the disputes;

Whereas some, but not all, of the tentative agreements have been ratified by the union memberships in final resolution of certain of the disputes between the parties;

Whereas unresolved disputes remain between the parties whose tentative agreements were not ratified by the union memberships;

Whereas the recommendations of Presidential Emergency Board No. 250 issued on August 16, 2022, have not resulted in a final resolution of all the disputes;

Whereas all the procedures provided under the Railway Labor Act (45 U.S.C. 151 et seq.), and further procedures agreed to by the parties, have been exhausted and have not resulted in a final resolution of all the disputes;

Whereas it is desirable that all such disputes be resolved in a manner which encourages solutions reached through collective bargaining;

Whereas Congress, under the Commerce Clause of the Constitution, has the authority and responsibility to ensure the uninterrupted operation of essential transportation services;

Whereas Congress finds that emergency measures are essential to national security and continuity of transportation services by such railroads; and

Whereas Congress has in the past enacted legislation for such purposes: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONDITIONS FOR RESOLVING DISPUTES.

(a) IN GENERAL.—Consistent with the purposes of the Railway Labor Act (45 U.S.C. 151 et seq.) to avoid any labor dispute that threatens substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service, the most recent tentative agreements, side letters, and local carrier agreements entered into by the covered parties that have not been ratified before the date of enactment of this joint resolution (including tentative agreements, side letters, and local carrier agreements that have failed ratification) shall be binding on such covered parties to such unresolved disputes, and shall have the same effect as though arrived at by agreement of such covered parties under the Railway Labor Act (45 U.S.C. 151 et seq.).

(b) COVERED PARTIES.—In this section, the term ''covered parties'' means the parties to the unresolved disputes subject to Presidential Emergency Board No. 250, established pursuant to Executive Order 14077 of July 15, 2022 (87 Fed. Reg. 43203; relating to establishing an emergency board to investigate disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and their employees represented by certain labor organizations) and the provisions of section 10 of the Railway Labor Act (45 U.S.C. 160).

SEC. 2. MUTUAL AGREEMENT.

Nothing in this joint resolution shall prevent any mutual written agreement by the parties to implement the terms and conditions established by this joint resolution, or prevent a mutual written agreement to any terms and conditions different from those established by this joint resolution.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees.

The gentleman from New Jersey (Mr. PAYNE) and the gentleman from Missouri (Mr. GRAVES) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. PAYNE).

GENERAL LEAVE

Mr. PAYNE. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 100.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House of Representatives.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding, and I thank him for his leadership on a very important subcommittee of the Transportation and Infrastructure Committee, the Railroads, Pipelines, and Hazardous Materials Subcommittee, which is the subcommittee of jurisdiction for the legislation that we are considering today.

Madam Speaker, I thank the chairman of the full committee, Chairman PETER DEFAZIO of the Transportation and Infrastructure Committee, for his outstanding leadership for over 30 years in the Congress of the United States. He has been a champion for America's working families. He has been a person about the future. We have been blessed by his leadership.

I commend Chairman JIM MCGOVERN of the Rules Committee for steering this urgent and necessary legislation to the floor in such an expeditious and effective manner.

Madam Speaker, under President Joe Biden, we have had the most pro-union administration in history. Indeed, he chose a Labor Secretary in Secretary Marty Walsh who has deep personal roots in organized labor, joining the Laborers' Union 223 at age 21, eventually rising to serve as the head of the Boston Building Trades before he became mayor of Boston.

□ 1030

Together, the White House, the administration, and the Congress, we have proudly stood with working people. Under President Biden and our pro-union Democratic majority, we were able to protect pensions, promote the PRO Act for collective bargaining and create good-paying, Davis-Bacon jobs in the infrastructure bill and the CHIPS and science law and additional legislation, because we believe that the middle class is the backbone of our democracy, and we believe that the middle class has a union label on it.

Madam Speaker, today, we are here to safeguard the financial security of America's families; to protect the American economy as it continues to recover; and avert a devastating nationwide rail shutdown.

We all know that for too long the railroads have made obscene profits on the backs of workers. Selling out to Wall Street and its outrageous ''precision scheduled railroading,'' they have slashed jobs, increased hours, and cut corners on safety, while demanding more and more from the workers.

Rather than reinvesting their profits into the workers, over the past decade they have given $150 billion in handouts to their corporate executives and wealthiest investors. It is just not right.

That is why relentless labor leaders like Dennis Pierce and Jeremy Ferguson, whom I saw close up and watched them fight for their union members, among others—alongside our pro-union President Joe Biden and Labor Secretary Marty Walsh, as I referenced—fought furiously to negotiate a fairer deal for railroad workers.

Thanks to their months of determined leadership, the tentative agreement that was reached has secured important advances: A 24 percent pay raise and a $5,000 bonus; no changes in copays, deductibles, and coinsurance

costs; and protecting the two-man crew—protecting the two-man, very important.

But we know much more needs to be done for railroad workers. It is outrageous that every developed country in the world has paid sick leave except the United States of America.

No one should be at risk of losing his or her job by staying home when sick, needing to see a doctor, or getting life-saving surgery. So it is progress that the agreement provides some time off for routine, preventative, and emergency medical care.

But what we need is paid sick leave for railroad workers and for every American. I hear this every place I go, not just with the railroads. But these railroad workers, they are very skilled. Their work is challenging, has some danger. They need to have these very talented workers, and yet, they are willing to let them go if they miss a few days of work because of having to get a checkup or something.

Going to see a proctologist is not a reason why people would take a day off. They do that because they have to.

So today, the House will take two important actions. First, we will pass shutdown-averting legislation to adopt the tentative agreement, as negotiated by the railroad companies and labor leaders, and again, with the administration at the table.

Then we will have a separate, up-or-down vote to add 7 days of paid sick leave to the tentative agreement. It had always been our intention to do. We are doing it on the same day because of the end of session.

Doing so fulfills our authority and responsibility under the Commerce Clause of the Constitution: To ensure the uninterrupted operation of critical transportation services; that is our responsibility as we fight for a fairer future for our workers.

Let me be clear: A nationwide rail shutdown would be catastrophic. A shutdown would grind our economy to a halt, and every family would feel the strain. As many as 765,000 workers, including many union members, would lose their jobs in just the first 2 weeks.

Experts project it would cost the economy up to $2 billion a day and raise prices on consumer products. Families wouldn't be able to buy groceries or lifesaving medications because it would be even more expensive, and perishable goods would spoil before reaching shelves. That is why so many Members are saying we have got to avert a shutdown because we have got to get produce to market in our farm communities.

Communities wouldn't be able to get chlorine to keep their water safe and clean; and small businesses wouldn't be able to get their products to market, many of them, as I say, farmers.

Time is of the essence. We must act now.

I urge a strong, bipartisan ''yes'' vote on both adopting the tentative agreement and securing additional paid sick leave. In doing so, we will give our families and businesses confidence that the American economy will remain resilient and strong; and we move to enhance the dignity and the economic security of many hardworking Americans who keep our Nation on the move. Our Nation's hopes, really, are riding on this vote.

I urge a very strong ''yes'' on both bills and both votes.

Mr. GRAVES of Missouri. Madam Speaker, I yield myself such time as I may consume, and I thank the Speaker for the comments.

Today, we are here because of a failure by the Biden administration to prevent a rail labor strike, and it is unfortunate that we need Congress to act quickly to avoid, obviously, a catastrophic economic disaster or a consequence as a result of this.

Freight rail is extremely important in our Nation's economy and national security. Approximately 40 percent of all the long distance cargo is transported by rail.

In recognition of freight rail's economic importance, Congress enacted the Railway Labor Act. This legislation helps ensure the collective bargaining rights for rail workers. It created processes, including Congressional action, which we are doing, to ensure the prompt settlement of labor disputes that could interrupt interstate commerce and damage the economy.

When an agreement was not reached this past August, President Biden appointed a PEB—it is called a Presidential Emergency Board—and it recommended a very robust package of pay and benefits for railway workers: Salary increases of 24 percent started retroactively, by the way, in 2020, which goes through 2024.

There was generous, very generous, health benefits, with employee contributions capped at 15 percent of premiums; and an additional paid day off.

But it should be noted that the Biden administration's PEB recommendations did not agree with the unions' demands for additional paid or sick leave; and I am disappointed that the Democrats, in the eleventh hour, altered the items, these particular items, to cater to the demands. This is an extreme and an unprecedented version of the necessary congressional intervention.

As the original September deadline for a strike approached, President Biden's Secretary of Labor, Marty Walsh, negotiated a tentative agreement with the railroad companies and all 12 of the rail union leaders. President Biden hailed the agreement as a ''win for rail workers,'' and Secretary Walsh and other union leaders, they praised it as well. We all saw that in the news.

But it is now clear that the administration cannot close their own deal. Eight of the 12 unions voted to ratify the tentative agreement. Four voted it down, and a rail strike is now possible at midnight on December 9, as we approach a very busy holiday season.

So it now falls on Congress to avert a railway shutdown that would literally devastate the economy, which is already coping with the disastrous consequences of the administration's economic policies.

A rail shutdown would severely disrupt supply chains and add to the 40-year high inflation that we are already seeing. It would lead to higher energy costs as winter weather raises energy demand; and it is going to disrupt global food supplies.

The estimates are that America's economic output could decline by $2 billion a day. For these reasons, organizations representing just about every industry in the economy have called on Congress to avoid a crippling rail strike; and it never should have come to this.

But I encourage my colleagues in this process to avert a strike. I do encourage my colleagues to support H.J. Res. 100. While the rail strike is imminent if something isn't done, what folks need to understand as well is the railroads will have to start shutting down a lot of the critical—particularly hazmat—hazardous material movement. They are going to have to shut that down earlier, in fact, a week earlier, and it is absolutely going to cripple the economy.

Anhydrous ammonia is one of those things; and if you live in a rural State or you live in a very agriculture-dependent district, right now is the time when anhydrous is being applied. So that is just one area, just one area as an example that we are going to see some serious problems if this isn't averted.

Again, it is very sad that the majority chose to change this at the very last minute, and now we are voting on two different resolutions with a very, very, generous paid sick leave, in addition to what is already out there in terms of employees who have health issues.

Madam Speaker, I reserve the balance of my time.

Mr. PAYNE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it is deeply unfortunate that Congress has had to assume the role of mediator in order for our Nation to avoid the widespread repercussions of a rail shutdown.

Let me be clear: We are all here today due to the inability of the railroads to negotiate paid sick leave, period, an essential component of any humane and decent work environment.

I thank the nearly 115,000 dedicated, hardworking, and essential freight rail workers who have kept our economy alive through some of our Nation's most challenging times.

As chairman of the House Subcommittee on Railroads, Pipelines, and Hazardous Materials, the decision to intervene and prevent the freight rail shutdown was not easy by any means.

However, with nearly one-third of the Nation's freight moved by rail, the failure to prevent a rail stoppage would be

irresponsible as it would have devastating consequences on our economy and everyday American life.

Not only would a stoppage stunt our economic growth, it would disrupt supply chains around the world and skyrocket the cost of fuel and food just before winter. We all know this would put us dangerously close to the possibility of a recession, something American farmers and small businesses simply cannot afford after years of neglect under the former occupant of the White House.

Shirking our duty to act would inflict harm on every American family, with soaring costs at the pump and rising prices at grocery stores. Therefore, we simply cannot afford to idle at this critical juncture.

But mark my words: The rail industry should be ashamed for bringing us to this place. They have failed to meet the needs of the men and women who have demonstrated nothing short of courage over the past couple of years.

I promised to help pass meaningful legislation that would prioritize the needs of workers. That is why I am cosponsoring a bill which will be before you later today that will provide 7 days paid sick leave to rail employees.

I urge each of you to join me in doing what we must do to prevent a rail strike and defend our rail employees, guardians of our economy.

Madam Speaker, I reserve the balance of my time.

□ 1045

Mr. GRAVES of Missouri. Madam Speaker, I yield myself such time as I may consume.

I am going to talk a little bit about the sick leave, the paid sick leave, that we continue to hear about throughout this process. You have got to remember, what we are debating right now is the President's recommendation. This is what his board recommended, what they negotiated, and what the President asked Congress to support.

But what is claimed is that they don't have the sick days, and that argument is very misleading. The tentative agreement found in this bill that we are debating right now, H.J. Res. 100, provides workers with several avenues of different types of leave, which were very carefully considered by the members of the PEB, in balance with higher levels of compensation and increased benefits.

In short, the neutral PEB, that the President appointed, rejected union demands for additional paid leave. Traditionally, labor unions have negotiated with freight railroads for very generous benefits to make up for what we consider traditional sick days.

This agreement is no exception and includes a very historic 24 percent—I mentioned this earlier—24 percent increase by 2024, that comes with $11,000 in back wages and an additional $1,000 a year in bonus payments. This is in addition to a very generous healthcare benefit which employees contribute—think about this—employee contributions are set at 15 percent. The average employee contribution for family coverage in the United States is 28 percent of the premium.

So let's be clear. We can't have our cake and eat it too, which is exactly what the majority is attempting to do with this concurrent resolution. Rail labor is set to receive a 24 percent increase by 2024, and that is going to set an average wage and benefits compensation level of more than $160,000 a year. That is the highest package in almost 50 years, an average immediate payout of $11,000—I am repeating myself, but it bears repeating—an average payout of $11,000 in back wages and an additional $1,000 a year in bonus payments. The additional days of paid time off for all employees are included.

So we are talking about a lot of different things here. But the PEB did not miss something on this topic. Experienced, neutral PEB members studied and reviewed the issues and ultimately had to balance many competing interests to come up with this holistic recommendation for an agreement.

The PEB's report recommends that any particulars about sick leave and attendance policy should be dealt with locally, not through national bargaining, and could be addressed through binding arbitration, which was refused when the National Mediation Board recommended this in June 2022.

It is further stipulated that to the extent that these issues are not directly addressed by the framework, they are being indirectly addressed by compensation through much higher wages. In other words, the PEB's recommendation of a 24 percent increase in wages, per the union's request, basically balanced off the union's request for increased paid time off. That was the debate, that was the agreement, and that is what we are being asked to support.

Madam Speaker, I reserve the balance of my time.

Mr. PAYNE. Madam Speaker, I yield 1 minute to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Madam Speaker, I rise to support H.J. Res. 100 as well as the follow-on, H. Con. Res. 119.

Few people prefer to be here today to pass this legislation, but Congress has the authority to act because we have to. It is not because we want to, but we have to prevent a work stoppage, and we have to recognize that the tentative agreements fall well short of what is necessary for paid leave for rail workers.

Benefits do not replace paid sick leave. Going to work sick to earn your wage increase, who does that? Who requires that? Only the rail industry. So we should pass H.J. Res. 100 and afterward pass H. Con. Res. 119 to address the woefully inadequate sick leave provisions in the tentative agreement.

Mr. GRAVES of Missouri. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. NEHLS).

Mr. NEHLS. Madam Speaker, President Biden took two victory laps before this election.

One was an illegal bribe to college graduates that the court struck down and the second was this unsuccessful rail-labor agreement.

They both failed. They were both lies to win an election.

Now, it falls on Congress to clean up his mess and avoid a rail strike, which would be catastrophic for our economy. It is estimated that a rail strike will cost the economy roughly $2 billion—with a b—$2 billion per day.

The U.S. rail system moves cargo roughly the equivalent of 467,000 long-haul trucks each day. If you think inflation is bad now, imagine what happens when our railroads go offline and our supply chains become even more strained and unpredictable. The cost of moving anything will skyrocket overnight just in time for Christmas. Our businesses and workers need certainty to operate in the environment.

For this reason, I plan on voting for H.J. Res. 100. The agreement is supported by our railroads, shippers, and 8 of the 12 unions. I encourage my colleagues to do the same. Every major industry from automobiles to agriculture to energy will be severely impacted if we fail to act. These are some of the largest drivers of inflation and will directly increase the prices for American consumers.

In conclusion, I would just like to point out that this deal is a great deal for the railroad workers. By the end of this deal, the average wages to rail workers will reach $110,000 per year, with total compensation averaging $160,000.

It is unthinkable that four railroad unions are holding the Nation economically hostage.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. PAYNE. Madam Speaker, I yield myself such time as I may consume.

Yes, I am glad that you pointed that out to the gentleman on the other side. This just appears that it is going to be a President Biden bashing opportunity, but we are here for very important reasons. All the reasons the gentleman just stated are serious in nature and why we are here, for all those reasons.

We have to act, and it is our responsibility. It has come to us, as much as we might not like it, to have to negotiate this. We are standing right in front of a looming work stoppage, and we have to act for the millions and millions of Americans that would be impacted by these measures.

Madam Speaker, my friend from the other side of the aisle mentioned how wonderful this package is. It was fairly generous, he was right. They hadn't had a deal in 3 years, so 24 percent sounds like a great increase. But over 3 years—divide that by 3—it is 8 percent, which is a relatively fair increase.

I think we should deal with the issues at hand, let's not make this

about bashing the President, and do the work that we need to do.

The railroads have said that workers already have sick time. Is that true?

Well, let me answer that.

It is not true. Unless you believe what the railroads want you to believe that when people get sick they should use their vacation time for sick days.

Now, I am not sure how on the other side of the aisle their offices are operated, but I thought we are all one Congress, so it is done in the same manner. All my staff have sick days. I believe most of the people that work for this body have sick days. I don't know if they don't have sick days on the other side. I think that would be reprehensible. But that we are fighting for people not to have what we have is unfortunate and unjust.

We are just trying to do the right thing for the country and for these workers who have not been able to get the railroads—who have had profits out of the stratosphere in the last decade—to get them to do the one thing that the labor unions ask.

They didn't ask for the large raise, the benefits, which are all good. They wanted to deal with sick pay, and the railroads refused to do it.

Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I am on the floor today because I have a heart, and I hope that I will be joining those who will be deliberating very seriously about this legislation.

First, I thank Mr. DEFAZIO for his leadership on the Committee on Transportation and Infrastructure and his engagement, but I also thank my dear, dear friend, Congressman DON PAYNE, whose vision and commitment and big heart have literally put us in a place where our hearts can control our minds.

How indecent is it to have companies who refuse to negotiate with our rail unions, specifically our rail unions. I know we have many letters from our suppliers. They don't want a strike. I don't want anything to impact negatively on America or on my city of Houston. But I must challenge what we are trying to do with respect to the rail companies.

I am standing with the unions, my locals, and my national. The reason is—I think we should put into the Record—BNSF Railway, $23.3 billion in revenue; Union Pacific Railroad, $21.8 billion in revenue. Ownership of BNSF, 46 percent owned by Wall Street; CSX, 35 percent owned by Wall Street; Union Pacific, 34 percent; Kansas City Southern, 33 percent; Norfolk Southern, 32 percent.

Is there any heart in it being only about dollars?

I think it is important that there be a 24 percent pay raise, bonuses, no changes in copays, and allowance of time off for routine procedures. But how indecent is it that they would not sit down and provide sick days in the most dangerous professions.

Houston is the crossroads, starting from the western frontier days, of railroads. We have tracks everywhere. They are an inconvenience for our community, no matter where you live, but predominantly in minority communities.

They cause ambulances to stop. They injure and cause schoolchildren to have to cross tracks, and they contaminate our neighborhoods.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. PAYNE. Madam Speaker, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. Madam Speaker, they contaminate our neighborhoods. I know you are on the Committee on Energy and Commerce. It is unbelievable, and they won't clean it up, from the EPA to every place we have gone, and people are suffering from cancer.

But I want to do the right thing today, and I cannot imagine, H. Con. Res. 119 is what I am standing on, because it does not make sense to not provide people with sick days. Paid sick leave for employees is a bare necessity, which I think should be extended, and paid time off for family medical leave, as well. But time paid off for sick leave is a top priority for rail workers, especially when their jobs expose them to risks, such as toxic dangers in the rail yards and dangers on the trains, as well.

□ 1100

It is ironic that the railroads resist providing flexibility to their workers' schedule to provide these sick days. Every company that is decent in America should run toward giving sick days, a mere 7 sick days.

I rise to support both my community fighting against contamination and I rise to support this underlying legislation. I hope the White House will take my call, because I will be trying to determine how this will move forward.

I thank President Biden for his great leadership. He is a labor President.

Madam Speaker, I rise in strong support of H.J. Res. 100 and H. Con. Res. 119, legislation to address unresolved disputes between certain railroads and their employees.

The resolutions before us today would avert a debilitating rail strike on December 9th. The legislation is the result of the Biden Administration's negotiations with railroad companies and rail worker unions to craft an agreement to treat rail employees fairly in light of longstanding workforce issues.

President Biden has called upon Congress to pass this legislation in accordance with our authority under the Interstate Commerce Clause to ensure the uninterrupted operation of our nation's critical transportation systems that impact every American and our entire economy.

Congress has the responsibility to prevent a disruption of rail service that would cripple our economy and impose severe hardships on every American that would have a very tangible effect, especially as we head into the holiday season.

H.J. Res. 100 would adopt the tentative agreement that was reached in September between railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and the railroad workers represented by twelve unions and related organizations.

The key provisions of the tentative agreement that makes great strides toward protecting the rights and advancing the basic needs of rail employees for the next 2 years include:

a 24 percent pay raise and a $5,000 bonus;

no changes in copays, deductibles or coinsurance costs for health care services; and

some allowance of time off for routine, preventative and emergency medical care.

These are very substantial advances that justify our support of H.J. Res. 100, both because it improves conditions for rail employees and because passage of this resolution is absolutely essential to avert a strike and disruption of rail service that would be catastrophic for our entire country.

However, the progress made by negotiations is not enough. It does not sufficiently safeguard rail workers' rights and dignity in ways that are recognized as essential in America.

It is absolutely essential that workers be given seven days annually of paid time off when they are sick.

I applaud the four rail worker unions that have objected to the tentative agreement because of its failure to provide seven days of paid time off for sick leave.

That is why we will also be voting on H. Con. Res. 119, a resolution that would supplement the tentative agreement by directing the railroads and the unions to negotiate within 30 days a means to provide seven days of paid time off annually for sick leave without any adverse impact on a worker's employment status.

Seven days of paid time off annually when a rail worker becomes sick is essential for a number of reasons.

First, it is the right thing to do, as it is morally repugnant that rail employees are expected to be immune to sickness and should be economically hampered when they become ill.

Second, because railroads have decreased their workforce by almost one-third in recent years compared to previous levels, the workplace demands on rail workers have increased. That increased work precipitates sickness. It is unconscionable and illogical for railroads to elevate their employees' health risks, and then fail to stand by them when they get sick.

Third, railroads have been raking in extraordinary profits in recent years, in part by reducing their workforce and placing higher burdens on their remaining employees. As a result, the railroads cannot claim that they are unable to financially afford seven days of paid time off annually for their employees who enable the companies to be so profitable. Their miserly objections should not be taken seriously.

Paid sick leave for employees is a bare necessity, which I believe should be extended to paid time off for family medical leave, such as when a rail worker needs to care for their sick child or take them to a doctor. I will continue to fight for employees to gain this basic benefit, even though that effort will have to be resumed at another time.

Paid time off for sick leave is a top priority for rail workers, especially because their jobs

expose them to risks that can manifest in health problems. It also carries an additional consequence, as paid time off requires railroads to be more flexible in establishing work schedules that are responsive to employees' health and family needs. It is ironic that railroads resist providing flexibility to their workers' schedule needs while, at the same time, those railroads routinely plead for the public's patience and understanding when it comes to the railroads' schedules of transport and delivery.

My Congressional District in Houston is regularly affected by railroad delays that impair mobility, timeliness, and delivery of materials in Houston. The problem is so pervasive that the railroads have gained a reputation in Houston and Harris County for their constant delays.

The railroads' resistance to provide essential protections for their employees is, unfortunately, emblematic of their prioritization of their own interests over the public interest.

The railroads repeatedly demonstrate this, for example, in my Congressional District, by their lassitude in cleaning up the toxic contamination and Superfund consequences imposed by CREOSOTE.

This is a long-festering problem for which I have been advocating resolution for years. But even so, the creosote problem in Houston continues, and the railroads still have not taken sufficient action to remediate the problem.

Madam Speaker, it is imperative that we pass this rule and the two resolutions addressing the needs of railroad employees that it allows to be brought to the floor today.

If we do not pass these resolutions, rail service will be interrupted nationwide, causing severe hardships to families and all aspects of the American economy. The effects of a stoppage in service would include:

as many as 765,000 workers, including many union members, would lose their jobs in just the first two weeks of a strike;

millions of families wouldn't be able to get groceries, medications, and other goods;

many communities wouldn't be able to acquire the essential materials to keep their water supply clean;

businesses wouldn't be able to get their products to market; and

perishable goods would spoil before reaching consumers.

Madam Speaker, families will suffer harsh consequences if we do not pass these two resolutions. I strongly support passage of both resolutions and urge all of my colleagues to join me in voting to pass them.

UNITED STEELWORKERS,
Pittsburg, PA, November 30, 2022.

Re United Steelworkers urges support of H. Con. Res. 119

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the United Steelworkers union (USW), I urge you to support H. Con. Res. 119, which provides for a correction in the enrollment of H.J. Res. 100. This amendment would provide a technical correction to H.J. Res. 100 that would ensure that rail workers do not get penalized for taking seven days of paid sick leave annually.

After a lengthy negotiating process in which the major railroads called multiple times for Congress to intervene, Congress may step into this bargaining process, and at the same time remedy a situation where workers can get fired for going to a doctor's appointment.

The Class one railroads generate over $80 billion in operating revenue, and have reported significant increases in operating income and profits over recent years. The major railroads reduced headcount by 20–30 percent over the past several years, at the expense of workers' health and ability to see their families, and has resulted in reduced train service.

USW urges the adoption of seven days paid leave to the pending implemented contract, and in the future, we urge the major railroads to bargain in good faith going forward with their respective unions.

Sincerely,

THOMAS CONWAY,
International President.

Mr. GRAVES of Missouri. Madam Speaker, I yield myself such time as I may consume.

We were discussing earlier about this being a Presidential bashing or whatever the case may be, but I have to ask the question, why are we here? Why is Congress doing this?

The reason is, Madam Speaker, because the President failed, the administration failed, and that is the reason this was brought to Congress, so Congress could intervene and move this forward.

I might also point out that the package that we are debating right now is recommended by the President's PEB, by his board that he appointed. The President himself wants us to pass this package.

I am going to quote the Speaker, who just, what, Sunday said, ''This week, the House will take up a bill adopting the tentative agreement—with no poison pills or changes''—or changes—''to the negotiated terms—and send it to the Senate.''

And now they are backing up on that process. That is really what is wrong or what is happening today is they are backing up on that and trying to renegotiate. They are trying to renegotiate this whole process that a lot of people have put time and effort into and came to an agreement, and now there is no reason anymore.

Why do we even have the system set up the way it is if Congress is going to come in and make changes to all of the recommendations?

Madam Speaker, I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume. Rank-and-file union members vote on ratifying contracts. I hope that is understood. After working harder and longer and under worsening conditions for years, they have spoken loudly about wanting to improve quality of life, including paid sick time. The railroads have refused to give them this basic benefit, causing us to be here today. Yes, we are talking about two pieces of legislation here. We are dealing with H.J. Res. 100, which the President is asking us to support and to pass, but I would not be able to live with myself if I did not respond to the workers.

They started out with 15 days, Mr. Speaker, asking for 15 days of sick time and were willing to finally negotiate down to 4. Just 4. That is all they have asked for. And yet and still these profit-grossing railroads could not find their way to give them 4 days. They said, you know what, go on unemployment if you are sick.

I mean, who asks? Is that something that we ask our employees to do? Do we ask people across this Nation to do that? It is unconscionable. For our colleagues on the other side of the aisle not to acknowledge that is just unconscionable.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN of Michigan. Mr. Speaker, I thank the gentleman from New Jersey not just for yielding me time but for his outstanding leadership on this issue. I thank Speaker PELOSI for hearing our cry to include paid sick leave today.

If the rail unions asked Congress to stay out of this current dispute, I would work hard to honor their wishes, but they have not done so. So the question becomes, what agreement will Congress impose?

The Railway Labor Act gives us unfettered power to choose any terms we think fair. In general, I think we should honor the collective bargaining process and pass the TA agreed to by the parties and the Presidential Emergency Board, but we must modify the deal and include paid sick leave.

Thousands of rail workers voted against the TA because the Precision Scheduled Railroading system is inhumane and insults the dignity of the workers. Basic justice requires us to act.

I would strongly have preferred that we send a clean resolution to the Senate, including sick leave. It is not even December. We have a week. We are in session this week; we are in session next week. Lord knows the industry can afford it. They are making obscene profits and are the very symbol of income and wealth inequality which is plaguing this Nation.

Although the way we are doing this is not my first choice, I appreciate our leadership providing us a way to support sick leave for these workers and send paid sick time for rail workers to the Senate. I hope they join us in supporting a slightly more humane schedule for the rail workers of this Nation.

Mr. GRAVES of Missouri. Mr. Speaker, may I inquire the time remaining on both sides?

The SPEAKER pro tempore (Mr. BUTTERFIELD). The gentleman from Missouri has 16½ minutes remaining. The gentleman from New Jersey has 14½ minutes remaining.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 7 minutes to the gentleman from Arkansas (Mr. CRAWFORD), who is the ranking member of the Railroads, Pipelines, and Hazardous Materials Subcommittee.

Mr. CRAWFORD. Mr. Speaker, we are here today because of the colossal failure of Joe ''Union'' Biden, the

President who has by his own declaration been the most union-friendly President in history. He has been here since 1970. Joe Amtrak, Joe Lunch Box, whatever you want to call him, has punted this to us to deal with his colossal mistake.

I can't wait for the rails to be running and make sure they have plenty of rail cars available to haul off these carloads of bovine residue that is being spread around here today because the President waded into something that he wasn't able to finish.

The misinformation that is being proliferated here about the sick days, why is there no mention of the actual sick days in the PEB, the number of sick days that we are adding to?

In fact, we came to a resolution, myself and the soon-to-be Chairman GRAVES, that codified the PEB recommendation. A 24 percent pay raise, 24 percent. Let's keep in mind that we are in a recession. I would like for us all to get a 24 percent raise. But we codified a 24 percent raise, 14 percent of which would take effect immediately, the balance of which would take place over the next 4 years, $5,000 bonus; 8 of the 12 unions agreed.

That was the PEB recommendation, and we were willing to choke that one down and say, okay, because our economy, in this frail, fragile state created by President ''Joe Union'' cannot sustain a $2 billion a day economic hit. So for the good of the country, we will choke that down.

Well, then they say, well, we are going to have a cooling-off period, we will think about it. Then they come back and say: No, we are going to strike on December 9. December 9.

We are approaching wintertime. How many people across the country are going to be relying on the commodities necessary to heat their homes? I don't know the millions of people that would be impacted negatively. This isn't about Christmas presents, although that is a big part of it. Because of the economy, we are not going to have as many Christmas presents this year anyway. But on top of it we are going to freeze people out?

These unions put a gun to the head of the American people and say: This is what we want, and we are not going to play ball.

So the President's PEB, the Presidential Emergency Board, makes this recommendation. We go ahead and put legislation in place to support that, and at the eleventh hour here we are, and my friend from New Jersey, the chairman of the Railroads, Pipelines, and Hazardous Materials Subcommittee, said, yeah, we will take that. We are going to add one sick day.

Okay, I can live with one sick day. What I can't live with is the game they are playing legislatively, when they make a promise, we are not going to put poison pills on this bill, and then they come back after the fact and throw this 119 kicker in place. A flat-out lie and another colossal failure on the part of the outgoing Speaker because she couldn't get the votes on her side of the aisle to vote for 100, the PEB recommendation, the PEB recommendation that the President asked for, President ''Joe Union'', and yet here we are having to deal with 119, the additional poison pill that the Speaker said would not be present in this legislation.

That is what is wrong with this institution, by the way, when people say they are going to do something, and then 20 minutes later they reverse themselves. This came out last night, by the way, late in the evening, so no one would be aware of it, and now we are having to deal with it. It makes a mockery of this institution.

By the way, the authority that we have to deal with this doesn't mandate that we deal with it. It just says we have the authority. By the way, that authority was given in 1926, almost 100 years ago.

What a colossal failure on the part of the President and on the part of the Speaker that we have to be here at all wasting valuable time of this body that we could be doing so many more important things for our people in this country than having to deal with this hostage situation at a time when our economy cannot sustain it, a $2 billion a day hit that is about ready to hit us right in the face at a time when our folks, particularly in the Northeast, that rely on commodities like, for example, heating oil, and we can't move it. By the way, maybe we could move it more efficiently if our pipelines were working like they should be. But, again, the President saw to that.

We don't have adequate resources in the trucking industry. We are at a driver shortage. We can't just rely on the trucking industry to fill that void. So again, President Joe ''Union'' Biden, ''Lunch Box'' Biden, ''Amtrak'' Biden, whatever moniker you want to go by, Mr. President, this is on you. This is your failure that you have punted into the House of Representatives to clean up your colossal mess.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. PAYNE. Mr. Speaker, I yeild myself such time as I may consume. I am glad to know how the gentleman on the other side really feels about this being a waste of time in saving the Nation from a colossal $2 billion hit, as he would put it, that this is a waste of time. I am glad that he lets the American people know how he really feels about this effort.

We are in a situation where we don't have very much of a choice right now for the reasons that he stated. It would be a $2 billion hit to this Nation every single day, and it would impact the lives of American families across this Nation.

So, yes, for whatever his disappointment is or whatever it is, we are here, and now we have to act and save the Nation from that perilous situation.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume. I don't have any other speakers at this time. I do want to point out this statement was made: ''Now we have to act to save the Nation.'' Now we have to act to save the Nation.

Why is that?

Because the President failed, Mr. Speaker. It is because the administration failed. That is why we have to act.

Is it a waste of time?

It absolutely is a waste of time because the administration failed. That is the reason Congress is here.

Mr. Speaker, again, I don't have any additional speakers, and I reserve the balance of my time.

□ 1115

Mr. PAYNE. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. GARCÍA).

Mr. GARCÍA of Illinois. Mr. Speaker, I rise today in strong support of H.J. Res. 100 because it is time that we stop paying lip service to the men and women in the rail industry and give them the dignity that they deserve.

Rail workers, like all union workers across trades, always get the job done. Whether it is the incredible heat of the Southwest or the bitter-cold winters in cities like Chicago, they never stop.

There is one thing that the pandemic taught us. It is that we can't keep treating them like they are expendable. A rail strike is unthinkable, and so is a world where rail workers are forced to work sick or penalized if they take a day off when they are ill.

Chicago, and the people I represent, live and work in the Nation's heart and center of America's rail network. This isn't abstract for me. It is my neighbors. We see these hardworking men and women getting the job done, rain, shine, or snow.

When I said I wouldn't vote for a deal that doesn't include paid sick leave, I meant it. Paid sick leave should be a right and not a negotiation chip. That is why I will vote on the floor, not the ceiling.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, a freight rail strike would devastate the supply chain, and it would literally shut down the country.

Again, estimates are that the strike would cost the economy up to $2 billion per day during a very busy holiday season.

This strike comes only months after President Biden celebrated avoiding a railway strike, remember? Now, the President and his Cabinet have given up on leading. They have retreated in failure, and they kicked this problem to Congress for us to decide.

The terms of the tentative agreement found in this resolution are more than fair for railroad workers: a 24 percent increase in wages, which is retroactive,

and employee contributions to healthcare capped at 15 percent.

This is supported by the freight railroads, shippers, and 8 out of 12 of the labor unions involved. This was a very negotiated proposal. It had bipartisan momentum that was building for this resolution. Unfortunately, the majority decided to play political games with the economy, and they went back on the President's and the Speaker's stated support for implementing the terms of the tentative agreement. This is beyond bad faith. This is just simply reckless.

I point out that what we are debating right now and what we will vote on with this is the tentative agreement. That is the original agreement. We will go on next to vote on the extra benefits.

Despite the Speaker and the President's decision to cower to the progressive demands by having a second vote on the revised agreement, I do plan to support this resolution, this one right now that we are debating, to implement the tentative agreement as it was debated, as it was negotiated, in an effort to stop an economically ruinous rail shutdown, and I urge my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank my colleague on the other side of the aisle for once again making the points that we have tried to make.

You will have the opportunity to vote on H.J. Res. 100. It has been mistakenly portrayed as a poison pill. There is no poison pill. You have the opportunity to vote on H.J. Res. 100.

Then, there is a second piece of legislation. You are welcome. We separated them. We separated them, but we had to do something.

This, Mr. Speaker, is about fairness. Just as you have a vote in this body, each member has a vote to ratify or not ratify. The workers in the labor unions have a vote to ratify or not ratify.

Your leadership comes up with, sometimes, things that you want to see done. Does everyone vote with the leadership? It was a negotiated deal. Eight of the 12 ratified; 4 did not. And 115,000 workers, the majority of the workers, are in those four unions, from what I understand. So, it is a fair majority of the workers that did not ratify this.

Do you mean to tell me that every time your leadership gives you something that they negotiate that you vote on it? No. There are some times you don't vote with what your leadership has brought you.

These people are doing the same thing that you are allowed to do in this body, and I don't think that is a situation that is unrealistic.

Now, as the railroads implemented drastic changes that brought steep workforce cuts—that is right, cuts—and closures of yards and shops and associated jobs, and pushed workers to the brink during the pandemic, our railroad workers showed up every day and night out of their commitment to our country, serving as defenders in chief of our economy. That is patriotism and deserves to be honored.

During the pandemic, they suffered through some of the most strict attendance policies in our country in order to keep our economy alive. We shouldn't have to intervene, but we must ensure that Americans don't have to pay for the greed of those who have yielded the benefits of record-breaking profits and won't meet their employees' demands for basic human rights.

Paid sick time is a basic necessity required to recover from being ill that all of your staffs have. It helps prevent sick workers from making preventable safety mistakes.

Time has proven that railroads are unwilling to settle this dispute, despite having more than enough money to pay for these basic benefits. Railroad CEO salaries continue to exceed as much as 144 times what the average railroad worker makes. Still, they are unwilling to bend for paid sick time off. I wonder what they do when they are sick.

All the while, they know that their profits are built off the backs of these dedicated rail workers who deserve so much more.

Despite the challenging decision to intervene, I will continue to press the rail industry to do what they know to be right by their workers. Once we pass this legislation, we will pass legislation that guarantees paid sick leave for rail workers since the industry has decided they wouldn't.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1499, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GRAVES of Missouri. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

Pursuant to House Resolution 1499, H. Res. 1495 and H. Con. Res. 118 are considered as adopted.

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.J. RES. 100

Mr. PAYNE. Mr. Speaker, pursuant to House Resolution 1499, I call up the concurrent resolution (H. Con. Res. 119) providing for a correction in the enrollment of H.J. Res. 100, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. YARMUTH). Pursuant to House Resolution 1499, the concurrent resolution is considered read.

The text of the concurrent resolution is as follows:

H. CON. RES. 119

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the joint resolution H.J. Res. 100, the Clerk of the House of Representatives shall make the following corrections:

(1) Amend section 1—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following:

''(b) PAID SICK LEAVE.—

''(1) IN GENERAL.—Any tentative agreements, side letters, or local carrier agreements entered into by the parties and ratified before the date of enactment of this joint resolution and the tentative agreements, side letters, and local carrier agreements made binding by subsection (a) shall, beginning 60 days after the date of enactment of this joint resolution, provide—

''(A) for 7 days of paid sick leave annually, except that nothing in this subparagraph shall supersede any existing labor agreement between such parties that provides for more than 7 days of paid sick leave annually; and

''(B) that the use of any 7 days of paid sick leave annually, regardless of whether such days are provided under a tentative agreement, side letter, or local carrier agreement or under an existing labor agreement described in subparagraph (A), will not result in any points, demerits, or disciplinary citations under any party's attendance policy.

''(2) EFFECT.—The modification referenced in paragraph (1) shall each have the same effect as though arrived at by agreement of such parties under the Railway Labor Act (45 U.S.C. 151 et seq.).''.

(2) Redesignate section 2 as section 3.

(3) After section 1, insert the following:

''SEC. 2. NEGOTIATIONS AND ARBITRATION.

''(a) NEGOTIATIONS.—The parties to the disputes subject to Presidential Emergency Board No. 250, established pursuant to Executive Order 14077 of July 15, 2022, shall negotiate the implementation of the 7 days of paid sick leave imposed on such parties by section 1(b).

''(b) BINDING ARBITRATION.—If, after 30 days after the date of enactment of this joint resolution, the parties are not able to reach agreement on the matter described in subsection (a), such parties shall enter into binding arbitration on such matter to provide for a final resolution of such unresolved matter.

''(c) ARBITRATION.—The arbitration described in subsection (b) shall be conducted pursuant to the provisions of section 7 of the Railway Labor Act (45 U.S.C. 157), and any award shall be enforceable under section 9 of the Railway Labor Act (45 U.S.C. 159), except that, in the public interest, compensation and expenses of the arbitrators shall be borne equally by the parties.

''(d) DEADLINE.—Not later than 60 days after the date of enactment of this joint resolution, any binding arbitration proceeding entered into pursuant to subsection (b) shall be completed, including issuance of any award by the arbitration board.''.

The SPEAKER pro tempore. The concurrent resolution shall be debatable

for 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees.

The gentleman from New Jersey (Mr. PAYNE) and the gentleman from Missouri (Mr. GRAVES) each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 119.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am honored to offer this enrollment corrections bill with my friend and colleague, PETER DEFAZIO, who is ironically and responsibly taking a sick day. He is at the tail end of COVID, and we all appreciate his ability to stay home when he is sick.

This bill will allow the same for railroad workers. It will correct what the freight railroads have refused to do during 3 years of contract negotiations with their workers—during a worldwide pandemic, no less—despite the railroads earning tens of billions of dollars every year.

Railroad workers showed up every day during the rise and height and now the steadying of the COVID–19 pandemic. They risked their health and the health of their families to keep our Nation's freight moving.

Railroaders cannot work remotely. Some are on call regularly, and others work outdoors year-round. Unlike 75 percent of private industry workers, the more than 10,000 railroad workers do not have paid sick days.

I should note that management at these very railroads have paid sick days. This bill will correct this wrong by ensuring that freight rail workers have 7 days of paid sick leave, along with a 60-day process to enforce the measure.

Lest anyone think that the railroads cannot afford to provide the more than 100,000 employees paid sick leave, consider that the railroads are able to provide their workers with this benefit for less than a penny for every dollar they reported in profit and shareholder returns last year—less than a penny.

□ 1130

Many of you know that I have type 2 diabetes. I attend regular dialysis treatments. I would not be able to do my job without paid sick time. Every American worker deserves that same allowance.

Without paid sick time, railroad workers are forced to make a choice between their health or the health of their families and their paychecks. This isn't fair. It isn't right. And this bill would correct that.

Mr. Speaker, I urge all Members to support this bill, and I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to H. Con. Res. 119.

Less than 72 hours ago, Speaker PELOSI issued a statement in support of passing the tentative agreement reached between the Biden administration, the railway carriers, and the unions representing the railroad workers: All the parties.

Her statement specifically said, ''the House will take up a bill adopting the tentative agreement—with no poison pills or changes to negotiated terms. . . .''

Well, now, due to the failure by the White House to resolve this labor strike and the inability of the President and the administration to show leadership at a time of crisis, we have two resolutions before the House today.

One, H.J. Res. 100 is the tentative agreement, which I support. And this one, H. Con. Res. 119, that violates both the Speaker's pledge and the President's call for Congress to pass a resolution to compel the parties to implement the terms of the tentative agreement.

Again, the Biden administration reached this tentative agreement with the rail carriers and a strong majority, 8 out of 12, of the railroad labor unions. The White House called the tentative agreement, ''a win for rail workers.''

Labor Secretary Walsh and other union leaders praised it. In fact, they took credit for it. But less than 24 hours ago, H. Con. Res. 119 came to us altering that agreement, despite bipartisan momentum for averting an economically disastrous shutdown for our rail network.

Let's just call this new resolution what it is. It is nothing more than a political stunt. It is pandering, Mr. Speaker.

Who needs the National Mediation Board anymore, or reviews by a neutral Presidential Emergency Board when one side—or both sides, for that matter—believe they can simply skip actual bargaining and accomplish what they otherwise can't from Congress.

Today, my colleagues are truly acting recklessly and are setting a very terrible precedent. Our priority should be protecting our economy from the consequences of a nationwide rail strike.

A rail shutdown would severely disrupt supply chains. It would add to an already 40-year-high inflation rate, lead to higher energy costs as winter weather raises demand, and disrupt global food supplies.

As has been stated today, estimates are that America's economic output would decline by $2 billion a day. Avoiding these outcomes should be our top priority. Governing should be our top priority, not pandering and not playing political games with the economy.

Instead, my colleagues decide to pull a bait and switch. That is what this is. This resolution simply compounds the failures of the Biden administration to come to a resolution.

Mr. Speaker, I strenuously oppose this cynical ploy by Speaker PELOSI, and I encourage my colleagues to vote ''no'' on this concurrent resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I would once again state that H.J. Res. 100 passed. We will be taking up the yeas and nays, but it will pass. And to my colleagues on the other side of the aisle, I am glad they were able to do the right thing. There was no poison pill.

We have a separate resolution of H. Con. Res. 119, so it was not included in H.J. Res. 100, which would have been considered by them a poison pill. But we have a separate resolution, just to clarify, so now it is whether they will step up and do the right thing for people that kept this Nation going during a time when a lot of us stayed home sick.

Mr. Speaker, it is just the right thing to do. It is a matter of whether they are going to be courageous or not. This is not pandering. This is seeing a situation and addressing it.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Missouri has 1½ minutes remaining. The gentleman from New Jersey has 30 seconds remaining.

Mr. GRAVES of Missouri. Mr. Speaker, I am prepared to close, and I yield myself the balance of my time.

Mr. Speaker, freight rail workers received historic pay increases and benefits as part of the tentative agreement, and that agreement was supported by the freight railroads, 8 of the 12 labor unions, and many of the shippers.

The tentative agreement was championed by President Biden and his administration. Speaker PELOSI promised just 2 days ago to support the tentative agreement with no poison pills. This last-second desperate move to add paid sick leave is unprecedented congressional intervention and goes far beyond what the freight railroads and the unions originally agreed to.

There has been a lot of discussion about the needs of workers. And I would point out that the railroad workers already get an average of 3 weeks of paid leave, with the potential to receive 5 weeks depending on their years of service. Most Americans do not get these generous leave policies.

President Biden's neutral Presidential Emergency Board considered and rejected extra paid sick leave, and instead, they supported historic salary increases to reward rail workers.

This is blatant political pandering. It must be rejected, and we should instead focus on solutions that end the threat of a rail strike and restore confidence in our supply chain. This is just a gimmick, Mr. Speaker. It is a concurrent resolution. It is just a gimmick.

Mr. Speaker, I would urge my colleagues to oppose H. Con. Res. 119, and I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, paid sick days are a right. A right that for too long freight railroads have refused to provide to railroad workers. That is the issue. This benefit will cost less than 1 percent of the profits railroads have reported last year. Our bill will guarantee that freight rail workers have 7 days of paid sick leave, and I am pleased that we have seen bipartisan support for this idea in the Senate.

Mr. Speaker, I urge all Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1499, the previous question is ordered on the concurrent resolution.

The question is on adoption of the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GRAVES of Missouri. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 40 minutes a.m.), the House stood in recess.

□ 1215

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCNERNEY) at 12 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adopting H.J. Res. 100, and

Agreeing to H. Con. Res. 119.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR A RESOLUTION WITH RESPECT TO THE UNRESOLVED DISPUTES BETWEEN CERTAIN RAILROADS REPRESENTED BY THE NATIONAL CARRIERS' CONFERENCE COMMITTEE OF THE NATIONAL RAILWAY LABOR CONFERENCE AND CERTAIN OF THEIR EMPLOYEES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the joint resolution (H.J. Res. 100) to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The vote was taken by electronic device, and there were—yeas 290, nays 137, not voting 5, as follows:

[Roll No. 490]

YEAS—290

Adams
Aguilar
Allred
Armstrong
Auchincloss
Axne
Bacon
Baird
Balderson
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Bourdeaux
Bowman
Boyle, Brendan F.
Brown (MD)
Brown (OH)
Brownley
Budd
Bush
Bustos
Butterfield
Calvert
Carbajal
Cárdenas
Carey
Carson
Carter (GA)
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cawthorn
Chabot
Cheney
Cherfilus-McCormick
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Cole
Connolly
Conway
Cooper
Correa
Costa
Courtney
Craig
Crawford
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Estes
Evans
Feenstra
Ferguson
Finstad
Fischbach
Fitzpatrick
Fleischmann
Fletcher
Flood
Foster
Frankel, Lois
Fulcher
Gallego
Garamendi
Garbarino
García (IL)
Garcia (TX)
Gibbs
Gomez
Gonzales, Tony
Gonzalez (OH)
Gonzalez, Vicente
Gosar
Gottheimer
Graves (LA)
Graves (MO)
Green, Al (TX)
Griffith
Grijalva
Grothman
Harder (CA)
Hartzler
Hayes
Herrera Beutler
Higgins (NY)
Hill
Himes
Hinson
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jacobs (NY)
Jayapal
Jeffries
Johnson (GA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jones
Joyce (OH)
Joyce (PA)
Kahele
Kaptur
Katko
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (CA)
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
LaHood
LaMalfa
Lamb
Langevin
Larsen (WA)
Larson (CT)
LaTurner
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Lesko
Letlow
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Lucas
Luria
Lynch
Malinowski
Malliotakis
Maloney, Carolyn B.
Maloney, Sean
Mann
Manning
Matsui
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Meuser
Mfume
Miller (IL)
Miller (WV)
Miller-Meeks
Moore (UT)
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Nehls
Newhouse
Newman
O'Halleran
Obernolte
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Pelosi
Perlmutter
Peters
Phillips
Pingree
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Rice (SC)
Rogers (KY)
Ross
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (NY)
Ryan (OH)
Salazar
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sempolinski
Sewell
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stauber
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres (NY)
Trahan
Trone
Turner
Underwood
Upton
Valadao
Van Drew
Van Duyne
Vargas
Veasey
Velázquez
Wagner
Wasserman Schultz
Waters
Watson Coleman
Webster (FL)
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Womack
Yakym
Yarmuth

NAYS—137

Aderholt
Allen
Amodei
Arrington
Babin
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Brady
Brooks
Buchanan
Buck
Bucshon
Burchett
Burgess
Cammack
Carl
Carter (TX)
Chu
Cline
Cloud
Clyde
Comer
Crenshaw
Curtis
DeSaulnier
DesJarlais
Donalds
Duncan
Dunn
Ellzey
Emmer
Fallon
Fitzgerald
Flores
Foxx
Franklin, C. Scott
Gaetz
Gallagher
Garcia (CA)
Gimenez
Gohmert
Golden
Good (VA)
Gooden (TX)
Granger
Green (TN)
Greene (GA)
Guest
Guthrie
Harris
Harshbarger
Hern
Herrell
Hice (GA)
Higgins (LA)
Hollingsworth
Huizenga
Issa
Jackson
Johnson (LA)
Jordan
Keller
Kelly (MS)
Kelly (PA)
Kustoff
Lamborn
Latta
Long
Loudermilk
Luetkemeyer
Mace
Massie
Mast
McCarthy
McCaul
McClain
McClintock
Meijer
Moolenaar
Mooney
Moore (AL)
Mullin
Murphy (NC)
Norcross
Norman
Owens
Palazzo
Palmer
Peltola
Pence
Perry
Pfluger
Pocan
Posey
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rose
Rosendale
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sessions
Smith (MO)
Smith (NE)
Smucker
Spartz
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Tlaib
Torres (CA)
Walberg
Waltz
Weber (TX)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Zeldin

NOT VOTING—5

Davidson
Hudson
Kinzinger
McHenry
McKinley

□ 1302

Mr. GREEN of Tennessee changed his vote from ''yea'' to ''nay.''

Mses. VAN DUYNE and OCASIO-CORTEZ changed their vote from ''nay'' to ''yea.''

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Axne (Wild)
Bass (Cicilline)
Brooks (Moore (AL))
Brown (MD) (Evans)
Burgess (Lucas)
Bustos (Schneider)
Cárdenas (Correa)
Cawthorn (Nehls)
Clyburn (Butterfield)
Conway (Valadao)
Craig (Stevens)
DeFazio (Pallone)
DeSaulnier (Beyer)
Doyle, Michael F. (Pallone)
Gaetz (Bishop (NC))
Garbarino (Miller-Meeks)
Gibbs (Balderson)
Gonzalez, Vicente (Correa)
Gooden (TX) (Miller-Meeks)
Gosar (Weber (TX))
Herrera Beutler (Moore (UT))
Johnson (GA) (Pallone)
Johnson (TX) (Pallone)
Kind (Schneider)
Kirkpatrick (Pallone)
LaHood (Smucker)
LaTurner (Valadao)
Lawson (FL) (Evans)
Long (Fleischmann)
Lowenthal (Huffman)
Luria (Wexton)
Newman (Correa)
O'Halleran (Stanton)
Palazzo (Fleischmann)
Pressley (Neguse)
Roybal-Allard (Correa)
Rush (Beyer)
Ryan (OH) (Correa)
Simpson (Fulcher)
Sires (Pallone)
Swalwell (Correa)
Titus (Pallone)
Welch (Pallone)
Williams (GA) (McBath)

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.J. RES. 100

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the concurrent resolution (H. Con. Res. 119) providing for a correction in the enrollment of H.J. Res. 100, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the passage of the concurrent resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 207, not voting 4, as follows:

[Roll No. 491]

YEAS—221

Adams
Aguilar
Allred
Auchincloss
Axne
Bacon
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown (MD)
Brown (OH)
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cherfilus-McCormick
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fletcher
Foster
Frankel, Lois
Gallego
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Katko
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Pelosi
Peltola
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (NY)
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—207

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Conway
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fleischmann
Flood
Flores
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sempolinski
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zeldin

NOT VOTING—4

Boebert
Garamendi
Kinzinger
McKinley

□ 1320

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GARAMENDI. Madam Speaker, had I been present, I would have voted ''yea'' on rollcall No. 491 this afternoon on adoption of H. Con. Res. 119.

Stated against:

Mrs. BOEBERT. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted ''nay'' on rollcall No. 491.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Axne (Wild)
Bass (Cicilline)
Brooks (Moore (AL))
Brown (MD) (Evans)
Burgess (Lucas)
Bustos (Schneider)
Cárdenas (Correa)
Cawthorn (Nehls)
Clyburn (Butterfield)
Conway (Valadao)
Craig (Stevens)
DeFazio (Pallone)
DeSaulnier (Beyer)
Doyle, Michael F. (Pallone)
Gaetz (Bishop (NC))
Garbarino (Miller-Meeks)
Gibbs (Balderson)
Gonzalez, Vicente (Correa)
Gooden (TX) (Miller-Meeks)
Gosar (Weber (TX))
Herrera Beutler (Moore (UT))
Johnson (GA) (Pallone)
Johnson (TX) (Pallone)
Kind (Schneider)
Kirkpatrick (Pallone)
LaHood (Smucker)
LaTurner (Valadao)
Lawson (FL) (Evans)
Long (Fleischmann)
Lowenthal (Huffman)
Luria (Wexton)
Newman (Correa)
O'Halleran (Stanton)
Palazzo (Fleischmann)
Pressley (Neguse)
Roybal-Allard (Correa)
Rush (Beyer)
Ryan (OH) (Correa)
Simpson (Fulcher)
Sires (Pallone)
Swalwell (Correa)
Titus (Pallone)
Welch (Pallone)
Williams (GA) (McBath)

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 6637

Mr. SESSIONS. Mr. Speaker, I hereby remove myself as a cosponsor from H.R. 6637.

The SPEAKER pro tempore (Mr. COURTNEY). The gentleman's request is accepted.

HONORING CHESAPEAKE SHOOTING VICTIMS

(Mr. SCOTT of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCOTT of Virginia. Mr. Speaker, I rise today with a heavy heart to honor the victims of last week's tragic mass shooting in Chesapeake, Virginia.

Last week was a time when we all should have been celebrating and gathering with our friends and loved ones, giving thanks for all of the blessings in our lives. Instead, six families had empty chairs at their tables.

We must honor and celebrate the memories of Fernando Chavez-Baron, Kellie Pyle, Randy Blevins, Brian Pendleton, Tyneka Johnson, and Lorenzo Gamble.

And as we mourn over 600 other mass shootings in America just this year alone, where communities are also grappling with grief and loss, Chesapeake joins the list of far too many communities forced to bear the unbearable.

Chesapeake is resilient but we can and must do better. I implore every Member of this body and every elected official in the country to do everything in our power to stop the plague of gun violence in our communities.

RECOGNIZING STATE SENATOR JIM NIELSEN ON HIS RETIREMENT

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today to acknowledge my dear friend, State Senator Jim Nielsen of Northern California.

Today is the last day of session in the California State legislature, and it will be the last day of Jim's legislative career, having served in two different segments over 26 years.

Jim is a good friend, a great mentor, and a blessing to all of us in Northern California who he has served with for years; and also in the legislature during his time on the Board of Prison Terms working to keep our streets safer.

Jim is a ranger in Tehama County by way of Sanger, California, near Fresno, who really understands the needs of the North State and its people. So it was indeed a pleasure for me to be able to overlap my time serving in the legislature there and here, out on the hustings in Northern California, as he put it.

I appreciate his friendship. Indeed, Jim is a good man, a man of God who shows Christ's example in his actions and, indeed, that is very, very important in these perilous times that we face.

Mr. Speaker, we thank Jim for stepping forward and serving the people of California with his common sense, with his wisdom that is indeed listened to and heard by all in that legislature and all of us out on the hustings.

May God bless him.

RAIL LABOR

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I rise today to stand full force behind the rail workers of our Nation and those of my home State of Ohio.

Rail workers deserve our thanks and respect for the backbreaking work they do 24 hours a day, 7 days a week. But rail chieftains and rail robber barons, who are owned by giant Wall Street companies live high off the hog in salaries and stock awards from the sweat of railroad workers.

Railroad companies operate like oligopolies, putting their selfish interests above our national interests.

No raises for their workers in the last decade?

No paid sick days?

U.S. railroads have become way too big for their own britches.

Last year, railroads earned a record $20 billion in profits, but they refused to allow their workers 7 paid sick days.

Really? Yes. Greedy and uncaring.

How many paid sick days and vacation days do the rail barons siphon off from the workers?

Owned by faceless absentee Wall Street funds, U.S. railroads have become a national illness.

They treat with equal disdain their workers and the communities that must endure their rude behavior and neglect of rail installations. Shame on them.

Stand with America's rail workers that join our Nation from coast to coast and haul over 40 percent of the goods we move in this Nation.

GREED OF AMERICA'S LARGEST CORPORATIONS

(Mr. GROTHMAN asked and was given permission to address the House for 1 minute.)

Mr. GROTHMAN. Mr. Speaker, I rise to speak briefly about a major issue that has developed over the last couple weeks and has not been covered anywhere near enough by the mainstream media.

As we know, there are demonstrations going on right now in China. People are risking their lives as they try to save their lives from overreaction to the COVID pandemic. But even more, we have a concern with the multiple human rights abuses happening in Red China.

Now, the largest American corporation, Apple computer, in the last month has decided to weigh in strongly for the Communist Chinese Government and prevent airdrop communications between different members of China. Once you cut down communication between people, you all but shut up any dissent.

Apparently Tim Cook, the head of Apple computer, felt his $99 million salary was not enough and he has to still make more money, so he has to bow to the Chinese Communist Party.

I wish the American media would wake up and alert the American public to the greed of America's largest corporations.

□ 1330

A RAIL STRIKE WAS AVERTED

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, I rise today to support the two pieces of legislation that we just passed, H.J. Res. 100 and H. Con. Res. 119. These two resolutions will now protect the country's rail workers and avoid a crippling freight shutdown.

Most important, they provide 7 days of sick leave for more than 100,000 railroad workers. These workers stayed on the job during COVID–19 to keep food and other essentials on store shelves nationwide. They risked their lives to do so, and their efforts saved lives across the country.

I am very disappointed that the railroads did not reward them for their efforts. But I am proud to say that Congress acted today to do what needed to be done.

No one should have to go to work when they are sick. I know that the owners of the railroad don't.

Thanks to these resolutions, our freight rail workers can take the time needed to protect their health and the health of their colleagues.

PROTECTING NATIVE HAWAIIAN WOMEN AND CHILDREN

(Mr. KAHELE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KAHELE. Mr. Speaker, I rise today to urge the House to advance S. 7, a bill that would make technical corrections to the Violence Against Women Act to allow Native Hawaiians to benefit from this program.

Not only does the United States Government have a trust responsibility to the Native Hawaiian community, but Native Hawaiians continue to be disproportionately impacted by domestic and sexual violence. Approximately 70 percent of sex trafficking victims and 37 percent of reported child sex trafficking cases in Hawaii are Native Hawaiian women and girls.

Since 2012, Native Hawaiians have not been eligible for these critical resources because of a drafting error. Today, the House has the opportunity to right this wrong. I implore the House to address this issue before the end of the year and send this to the President's desk so that we can correct this injustice and protect all of our indigenous women and girls.

ADJOURNMENT

The SPEAKER pro tempore (Mr. BUTTERFIELD). Pursuant to section 1 of House Resolution 1230, the House stands adjourned until noon tomorrow.

Thereupon (at 1 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 1, 2022, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC–6012. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 22-052, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–6013. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Report Number: 004572; to the Committee on Foreign Affairs.

EC–6014. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 20-067, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–6015. A letter from the Acting Assistant Secretary of State, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 20-078, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–6016. A letter from the Acting Assistant Secretary of State, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-019, pursuant to Section 36(c) and (d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–6017. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-023, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–6018. A letter from the Acting Assistant Secretary of State, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-032, pursuant to Section 36(c) and (d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–6019. A letter from the Acting Assistant Secretary of State, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-034, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–6020. A letter from the Director, Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2022-08; Item V; Docket No.: FAR-2022-0052; Sequence No.: 3] received November 22, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Reform.

EC–6021. A letter from the Director, Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Policy on Joint Ventures [FAC 2022-08; FAR Case 2017-019; Item I; Docket No.: FAR-2017-019, Sequence No.: 1] (RIN: 9000-AN59) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Reform.

EC–6022. A letter from the Director, Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Construction Contract Administration [FAC 2022-08; FAR Case 2018-020; Item II; Docket No.: FAR-2018-0020, Sequence No.: 1] (RIN: 9000-AN78) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Reform.

EC–6023. A letter from the Director, Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Update of Historically Underutilized Business Zone Program [FAC 2022-08; FAR Case 2019-007; Item III; Docket No.: FAR-2019-0007, Sequence No.: 1] (RIN: 9000-AN90) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Reform.

EC–6024. A letter from the Director, Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation; Federal Acquisition Circular 2022-08; Small Entity Compliance Guide [Docket No.: FAR-2022-0051, Sequence No.: 5] received November 22, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Reform.

EC–6025. A letter from the Director, Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Certification of Women-Owned Small Businesses [FAC 2022-08; FAR Case 2020-013; Item IV; Docket No.: FAR-2021-0009, Sequence No.: 1] (RIN: 9000-AO17) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Reform.

EC–6026. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Grand Canyon National Park Airport, AZ [Docket No.: FAA-2021-0793; Airspace Docket No.: 21-AWP-59] (RIN: 2120-AA66) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6027. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D and Class E Airspace; Idaho Falls Regional Airport, ID [Docket No.: FAA-2022-0569; Airspace Docket No.: 21-ANM-65] (RIN: 2120-AA66) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6028. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; McCarley Field, ID [Docket No.: FAA-2022-0572; Airspace Docket No.: 21-ANM-66] (RIN: 2120-AA66) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6029. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Rexburg-Madison County Airport, ID [Docket No.: FAA-2022-0567; Airspace Docket No.: 21-ANM-67] (RIN: 2120-AA66) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6030. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification & Removal of Class E Airspace; Valle Airport, AZ [Docket No.: FAA-2022-0578; Airspace Docket No.: 21-AWP-60] (RIN: 2120-AA66) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6031. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2022-1252; Project Identifier AD-2022-01163-T; Amendment 39-22204; AD 2022-21-05] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6032. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2022-0678; Project Identifier MCAI-2022-00067-T; Amendment 39-22147; AD 2022-17-09] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6033. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; NZSkydive Limited (Type Certificate Previously Held by Pacific Aerospace Ltd.) Airplanes [Docket No.: FAA-2022-1310; Project Identifier MCAI-2022-01261-A; Amendment 39-22220; AD 2022-22-05] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6034. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Textron Canada Limited Helicopters [Docket No.: FAA-2021-1074; Project Identifier MCAI-2021-00447-R; Amendment 39-22195; AD 2022-20-11] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6035. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines, LLC Turbofan Engines [Docket No.: FAA-2022-0292; Project Identifier AD-2021-01297-E; Amendment 39-22184; AD 2022-19-15] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6036. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Vulcanair S.p.A. Airplanes [Docket No.: FAA-2022-0813; Project Identifier MCAI-2021-01316-A; Amendment 39-22194; AD 2022-20-10] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6037. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2022-0879; Project Identifier MCAI-2022-

00039-T; Amendment 39-22192; AD 2022-20-08] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6038. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2022-0603; Project Identifier MCAI-2021-01093-T; Amendment 39-22189; AD 2022-20-05] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6039. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2022-0886; Project Identifier MCAI-2022-00261-T; Amendment 39-22193; AD 2022-20-09] (RIN: 2120-AA64] received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6040. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes [Docket No.: FAA-2022-0011; Project Identifier MCAI-2021-00485-T; Amendment 39-22166; AD 2022-18-15] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6041. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2022-1249; Project Identifier MCAI-2022-01159-T; Amendment 39-22203; AD 2022-21-04] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6042. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Textron Inc. Helicopters and Various Restricted Category Helicopters [Docket No.: FAA-2022-0802; Project Identifier AD-2021-01094-R; Amendment 39-22210; AD 2022-21-11] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6043. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2022-0467; Project Identifier AD-2022-00174-E; Amendment 39-22196; AD 2022-20-12] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6044. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2022-0888; Project Identifier MCAI-2021-01211-R; Amendment 39-22191; AD 2022-20-07] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6045. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2022-0977; Project Identifier AD-2022-00419-E; Amendment 39-22205; AD 2022-21-06] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6046. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH (AHD) Helicopters [Docket No.: FAA-2022-0875; Project Identifier MCAI-2022-00640-R; Amendment 39-22185; AD 2022-20-01] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6047. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2022-1160; Project Identifier MCAI-2021-01291-T; Amendment 39-22179; AD 2022-19-10] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6048. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines, LLC Turbofan Engines [Docket No.: FAA-2022-0292; Project Identifier AD-2021-01297-E; Amendment 39-22184; AD 2022-19-15] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–6049. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes [Docket No.: FAA-2022-0393; Project Identifier MCAI-2021-01249-T; Amendment 39-22131; AD 2022-16-02] (RIN: 2120-AA64) received November 10, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCGOVERN: Committee on Rules. House Resolution 1499. Resolution providing for consideration of the bill (H.R. 3372) to authorize implementation grants to community-based nonprofits to operate one-stop reentry centers; providing for consideration of the bill (H.R. 6878) to address the health needs of incarcerated women related to pregnancy and childbirth, and for other purposes; providing for consideration of the bill (H.R. 8876) to reauthorize the Maternal, Infant, and Early Childhood Home Visiting program, and for other purposes; providing for consideration of the joint resolution (H.J. Res. 100) to provide for a resolution with respect to the unresolved disputes between certain railroads represent by the National Carriers? Conference Committee of the National Railway Labor Conference and certain of their employees; and for other purposes (Rept. 117–587). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 8876 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. BASS:

H.R. 9364. A bill to promote the African Continental Free Trade Area, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 9365. A bill to amend title 38, United States Code, to increase the monthly housing stipend under the Post-9/11 Educational Assistance Program for individuals who pursue programs of education solely through distance learning on more than a half-time basis; to the Committee on Veterans' Affairs.

By Mr. GOHMERT:

H.R. 9366. A bill to amend titles III and XXI of the Public Health Service Act to hold vaccine manufacturers liable for injuries caused by vaccines subject to a public mandate, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GOHMERT:

H.R. 9367. A bill to authorize the National Science Foundation to award a monetary prize for achievement in electricity storage; to the Committee on Science, Space, and Technology.

By Mr. GOHMERT:

H.R. 9368. A bill to amend title XVIII of the Social Security Act to limit certain late enrollment penalties under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOHMERT:

H.R. 9369. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to authorize civil actions against persons who aid or abet violations under such law, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARDER of California:

H.R. 9370. A bill to direct the Administrator of the Small Business Administration to create a grant program to fund existing consumer voucher matching programs; to the Committee on Small Business.

By Ms. LEGER FERNANDEZ (for herself and Ms. STANSBURY):

H.R. 9371. A bill to amend the Northwestern New Mexico Rural Water Projects Act to make improvements to that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself and Mr. AUCHINCLOSS):

H. Res. 1500. A resolution expressing support for the goals of November National Lung Cancer Awareness Month and for the early detection and treatment of lung cancer; to the Committee on Energy and Commerce.

By Mr. SMITH of Washington (for himself, Mr. ADERHOLT, Mr. FITZPATRICK, Mr. LANGEVIN, Mr. WITTMAN, Mr. LAMBORN, Ms. SALAZAR, Ms. LETLOW, Mrs. HINSON, Mr. MULLIN, Mrs. MILLER of Illinois, Mr. BACON, Mr. BUDD, Mr. WALBERG, Mr. BISHOP of Georgia, Mr. GROTHMAN, Mr. WEBER of Texas, and Ms. CRAIG):

H. Res. 1501. A resolution expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children; to the Committee on Education and Labor.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. BASS:

H.R. 9364.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution

By Mr. BILIRAKIS:

H.R. 9365.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, Section 8 of the United States Constitution, which grants Congress the power to raise and support and Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mr. GOHMERT:

H.R. 9366.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution.

By Mr. GOHMERT:

H.R. 9867.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 8

By Mr. GOHMERT:

H.R. 9368.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution.

By Mr. GOHMERT:

H.R. 9369.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution.

By Mr. HARDER of California:

H.R. 9370.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Ms. LEGER FERNANDEZ:

H.R. 9371.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1255: Ms. SHERRILL.

H.R. 1282: Mr. SHERMAN and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1394: Mr. LIEU.

H.R. 2007: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2187: Ms. PORTER.

H.R. 2252: Mr. VICENTE GONZALEZ of Texas, Ms. SHERRILL, Mrs. MURPHY of Florida, and Mr. LARSON of Connecticut.

H.R. 2638: Mr. MRVAN.

H.R. 3085: Ms. BONAMICI, Mr. BROWN of Maryland, Ms. BROWNLEY, Mr. CASTEN, Mr. CICILLINE, Mr. CLEAVER, Ms. CRAIG, Mr. CUELLAR, Ms. LOIS FRANKEL of Florida, Mr. VICENTE GONZALEZ of Texas, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. LEVIN of Michigan, Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Ms. MENG, Mr. NEGUSE, Ms. OMAR, Mr. PANETTA, Mr. PASCRELL, Mr. PERLMUTTER, Mr. POCAN, Mr. QUIGLEY, Ms. SÁNCHEZ, Ms. SEWELL, Ms. SLOTKIN, Ms. STEVENS, Mr. THOMPSON of California, Mr. TORRES of New York, Mrs. TRAHAN, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Ms. WILSON of Florida, Mr. EVANS, Mr. LOWENTHAL, and Ms. TLAIB.

H.R. 5508: Ms. BROWN of Ohio and Ms. JAYAPAL.

H.R. 6056: Mr. FINSTAD.

H.R. 6132: Ms. MANNING.

H.R. 6252: Mr. CARSON.

H.R. 6268: Ms. JACKSON LEE.

H.R. 6331: Mr. COLE.

H.R. 6402: Ms. ROSS.

H.R. 6591: Ms. CHU.

H.R. 6618: Mr. DONALDS.

H.R. 6860: Ms. MENG.

H.R. 7674: Ms. CRAIG.

H.R. 7775: Ms. TLAIB.

H.R. 7813: Miss GONZÁLEZ-COLÓN.

H.R. 7840: Mr. THOMPSON of California.

H.R. 8018: Mr. GOTTHEIMER.

H.R. 8246: Mr. VAN DREW.

H.R. 8341: Mr. SCHIFF.

H.R. 8558: Ms. WILD.

H.R. 8563: Mr. FINSTAD.

H.R. 8585: Ms. JAYAPAL, Ms. TITUS, Mr. GOMEZ, Ms. KUSTER, and Ms. SPEIER.

H.R. 8594: Mr. PANETTA and Mr. GARCÍA of Illinois.

H.R. 8616: Ms. ROSS and Mr. WITTMAN.

H.R. 8685: Mrs. WATSON COLEMAN and Ms. DAVIDS of Kansas.

H.R. 8747: Mr. KATKO.

H.R. 8800: Mr. CROW, Mr. CÁRDENAS, Ms. DAVIDS of Kansas, and Mr. GARAMENDI.

H.R. 9035: Mr. FINSTAD.

H.R. 9100: Ms. CRAIG.

H.R. 9208: Mr. LAWSON of Florida.

H.R. 9253: Mr. ALLEN and Mr. VAN DREW.

H.R. 9275: Mrs. FISCHBACH.

H.R. 9300: Mrs. WATSON COLEMAN.

H.R. 9319: Mr. MFUME and Ms. SCHAKOWSKY.

H.R. 9330: Mr. VALADAO.

H.R. 9355: Mr. BALDERSON.

H.J. Res. 53: Ms. WEXTON, Ms. DEGETTE, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. DELAURO.

H. Res. 718: Mr. BILIRAKIS, Mr. BUTTERFIELD, Mr. BOWMAN, Mr. BROWN of Maryland, Mr. CARTER of Louisiana, Mr. DANNY K. DAVIS of Illinois, Ms. DEAN, Ms. STRICKLAND, Mr. TORRES of New York, Mr. VEASEY, and Ms. WILLIAMS of Georgia.

H. Res. 738: Mr. FINSTAD.

H. Res. 744: Ms. LEE of California, Mr. THOMPSON of California, Mrs. RODGERS of Washington, and Mr. DANNY K. DAVIS of Illinois.

H. Res. 1327: Mr. GIMENEZ, Mr. BUCHANAN, Mr. DIAZ-BALART, and Mr. DONALDS.

H. Res. 1435: Ms. ESHOO, Mrs. CAROLYN B. MALONEY of New York, and Ms. OMAR.

H. Res. 1488: Mr. KRISHNAMOORTHI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 6637: Mr. SESSIONS.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, SECOND SESSION

Vol. 168 WASHINGTON, WEDNESDAY, NOVEMBER 30, 2022 No. 184

Senate

(Legislative day of Tuesday, November 29, 2022)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

Lord most holy, who sustains us each day, thank You for the opportunity to serve You and country.

Empower our lawmakers to serve You with strength and courage, refusing to deviate from the path of integrity. Lord, remind them of the importance of seeking Your wisdom. As You give them an awareness of Your abiding presence, supply their needs according to Your celestial riches. Use them to transform dark yesterdays into bright tomorrows.

Lord, make each of us instruments of Your peace. Use us to carve tunnels of hope through mountains of despair.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 30, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. LUJÁN 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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Camille L. Velez-Rive, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

RECOGNITION OF THE MAJORITY LEADER

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

HOUSE DEMOCRATIC CAUCUS

Mr. SCHUMER. Mr. President, this morning, the House Democratic caucus, of which we were once both Members, will make a momentous and potentially historic decision: selecting the next generation of leaders that will propel House Democrats forward in the 118th Congress.

Every time the caucus comes together to choose its leaders, it is a big deal, but today's gathering is unlike any we have seen before. For one, it signals the end of a magnificent era, as my dear friend Speaker NANCY PELOSI has chosen to step down from leadership. We will never see someone like Speaker PELOSI ever again in our lifetime.

But her potential successor will be history-making in its own right. After today's vote, it is largely expected that the new House Democratic leader will be my friend and fellow Brooklynite HAKEEM JEFFRIES. HAKEEM JEFFRIES' elevation as House Democratic leader is a turning point in the history of the U.S. Congress. Never before has an African-American leader, or any leader of color, held the top position for either party in either Chamber.

With yesterday's vote on Respect for Marriage and today's vote for House Democratic leader, our representative democracy continues to march forward toward its promise of equality and full representation for all Americans.

Now, I have known HAKEEM JEFFRIES for a long time, since before the days he was first elected to the New York State Assembly in 2006. When I first met him, I thought the same thing I thought when I first met Speaker PELOSI: Here is someone who has it all.

We have taken similar roles in our lifetimes. We both grew up in Brooklyn, where I was the son of an exterminator and he was the son of a social worker. We both went to New York City public schools and both served in the New York State Assembly before coming to Congress.

It is not surprising that House Democrats are turning to someone from Brooklyn to lead the way next year because, when you are from Brooklyn, you learn quickly traits like persistence and serious mettle. It is a crowded place and a diverse place. You learn how to work with all kinds of different people. You learn how to stand your

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

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ground. You learn to not take things personally.

HAKEEM JEFFRIES exemplifies all of these traits. He is someone whom I know will both hold the line on our Democratic values while being ready to listen and keep an open mind. I know he can work with the other side whenever it is necessary. Most importantly, he is dedicated to making our country a better, more prosperous place for all people from all walks of life.

So today is a very good day for the House of Representatives, for our party, and for our country. I congratulate my friend HAKEEM on his historic election as House Democratic leader, and I can't wait to talk to my neighbor from Brooklyn four or six times a day like I did with Speaker PELOSI.

BUSINESS BEFORE THE SENATE

Mr. President, now on Respect for Marriage, yesterday, our work of making America a more perfect place took a momentous step forward as the Senate passed the bipartisan Respect for Marriage Act. When the vote closed, the feeling on the floor was jubilation and relief, not just for ourselves and our families but for the millions of Americans across the country whose rights will be better protected under this bill.

The Respect for Marriage Act now goes to the House of Representatives for what I hope is a quick vote, and then it is on to the President's desk. And, let's remember, Joe Biden was one of the early proponents of marriage equality, even when it got some others not so happy with him.

Passing the Respect for Marriage Act would not have happened without the leadership in this Senate of so many of my colleagues: Senators BALDWIN and SINEMA—and FEINSTEIN, who originally authored this landmark bill—and my Republican colleagues Senators COLLINS, PORTMAN, and TILLIS. I thank them all.

The entire process was also a vindication of a central premise Senate Democrats and I have embraced this Congress. I have always said I have a hierarchy: First, try to get things done in a bipartisan way whenever possible. It is far better to find a way to pass legislation that will help Americans than to hold show votes that have no hope of becoming law, and that proved true on marriage equality. My No. 1 priority in the end is to find ways to get bills passed in the Senate.

So I hope that yesterday's vote is a signal that both parties can keep working together on difficult issues in the next Congress. If our Republican colleagues can shake off the MAGA wing of their party that is holding Republicans down, we can get a lot done. And it is obvious to everyone that there are many Republican Senators who don't embrace MAGA, and we say to them: We want to keep working with you. It is necessary in order to keep tackling the big problems that face our country. And if Republicans don't follow the MAGA path in the next Congress, it will go a long way to restoring people's faith that Congress can work together and even disagree without being disagreeable.

And we don't need to wait for the new year to continue working together. In about 16 days or so, government funding is going to run out unless Congress acts to prevent a shutdown. Yesterday, I sat down with the President, with Speaker PELOSI, with Leader MCCONNELL, and with Leader MCCARTHY to discuss how we can ensure that a shutdown is avoided and that government is properly funded. For the most part, I was heartened and encouraged by the conversation.

Speaking with Leader MCCONNELL, we both believe that we must do everything possible to pass a yearlong funding package, and we both prefer an omnibus, though we have different views of what should be in it and we do need to come together on those. But both Leader MCCONNELL and I have said that an omnibus is the best way for supporting our troops, supporting our allies in Ukraine, and keeping Americans safe at home and abroad.

A CR, meanwhile, is horrible news for our troops in uniform because it will throw their families into great uncertainty and severely hinder their ability to keep America safe. It will also allow some of the countries that are not our allies, but adversaries in many ways, to gain a leg up.

With so many different new technologies, do we really want to give the Chinese Communist Party the chance to outcompete and outmaneuver us in the Indo-Pacific? Do we want our troops to protect us with one hand tied behind their backs, while our adversaries are operating at full capacity? Of course not, but that is the danger we face if we don't pass an omnibus.

Everyone is going to have to give something if we want to successfully fund the government for a full year, and while I am encouraged by the good will so far, we have a lot of difficult work to do before both parties reach a final agreement.

So just as both parties cooperated to pass the Respect for Marriage Act yesterday here in the Senate and just as we have cooperated on chips, gun safety, veterans' benefits, and so much more over the last 6 months, let's finish this session by passing an omnibus on a bipartisan basis.

JUDICIAL NOMINATIONS

Finally, Mr. President, on judges, later today, the Senate will vote to confirm two highly qualified and talented public servants to serve as lifetime appointments to the Federal bench: Camille Velez-Rive, to serve as district judge for Puerto Rico, and Anne Nardacci, to serve as district judge for the Northern District of New York.

An Albany native and one of the first women who would sit on the bench, Anne Nardacci represents Upstate New York perfectly. She is the kind of bread-and-butter candidate that Upstate New Yorkers like, and she has built a career taking on special interests. So people in the Northern District of New York will not have to worry that she won't represent them when others come before the court who are special and powerful but don't have the right arguments.

For the last 2 years, one of my top priorities has been making sure we restore a sense of balance, impartiality, and experience to the Federal bench, and now that Democrats will keep our majority in the next Congress, that will continue unabated.

We have made historic progress so far. In the last 2 years, we have confirmed 85 judges to the Federal bench—the best pace since the Clinton administration. Those 85 judges comprise perhaps the most diverse collection of new jurists we have ever seen. Seventy-five percent of these new judges are women. I am so proud of that. Two-thirds are people of color. I am so proud of that. Many of them come from professional backgrounds we rarely see in judicial nominees. I am proud of that as well. But we are not yet done. We are going to hit the ground running when the new year begins, and our democracy will unquestionably be better off for it.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

CRIME

Mr. MCCONNELL. Mr. President, a few days ago, the Washington Post published a major report on the explosion of violent crime that has startled and shattered communities all across America. This terrible trend is familiar to many of us by now, but the tragic human stories are still quite shocking.

In St. Louis, 25-year-old Damion Baker was killed in July in an attempted carjacking while escorting a woman to her car downtown. ''Damion cannot just be some random number of homicide,'' his mother told reporters. ''It's gotta look different.''

In New Orleans this past March, 20-year-old old Shane Brown didn't come home from work one day. His body was found 5 days later in a canal, and his family still doesn't know why he was killed.

In Birmingham, 13-year-old Jaylon Palmore was on his front porch when he was cut down in a driveby shooting that police say was targeting someone else. The family home now holds so many painful memories that Jaylon's parents have decided to sell it and move somewhere else.

The national media may just be coming around, but the American people

have known for a long time that the erosion of law and order is a terrible and pressing problem.

After the nationwide murder rate clocked its largest single-year increase in more than a century in 2020, it climbed even higher last year. A record-high majority of Americans report that crime in their communities is getting worse.

This is an area where our two political parties, the two sides of the aisle, have totally opposite instincts about the right way forward. Republicans are focused on making American communities safer, and we know that accomplishing that takes compassion for innocent people, not weak justice—not weak justice—for violent criminals who hurt them.

Meanwhile, Democrats are focused on making it even harder to secure real justice. They have spent 2 years doubling down on anti-law enforcement rhetoric and putting radical local prosecutors at the center of their plans to make America softer on crime.

Far-left special interests have poured massive amounts of money into political campaigns of radical, soft-on-crime prosecutors in major cities, from New York to Chicago, to Philadelphia, to Los Angeles. Up to one in five Americans now lives in the jurisdiction of prosecutors a Democrat mega-donor has handpicked for their willingness—their willingness—to ignore entire categories of criminal law.

This soft-on-crime campaign has gone to such absurd lengths, communities are taking it upon themselves to push back. Earlier this year, voters in San Francisco showed their radical left district attorney the door for using their neighborhoods as a proving ground for soft-on-crime experiments. Just earlier this month, the Pennsylvania House of Representatives impeached Philadelphia's liberal district attorney for ''misbehavior in office'' after violent crime in the city soared.

Here in Washington, things are no different. Our colleague, the junior Senator from Connecticut, made this crystal clear a few days ago when he kicked off a fresh wave of Democratic calls to defund the police. Senator MURPHY says that because, in his estimation, 60 percent of the counties in this country are friendlier to citizens' Second Amendment rights than Senator MURPHY would like, those communities should be punished by defunding their police forces. Fewer resources for police officers, less safety for local communities—unless every county in America kowtows to Senate Democrats' particular view of the Second Amendment.

Democrats spent all this past year insisting they don't support defunding the police, but here they go, yet again, proposing to do just that. One wonders how the American people—the people of Georgia, for example—feel about this renewed push to respond to violent crime by defunding local police. After all, the per capita homicide and assault rate in the city of Atlanta is now even higher than it is in Chicago.

Working American families deserve safety in their communities. Grieving families deserve the small measure of peace that comes from actual justice. And the people of Georgia deserve a check and balance against Washington Democrats' reckless and radical defund-the-police proposals, not a rubberstamp.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

INTERNAL REVENUE SERVICE

Mr. THUNE. Mr. President, ask any group of Americans how they feel about the IRS and you are unlikely to come up with a lot of positive reviews and with good reason.

Repeated mishandling of taxpayer data, not to mention almost nonexistent customer service, is unlikely to gain any Agency many fans. At this point, the IRS has a disturbing record of mishandling taxpayer information. In the past 2 years alone, the IRS has inadvertently posted confidential information from 120,000 taxpayers on its website, destroyed 30 million unprocessed tax documents, and had troves of private taxpayer information end up in the hands of the left-leaning news site ProPublica.

The Agency's customer service record might be even worse. During fiscal year 2021, the Agency answered just 11 percent of the 282 million calls that it received—11 percent. That means that 250 million taxpayer calls went unanswered—250 million. And 2022 was no better. During the 2022 filing season, 90 percent of taxpayers' calls—90 percent—went unanswered.

Any business with a customer service record like that wouldn't be in business for very long. Given the Agency's record, I think most Americans would say that the IRS is ripe for reform. Democrats, however, apparently thought the IRS was ripe for more funding—a lot more funding. In August, Democrats passed their so-called Inflation Reduction Act. This legislation takes no meaningful steps to reduce inflation, but it does flood the IRS with a staggering $80 billion over the next 10 years, a sum equal to six times the Agency's 2022 budget. That is enough money to double—double—the size of the IRS.

The bill provides for the hiring of as many as 87,000 new IRS employees, an estimate that came from President Biden's Treasury Department. That would make the IRS larger than the Customs and Border Protection and the U.S. Coast Guard combined.

Suddenly and dramatically increasing the size of any government Agency is cause for concern. Are there plans in place to make sure the money is used efficiently? Can the Agency in question handle such a swift expansion and the increased responsibility that comes with it?

These are serious questions no matter what Agency we are talking about, but these questions are particularly relevant when the Agency in question is already doing a poor job of handling its basic responsibilities.

Yet despite the IRS's record, despite the repeated breaches of taxpayer confidentiality and the nearly nonexistent taxpayer service, Democrats passed legislation to double the size of the Agency without including any meaningful accountability measures to ensure that the new funding is used responsibly.

I guess it is not terribly surprising, given that the Democrats made it clear that their main interest in supersizing the IRS was increasing government revenue. But it is deeply troubling. We should not be doubling the size of an Agency that is already notable for its failure to adequately carry out its basic mission.

Since Democrats are flooding the IRS with a lot of additional money, Americans deserve to know that money is being spent wisely and efficiently and that it isn't going to make taxpayers' experiences with the IRS even worse. That is why I and my fellow Republicans have been focused on doing everything we can to provide rigorous oversight and accountability for this new money. I have introduced multiple bills to help protect taxpayers.

My Increase Reliable Services Now Act, which I introduced with Senator COLLINS, would prevent the IRS from hiring new enforcement agents until customer service at the IRS has reached a more acceptable standard. I also worked with Senator MIKE CRAPO on a bill to protect taxpayers earning less than $400,000 per year from increased audits.

Democrats' main reason for boosting IRS funding was to increase tax collection measures, including audits, to squeeze out revenue for their Green New Deal agenda.

There is substantial reason to be concerned that despite Democrats' protests to the contrary, some of that audit funding will be used to increase audits of middle-income taxpayers. It is hard to explain why else every single Democrat opposed an amendment to prevent the IRS from using its new funding to increase audits of these Americans.

The bill I introduced with Senator CRAPO and my Republican colleagues on the Senate Finance Committee would protect middle-income Americans from seeing new audits as a result of this new money.

Most recently, just a few days before Thanksgiving, Senator CHUCK GRASSLEY and I led our fellow Finance Committee Republicans in introducing the IRS Funding Accountability Act. Our

legislation would require the IRS to provide Congress with an annual plan for how the Agency intends to use its new funding, a plan that could be rejected by Congress with a joint resolution of disapproval. And the IRS would be required to provide Congress with quarterly updates on implementation of its spending plans.

This would enable consistent and transparent oversight, provide accountability for any misuse of funds, and guard against violations of taxpayer rights.

And there would be real consequences for failing to submit plans or reports on time, including the rescission of funds until the IRS complies with reporting requirements.

The mission statement of the IRS is to:

> Provide America's taxpayers top-quality service by helping them understand and meet their tax responsibilities and enforce the law with integrity and fairness to all.

Unfortunately, in recent years, the IRS has fallen far short of this standard. And flooding the agency with $80 billion over and above its current budget—the majority of it for increased enforcement, let's just be honest—with no accountability, no oversight measures, is unlikely to do much to ensure taxpayers receive top-quality service.

I hope at least some of my Democrat colleagues will decide to join Republicans to enact measures that provide real accountability at the IRS, which is needed now more than ever. American taxpayers deserve nothing less.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Texas.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CORNYN. Mr. President, the global threat landscape today is more complex and dangerous than at any other time in recent memory. From Russia's invasion of Ukraine to the Chinese Communist Party's growing hostility to the West, to North Korea and Iran's nuclear aspirations, to a Taliban-controlled Afghanistan, the threats we face today are as diverse as they are significant.

The fact is, we are now facing the reality of a power contest in two theaters, both in Europe and the Pacific. This is a reality we haven't confronted since World War II. Our military has been engaged in a 20-year asymmetric war against terrorism, meaning that our weapons, our materiel, our training, our doctrine, and our overall mindset has been focused on insurgent and terrorist threats, like the Taliban, like al-Qaida and ISIS. The result is the Department of Defense international security apparatus has largely given up the post-Cold War numbers and size in favor of a smaller, more nimble, more agile fighting force.

Unfortunately, we now face conventional military threats that we haven't faced for a long, long time, where not only the size and number matter but also the right type of weapons, be it ships, long-range assault vehicles, or modern aircraft like the F–35 and the V–22.

In short, we are now in a position where we can't choose between a large force and an advanced one. We need both. When we talk about modernization, that is the goal. So to state the obvious, this shift can't happen overnight. It won't be the result of a single funding or authorization bill. A bigger, stronger, and more advanced military will require an ongoing commitment, from Congress and the administration.

It seems self-evident that we need to supply our commanders, our professional military leaders, with the funding and the predictability that they need in order to prepare for the diverse threats just on the horizon.

In order to do that, we need to work with them to understand what it is they need, when they need it, and how we can help them get it and plan for the future.

Earlier this week, that answer arrived in the form of a letter from Defense Secretary Lloyd Austin. In that letter, he urged congressional leaders to complete a full-year funding bill.

He wrote:

> Failure to do so will result in significant harm to our people and our programs and would cause harm to our national security and our competitiveness.

There is not much nuance or subtlety here. It is clear: an urgent warning from our Nation's top Defense official.

His letter didn't arrive completely out of the blue. It came following a widespread rumor that Congress would skip the regular appropriations process this year entirely and potentially maintain current funding levels through the next year, something we call a CR or continuing resolution.

A number of our Members have floated that idea, and reports indicate that the White House has begun preparing for that possibility.

In his letter, Secretary Austin outlined the long list of problems that a continuing resolution would create. Another short-term funding bill would hamstring the procurement of those needed weapons and other military assets. It would lead to delays in all three legs of the nuclear triad, stall our research and development efforts, delay critical investments in barracks, childcare centers, and other infrastructure projects. It would disrupt the training schedule for our brave servicemembers. It would cause unnecessary disruptions of military families, who already are sacrificing a lot, and it would hamper our recruitment efforts in an all-volunteer military.

We are already dealing with record inflation and supply chain issues, making the process of granting and fulfilling defense contracts even more challenging. Given the threats that I have outlined around the world, America's Defense Department cannot afford for Congress to create even more obstacles for them to achieve their mission.

We all need to understand that a continuing resolution is not a consequence-free way to keep the doors of government open or the lights on. Continuing resolutions prevent the leaders of every Department and Agency in the U.S. Government, including the Department of Defense, from operating with the certainty and the predictability that they need. Stopgap funding bills should only be used as a last resort. They are not a responsible way for Congress to operate or for the U.S. Government to govern.

Now, our Democratic colleagues have had a majority in both the Senate and the House, and despite having ample time, they failed to advance any appropriations bills so far this year.

In September, they punted to December 16, which is when the current continuing resolution expires. That is 2 weeks from Friday. It doesn't look like we are much closer to a funding deal now than we were then.

Again, Secretary Austin says:

> We can't outcompete China with our hands tied behind our back for three, four, five or six months of every fiscal year.

On-time appropriations bills are absolutely critical to our national defense. We can't expect our military leadership to operate in this sort of chaotic environment.

And it is a chaotic environment of the congressional leadership's own making. Our Democratic colleagues have the chairs of the relevant committees. Senator SCHUMER is the majority leader. He is the one who schedules votes on legislation on the floor. But, so far this year, we haven't gone through a regular appropriations process at all. It is all pushed back against the deadline of the end of the year, frankly, which diminishes the significance of individual rank-and-file Members of the Senate and the House, and we are left only with the option of voting up or down on a bill that could well approach $1.6 trillion in an Omnibus appropriations bill. A CR would be slightly less than that because it would continue current appropriation levels.

This is a miserable way and, frankly, an embarrassing way for Congress to do business, and it is potentially dangerous, too, as I said.

Well, it isn't because of lack of effort, particularly when it comes to our national security. Speaking now about the National Defense Authorization bill, the Senate has so far this year failed to bring that bill to the floor for a vote. And, again, Senator SCHUMER is the majority leader, and he is the only one who can schedule that vote.

But it is not for lack of preparation. This is by design by the majority leader. Our colleagues on the Senate Armed Services Committee, led by Senators

REED, a Democrat, and Senator INHOFE, a Republican, completed their work on the National Defense Authorization bill last summer.

This year's National Defense Authorization bill was filed on July 18, 4½ months ago. I was hopeful that the Senate would advance this bill in September and work with our colleagues across the Capitol to send it to the President before the end of the year. But that obviously didn't happen—again, not an accident but by design.

Now we are at the end of November and the National Defense Authorization bill hasn't even hit the Senate floor. So not only are we talking about not appropriating the money so that our national security leaders can plan and implement the sort of needed investments that are critical in a great power competition; we don't even have the authorization bill on the floor.

I hope that will change in the next couple of days, but we have already wasted most of the year, and we can't get any of that time back.

So my point is that in order to plan for and prepare for the future—a dangerous future—our military commanders need predictability. They need to be able to plan. That is why Congress has passed a Defense authorization bill for each of the last 61 years. We can't skip this important responsibility or delay it any longer. Congress needs to pass the annual Defense authorization bill without further delay.

Now, Members of both parties, on both sides of the aisle, myself included, have been incredibly frustrated by this process—again, not by accident but by design—and we are eager to take up and pass a strong Defense authorization bill and then to pass the appropriations required for our Department of Defense and our national security leadership to do the job we expect them to do.

But it is not our frustration that is important. It is the jeopardy to our national security that has resulted from this chaotic environment and the slight—I don't know how you can interpret it any other way—to our men and women in uniform that what they do is not our highest priority; it is just not that important. That is not the message we should be sending to them.

There is no question that we have to get this done before the end of the year. We can't wait until next year or any longer. We need to pass a Defense authorization bill now, without further delay.

The bottom line is, we can't match the high stakes global threat landscape with continuing resolutions and past-due authorization bills.

The Defense Department needs to plan every single day to equip and train and, hopefully, deter military conflicts anywhere around the world. Our adversaries are watching us, and when they see us inflicting self-inflicted damage to our credibility and our commitment to national security, they don't fail to notice.

By failing to pass the National Defense Authorization bill and the appropriations bill, we will be stealing time that the Defense Department does not have.

General Douglas MacArthur said the history of failure in war can be summed up in two words: ''Too late.'' ''Too late.''

For the sake of our country, I hope our Democratic colleagues will quit dragging their feet and allow this Chamber to advance bills to both strengthen our national defense and to fully fund it.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

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

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

Mr. KELLY. Mr. President, I ask unanimous consent that the vote scheduled begin immediately.

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

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. 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 nomination of Executive Calendar No. 1133, Camille L. Velez-Rive, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Charles E. Schumer, Richard J. Durbin, Christopher Murphy, Ben Ray Luján, Tim Kaine, Sheldon Whitehouse, Jeff Merkley, Jack Reed, Jeanne Shaheen, Elizabeth Warren, Tammy Baldwin, Christopher A. Coons, Tina Smith, Michael F. Bennet, Jacky Rosen, Edward J. Markey, Angus S. King, Jr.

The ACTING PRESIDENT pro tempore. 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 Camille L. Velez-Rive, of Puerto Rico, to be United States District Judge for the District of Puerto Rico, 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 Nevada (Ms. ROSEN) and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Nebraska (Mr. SASSE).

The yeas and nays resulted—yeas 54, nays 43, as follows:

[Rollcall Vote No. 363 Ex.]

YEAS—54

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

NAYS—43

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

NOT VOTING—3

Rosen	Sasse	Warnock

The PRESIDING OFFICER (Mr. HICKENLOOPER). On this vote, the yeas are 54, the nays are 43.

The motion is agreed to.

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. 1147, Anne M. Nardacci, of New York, to be United States District Judge for the Northern District of New York.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Tina Smith, Sheldon Whitehouse, Benjamin L. Cardin, Maria Cantwell, Amy Klobuchar, Jon Ossoff, Mark Kelly, Jacky Rosen, Brian Schatz, Mazie K. Hirono, Angus S. King, Jr., Thomas R. Carper, Sherrod Brown, Tim Kaine.

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 Anne M. Nardacci, of New York, to be United States District Judge for the Northern District of New York, 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 New Mexico (Mr. HEINRICH) and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senator was necessarily absent: the Senator from Nebraska (Mr. SASSE).

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 364 Ex.]

YEAS—52

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

NAYS—45

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

NOT VOTING—3

Heinrich	Sasse	Warnock

The PRESIDING OFFICER. On this vote, the yeas are 52; the nays are 45.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Anne M. Nardacci, of New York, to be United States District Judge for the Northern District of New York.

The PRESIDING OFFICER. The Senator from Vermont.

RAILWAY LABOR MANAGEMENT DISPUTE

Mr. SANDERS. Mr. President, I want to take this opportunity to say a few words not only about the negotiations between railroad workers and the railroad management, but also to put that crisis into a broader economic context.

It seems clear to me—and I think the polls indicate it—that the American people are becoming increasingly disgusted by the corporate greed they are seeing and experiencing every single day.

They look out around them, and they see three people on top owning more wealth than the bottom half of American society. They see corporate profits soaring, while the prices they pay for the products they need continue to go up. They see CEOs of major corporations now making 400 times more than the average worker at that corporation.

They have seen during this terrible pandemic, when tens of thousands of workers died because they had to go to work, the billionaire class make $2 trillion more in their wealth.

Further, they look around them, and while the very wealthiest people in America become much richer, they walk down the street and they see people sleeping out on the sidewalks. We have almost 600,000 Americans who are homeless. People can't afford their healthcare costs. We have 85 million Americans who are uninsured or underinsured.

In other words, the economy is doing really, really, really well for CEOs and billionaires, but for the average American worker, he or she is falling further and further behind.

Now, within that broad context of what is happening in the overall economy, let's take a look at what is going on in the rail industry today and why Congress is being asked to implement a union contract with rail workers to avoid a strike that could take place as early as December 9.

And it turns out that when we talk about the extraordinary level of corporate greed in America, there is no better example of that than what is taking place in the rail industry today. They are the purest example of why the American people are so angry at what is taking place in our economy.

So if you look at the rail industry today, what you will understand is that this industry has seen huge recordbreaking profits in recent years—huge profits. In fact, in the first three quarters—not a whole year, three-quarters of this year—the rail industry made a recordbreaking $21 billion in profit.

Further, they have so much money, profits are so high, that the industry spent over $25 billion this year not to improve rail safety, not to address the supply chain crisis, but to buy back its own stock and hand out huge dividends to its wealthy stockholders.

In fact, since 2010—and I hope every Member of Congress hears this—the rail industry has spent over $183 billion on stock buybacks and dividends.

And on top of all of that, the CEOs of many of these railroad companies are enjoying huge compensation packages.

So while workers struggle, last year the CEO of CSX made over $20 million in total compensation. The COEs of Union Pacific and Norfolk Southern made over $14 million each in total compensation.

In other words, within the rail industry, corporate profits are soaring, and CEOs are making incredibly large compensation packages.

But in the midst of all of that, it is fair to ask what is going on for workers. Profits, recordbreaking; CEOs, tens of millions of dollars a year in compensation. What is going on for the workers in the rail industry?

And the reality is that the key issue in the rail dispute that we are dealing with right now—votes taking place as we speak in the House—is not about salaries. It is not about how much money workers there are earning. The key issue is the working conditions in the rail industry, which are absolutely unacceptable and literally beyond belief.

Right now, if you work in the freight rail industry—and this is a job in the rail industry that is really hard work, dangerous work. It is work that takes place when it is 20 below zero. If you are a worker in the rail freight industry, you are entitled to a grand total of zero sick days. Let me repeat that. You are entitled to a grand total of zero sick days.

Now, as a nation, industry after industry, government after government, here in Congress, our people get sick, and they have the right to take time off. It is humane. No one—nobody, not the most conservative Member of this institution—would say to a worker: Oh, you have got COVID? You are fired.

It would be unthinkable. And yet what this means, what the policy in the rail industry means, is if you get sick, if your child gets sick, if your spouse gets sick and you need to take time off from work, not only will you not get paid, but you actually will get reprimanded and could get fired. And that absurd, inhumane situation is precisely what is taking place today in the rail industry.

Mr. President, let me remind you and all of our colleagues that hundreds of Americans are still dying every day from COVID, and tens of thousands are being hospitalized as a result of this terrible virus.

But what the freight rail industry is saying to its workers is this: It doesn't matter if you have COVID. It doesn't matter if you are lying in a hospital bed because of a medical emergency. It doesn't matter if your wife has just given birth. It just doesn't matter. If you do not come to work, no matter what the reason, we have the right to punish you; we have the right to fire you.

Frankly, it is hard to believe that these conditions still exist in the United States of America in the year 2022.

Let me give you just a few examples that I am familiar with, hearing from workers.

One rail worker was penalized by the railroads for spending the day in the hospital with his son who was having breathing issues.

Another worker couldn't take his pregnant wife to the doctor because it could have resulted in disciplinary action for him.

Tragically, we witnessed the death of a locomotive engineer, who was forced to skip his doctor's appointment after experiencing unusual symptoms, only to suffer a heart attack and die in an engine room weeks later.

And here is what one rail worker recently said:

> I'm tired of being tired all day every day and having . . . every one of my coworkers being physically sick from sleep deprivation, most of my coworkers can't stay awake anymore during a 12 hour trip!

That is one rail worker.

There is absolutely no reason why these workers should have to deal with these conditions in the richest country in the history of the world.

And I wonder if the CEOs—the CEOs in the railroad industry or other top executives in this industry—get fired when they don't get into the office because of sickness or when they have a medical emergency in their families.

So I think it is—in fact, the head of the Teamsters recently said this, Sean O'Brien, that, you know, what is good for the CEOs in terms of paid sick leave is good for employees as well, and I think he is absolutely right.

Further, I should add, as everybody knows, that, quite sensibly, the Federal Government guarantees 12 weeks of paid family and medical leave to its workers. So if you are an employee, for example, at the Department of Transportation in the United States of America, sitting behind a desk, you are appropriately—appropriately—guaranteed 12 weeks of paid family and medical leave. But if you are an engineer running a train with tons of freight behind you, you get zero sick time.

Now, that may make sense to somebody, but it does not make sense to me. As a result of this incredibly reactionary policy of denying workers sick time, rail conductors, engineers, and other rail employees are coming into work sick and exhausted, which is a danger not only to themselves but to their coworkers and everyone else who is around them. The work they do is dangerous work.

The United States, sadly, is the only major country on Earth that does not guarantee paid sick days, something that we hope to remedy, we have tried to remedy, and we have got to continue going forward so that we do remedy it. It is a bit of an embarrassment that, of all the major countries on Earth, we are the only one not to guarantee paid sick days.

In Germany, workers are entitled to as many as 84 weeks of paid sick leave at 70 percent of their salary, depending upon how serious the illness is. And countries all over the world, in one way or another, have generous policies that recognize that in a modern, civilized society, if you get sick, if your kids get sick, if your wife or husband gets sick, you are entitled, as a worker, to have paid sick leave.

But while government workers here in the United States and in many, many industries and many companies are guaranteed paid sick leave, rail workers in the United States of America today, in the year 2022, are guaranteed zero paid sick days—zero.

Now, the rail industry has told us that they can't afford to provide paid sick days to their employees. Instead of sitting down and negotiating with their unions to bring about a reasonable compromise, for the past 3 years, the rail industry has refused to agree to a single day of guaranteed paid sick leave to its workers. They say it would cost too much money to provide their workers any paid sick days. Well, let's see. They have made over $21 billion in profits so far this year. They provide their CEOs with huge compensation packages. They spent $25.5 billion to buy back their own stock and hand out huge dividends to their wealthy stockholders. But they are just too broke, too financially hard-pressed, to guarantee paid sick days to their employees.

So here is where we are. Interestingly enough, it turns out that guaranteeing 7 paid sick days to rail workers would cost the industry a grand total of $321 million a year—a tiny fraction of the $21 billion in profits that they have already made. If the major rail carriers can afford to spend $25.5 billion a year on stock buybacks and dividends, do not tell me that they cannot afford to guarantee paid sick days to their workers and allow these workers to have a reasonable quality of life.

The outrage over the lack of paid sick leave is not the only issue that rail workers in America have been fighting for. The rail workers in this country are sick and tired of unreliable scheduling, which is having a negative impact on their personal and family lives. In America today, rail workers are on call for up to 14 consecutive days, 12 hours a day. In fact, it is not uncommon for many rail workers to be on call nearly 24 hours a day, with a requirement to report to work within 90 minutes for shifts that can last nearly 80 hours.

Now, as you know, last September, President Biden and Labor Secretary Walsh worked with the rail industry and union leaders to come up with a tentative agreement that was better than what the rail industry had been offering, but this agreement still does not require the industry to provide a single day of paid sick leave to workers.

I thank President Biden and Secretary Walsh for their efforts, but Congress can and must do better. That is why I will be introducing legislation to guarantee paid sick days to every rail worker in America, and I will insist on a rollcall vote in the Senate on this legislation as part of any unanimous consent request required to vote on the tentative rail deal.

I hope very much and I think we may have bipartisan support for this modest legislation, and I would hope—and I have talked to Republicans who indicate that they are prepared to support the workers. But I would say to every Member of this body—Democrat, Republican—to think long and hard about how you go home to your constituents and say: I voted against allowing rail workers in this country 7 paid sick days. Go home and think about how you are going to explain that vote.

Let's be clear. It is not just the rail unions and BERNIE SANDERS who believe that working conditions on the railroads, with no guaranteed sick leave, is wrong and inhumane. It turns out that view is shared by some of the railroad's major business customers who are seeing a decline in the service that they are receiving and that they need.

Let me quote from a recent op-ed by Eric Byer, the president and CEO of the National Association of Chemical Distributors, who wrote an op-ed entitled ''Railroads should give workers the benefits they seek.'' Here is what Mr. Byer wrote, and, again, this is a business organization that wants to make sure that their product is delivered on the railroads in a reasonable period of time and on schedule. Mr. Byer writes:

> To say the paid sick leave policy for rail workers is woefully inadequate would be an understatement. The negotiated agreement does not include any significant measures to improve quality of life issues. Rail workers today have zero time allotted to them by their freight rail employers for sick leave. . . . According to the Bureau of Labor Statistics, private sector workers receive seven to eight days of sick leave per year.
>
> A fragile and volatile supply chain requires a strong rail network. Now is not the time to deny reasonable benefits for a labor community that has been decimated by losses in recent years. . . . It's time for the freight . . . industry to right this wrong and get rail back on track.

That is from the chemical distributors, an important customer of the railroads.

It is not just the chemical distributors. I want people to hear what the Chairman of the Surface Transportation Board, Martin Oberman, had to say about the horrendous working conditions in the rail industry at a conference with rail executives earlier this month. Here is what Mr. Oberman said:

> When railroads try to excuse their failures by pointing to labor shortages at other businesses, those other businesses did not enter the pandemic having stripped themselves of nearly 20 percent of their workforce in recent years. . . . Today the railroads tell us they are still having a hard time recruiting and retaining workers and try to blame this on the ''Great Resignation.'' The fact is the railroad's personnel practices made these jobs much less desirable.

According to Mr. Oberman, the railroad industry has slashed its workforce by 10 percent since the pandemic started, slashing some 13,000 jobs.

Mr. Oberman continued, saying:

> Class I [rail companies] over the past 2.5 years saved roughly $4.8 billion in payroll. . . . During the same 2.5 years, the Class I [rail companies] have returned nearly $60 billion to stockholders in stock buybacks and dividends, more than 12 times what they saved in payroll. Might the shareholders have been satisfied with only $55 billion in buybacks and dividends? Apparently not. The $4.8 billion in saved payroll would have been a drop in the bucket, but the operating ratio had to be met.

So what he is saying, and I think many of us understand, is that the railroads are making huge profits. They have seen their profit margins nearly triple over the past 20 years, and during the last 6 years, they have reduced their workforce by 30 percent. Do you want to make more money? That is the way you do it—you cut back on your

workforce. Now they are in a situation where they are telling workers: If you get COVID, you are going to get fired.

So clearly we need to rethink the entire business model of the rail industry, but right now, the issue before us is not complicated, and that is that in an industry which is enjoying record-breaking profits, an industry which laid off 30 percent of its workforce in the last 6 years, an industry which gives its CEOs huge compensation packages, now is the time for that industry to respect its workers and treat them with the dignity that all working people are entitled to.

So we are in an important moment—not just for the rail industry and not only for rail workers. The issue is whether or not this United States Senate will join the House. And my understanding is that the House just passed paid sick leave, 7 days. They did the right thing, and I want to applaud the Members of the House for doing the right thing.

Now it is going to come here to the Senate. Do we stand with workers in the rail industry and say: Yes, you are right. Working conditions are horrendous. We cannot continue a process by which you have zero paid sick leave.

Do we stand with workers or do we stand with an industry that is making huge profits, pays its CEOs exorbitant salaries, and treats its workers with contempt? That is the choice this Senate will soon be having to make, and I hope very much that, in a bipartisan way, we can do the right thing and tell the rail workers and tell every worker in America that the United States Congress is prepared to stand with them and not just the people on top who are doing extraordinarily well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

FBI INVESTIGATIONS

Mr. GRASSLEY. Mr. President, on November 25 of this year, the Justice Department and the FBI purported to respond to six of my oversight letters, but the really strange thing about it is that they are responding to six oversight letters with just a single letter. Whenever I see one letter that aims to answer six, I know the government's letter will most likely be hogwash at best. The FBI's November 25 letter doesn't even meet the definition of ''hogwash.''

My May 31, 2022, letter was about then-Assistant Special Attorney in Charge Thibault's political bias. The FBI's letter failed to provide any requested records.

My July 18, 2022, letter was about Thibault and then-Election Crimes Branch chief Richard Pilger being involved in an open criminal investigation into former President Trump. That letter was based on whistleblower allegations about the defective opening of the investigation. That FBI letter failed to address the concerns I raised in my letter.

My July 25, 2022, letter was about Thibault and others at the FBI shutting down investigative avenues into Hunter Biden separate from the ongoing U.S. Attorney Weiss investigation. That letter also noted that the investigative avenues were based on verified and verifiable information. That, too, was based upon whistleblower allegations. The FBI failed to provide any requested records.

The August 17, 2022, letter built off of the July 25 letter and requested an organizational chart from the FBI's Washington Field Office. It seems like a very easy request to answer. It also posed a series of questions about Hunter Biden's investigation, including, how can Hunter Biden's criminal investigation be full and complete if the FBI improperly shut down verified and verifiable information and sourcing relating to potential criminal activities? There was no answer on that point from the FBI.

The FBI did produce to me an organizational document for the Washington Field Office; however, it failed production because it wasn't what I asked for. For example, out of the entire Washington Field Office, the FBI included only six names in the document. Obviously, there are more people involved in that organization. There are dozens of subunits and squads within the Washington Field Office, and they only provided six names and even redacted some information.

Congress and the American people have every right to know how taxpayers' dollars are used to support the Washington field office of the FBI.

Then, going to my September 26, 2022, letter, that related to the FBI's retaliation against whistleblower Stephen Friend. Mr. Friend raised concerns to his superiors about breaches of FBI policy and procedure in domestic terrorism assessments and in those same terrorism investigations.

As part of their retaliation to this whistleblower, the FBI placed Mr. Friend on what is called absent-without-leave status. They also took away Mr. Friend's badge, gun, and suspended his clearance.

The FBI's letter didn't even mention Mr. Friend by name, yet purported to respond to my and Senator JOHNSON's letter about Mr. Friend.

The October 13, 2022, letter—and this is the sixth letter that I have been referring to—related to Hunter Biden's criminal investigation. My letter noted that allegations from whistleblowers indicated that the information provided by Tony Bobulinski to the FBI about Hunter Biden formed a sufficient basis to open a full field investigation on pay-to-play grounds. However, it is unclear if the FBI took the appropriate action.

The letter also noted that records within the FBI's possession and reviewed by my investigative staff indicate that Joe Biden was aware of Hunter Biden's business arrangements and may have been involved in some. The FBI failed to produce any requested records, and the FBI is zero for answering my six letters.

Now, there are a couple of elements to the FBI's response letter that I would like to highlight. I call it the FBI's response because the Justice Department proper failed to send their own answers to my letters. The letters said, in part:

> When an employee or employees miss the mark and make a mistake, it's critically important that we learn from those instances. This means not only holding people accountable, but also taking a close look at the larger organization so that we can make necessary changes to policies and training to ensure mistakes aren't repeated.

I provided six letters to the Justice Department and FBI relating to their mistakes. The letters provided concrete facts. The letters provided evidence. The letters had highly credible whistleblower allegations. There was not a single admission of wrongdoing or some mistake that was even mentioned in the FBI letter. How can the FBI learn from its mistakes if it refuses to even admit or acknowledge them?

Just as important, with respect to all whistleblower allegations that I have made public, it happens that neither the Justice Department nor the FBI have disputed the accuracy of the accusations that I am trying to get information on. That ought to tell all of us something.

To the whistleblowers who have approached my office, they are true patriots.

There is one more part of the FBI's letter that I would like to highlight. On the third page of this nonresponsive letter, the FBI says this about whistleblowers:

> Employees should feel they can raise their concerns about wrongdoing and if those concerns aren't addressed within their chain of command take them to an appropriate place without retaliation.

The FBI failed to mention Congress in this process of whistleblowing, and the FBI failed to make clear that employees can immediately go to Congress to disclose wrongdoing. That legal right to blow the whistle should have been explicitly clear in their letter.

It happens that in several meetings that I have had with Director Wray, he personally assured me that whistleblowers approaching my office with an allegation won't face retaliation. Simply put, the Justice Department and the FBI need to get over themselves, show some respect to Congress as well as the American people represented here, answer the questions, admit to the mistakes, show us corrective action, and let's move on together to fix our institutions for future generations of Americans.

The letters I wrote provide a roadmap for the FBI to root out political infection within their ranks and field offices. The letters highlight existential problems deep within the FBI. Based on the response letters that I have been referring to, the FBI has done nothing to root out the political infection.

The Justice Department's and the FBI's continued failure to do so will lead them on a long, slow, and painful walk to losing more credibility and more trust with the American people. That is a result that is entirely avoidable, if they want to avoid it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

ORDER OF BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that following the confirmation vote on Calendar No. 1147, the Senate resume consideration of Calendar No. 1148; and that the cloture motions with respect to Calendar Nos. 1148 and 1129 ripen at 11:30 a.m. on Thursday, December 1.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that at 4:45 p.m. today, the Senate proceed to consideration of Calendar No. 843, Robert Phillip Storch, to be Inspector General of the Department of Defense; that there be 2 minutes for debate equally divided in the usual form on the nomination; that upon the use or yielding back of time, the Senate vote without intervening action or debate on the nomination.

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

CRYPTOCURRENCY

Mr. DURBIN. Mr. President, while the Members of the Senate were enjoying Thanksgiving, thousands of hard-working Americans were navigating the wreckage of a financial shipwreck. I am referring to the collapse of the cryptocurrency exchange known as FTX.

While I am sure that many have heard about FTX's implosion and the resignation of its CEO, Sam Bankman-Fried, there is one part of the story you may have missed.

In the moments after the FTX platform collapsed, one of the first steps the company took was to freeze user accounts. That means before many users even knew what was happening, they were denied access to any funds remaining, and as a result their investments may have gone down with the ship.

Think of it like this: You show up at your bank—the same bank that happily accepted your money week after week—but this time the door is locked and the lights are off. All the tellers have gone home. The security guard is turning you away at the door. And as for your money, well, it just disappeared. But when you ask to see the books of this depository to figure out what happened, you come to learn that they don't have any books.

That is exactly what happened to FTX crypto users like Nick Howard, who shared his story with America on National Public Radio.

When Nick first opened his account with FTX, he says he had no intention of making any speculative or risky investment. In fact, he was using the platform to store his paychecks from his employer, which had chosen to pay him through cryptocurrency known as Tether.

Tether is one of the so-called stablecoins. It was designed to offer greater security and stability than other cryptocurrencies like Bitcoin by being paid to the value of the dollar. Well, as Nick learned the hard way, there is no such thing as stability when it comes to cryptocurrency.

When Nick Howard first signed up for FTX, his employer assured him the platform was ''really good . . . really stable.'' So he took his employer's word for it as well as the word of public figures and advisers, well-respected names like Larry David and Tom Brady, who had appeared on television in ads for FTX.

Nick had $16,000 worth of paychecks deposited into his FTX account by the time the platform imploded. Nick is a young fellow. He says he doesn't have a lot of savings, but that $16,000 represented half of all that he had accumulated in his life. So when Nick found out that he had little or no hope of retrieving his money, he told National Public Radio that ''I feel like I am in the middle of . . . a trauma response.''

Who can blame him?

In the past few years, platforms like FTX have spent billions of dollars to try to create a veneer of credibility for an industry fueled by greed and many times deception.

These slick ad campaigns have been designed to distract American people from the fact that cryptocurrency is extremely volatile and barely regulated. Sadly, these ad campaigns worked their will on one in five Americans, who say they either invested in or traded crypto. All of them are at risk.

It was just a few months ago that I stood on the same Senate floor and expressed my concern about the dangers of cryptocurrency on platforms like FTX. Well, in the 3 weeks since I last spoke on the floor, billions of dollars have disappeared in a black hole of financial collapse. Hard-working Americans who are already being squeezed by inflation are paying an even higher price. And, today, Sam Bankman-Fried is exhibit A in the story of the crypto crash. His personal plunge from billionaire to bankrupt has been well documented.

In some ways, this is not a new story. The alleged fraud by Mr. Bankman-Fried is nothing more than a 21st-century Ponzi scheme. As CEO of FTX, Mr. Bankman-Fried secretly siphoned $10 billion from the platform—$10 billion that belonged to investors like Nick Howard. What did Mr. Bankman-Fried do with the $10 billion? He transformed it into assets of his own personal hedge fund called Alameda.

Let me say that another way: Sam Bankman-Fried transferred $10 billion from his platform's users in order to fund his own risky bets. And days before FTX imploded—just hours before—he had the nerve to tweet out:

> FTX is fine. Assets are fine.

He even tweeted:

> We don't invest client assets.

All lies. That was a brazen, bald-faced attempt from the CEO of what claimed to be the most reliable crypto trading platform in the world. It is the same shady tactics we have seen before when Bernie Madoff was caught with his hand in the till more than a decade ago, but there is one key difference. Crypto speculators and scam artists like Sam Bankman-Fried pride themselves on being disrupters. They claim they are sticking it to the old, traditional finance and the big banks, giving the little guy the power of financial freedom.

I know the Presiding Officer is a music fan and he remembers the lyrics of the old song ''freedom's just another word for nothing left to lose.'' Well, FTX has taught investors like Nick Howard that they have everything to lose. That is the truth. The myth of crypto is a ruse, one that is designed to dupe hard-working Americans like Nick Howard into forking over their life savings to companies like FTX.

And in the case of Sam Bankman-Fried, he burned tens of millions of dollars trying to brand himself as a noble, altruistic philanthropist. Mr. Bankman-Fried even plastered an image of himself on the walls of Union Station. That is less than a mile away from where we are meeting on Capitol Hill. It was a big ad and a big photo, according to the Washington Post, and it said: I'm in on crypto to make a global impact for good.

My, my, my. Well, it is hard to see anything good about defrauding your own investors or scamming working Americans out of their life savings. And it goes without saying, there is nothing good about leading an industry that produces three times as much pollution as all of America's largest coal plants did in the year 2021.

So this is my advice to the American people when it comes to the crypto world: Don't be fooled. Crypto speculators like Sam Bankman-Fried, who became one of the youngest billionaires in the world and lives in a guarded compound in the Bahamas, really don't have your best interests at heart. They are trying to catfish you into their grift. And the moment you take the bait, they will take your money and run.

Whatever credibility the crypto industry once had has been challenged by the collapse of FTX. So it is time for wiser minds, more careful thinking in the financial world to cash out of the crypto casino.

Let's start with Fidelity. What do I mean by that? Well, over the summer, Fidelity, one of the largest and most respected names in investment houses, one of the largest 401(k) providers in the world, announced that it would

allow plan sponsors to offer plan participants exposure to Bitcoin. Bitcoin embodies the volatility of the entire crypto industry. Its value has dropped like a rock in under a year.

I know the stock market has suffered, too, but listen to this: The cost of one Bitcoin fell from nearly $69,000 in 2021 to roughly $16,000 today, a more than 70 percent loss in value in 1 year. Now imagine that the value of your 401(k) account was dependent on the health of Bitcoin, as Fidelity suggests you might do. The value of that is in freefall.

There are more than 32 million Americans that invest with Fidelity, and many of them are relying on their 401(k)s to retire in dignity. These Americans deserve better than having their financial security jeopardized by a digital asset that can lose thousands of dollars in the course of a day.

Last July, as a customer of Fidelity, I sent a letter to the CEO, who I don't know personally, and I raised concerns about the potential risk and financial dangers associated with investing in digital assets. Last week, I turned around and sent a second letter—it seems she missed the first one—urging Fidelity to reconsider its decision.

My hope is that the company will do what is best for those saving for retirement and change course immediately. At a moment when retirement security is already at risk for working families, there is no excuse for exposing them to this kind of volatility, particularly in long-term and retirement accounts. Let's learn from the losses of retail investors like Nick Howard. The American people desperately need better.

And I would just say that I have been a crypto skeptic from the start; and, sadly, the evidence that is being presented to me suggests that my concerns were not misplaced. We have an obligation to protect the American public. At this stage, the best I can do is come to the Senate floor, send out letters, send out press releases, and warn people.

What we should do is to regulate this industry in a way to protect the American public. We have done it over and over again throughout our history, many times after American families and investors have been burned badly.

Well, FTX is living proof that we need to do it again and do it quickly. I don't know what the prospects of passing that kind of legislation are in a divided Congress in the next few weeks, but I can tell Americans across the board: Think twice before you sign up for the crypto craze.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

ENERGY

Mr. TUBERVILLE. Mr. President, last week, many of us reflected on the blessing it is to live in the greatest country on the face of the Earth, our country that provides safety and security for millions and millions of people. Freedom and free enterprise lift more people out of poverty than any other system or country in the history of the world.

But our country cannot exist without a robust economy. It is impossible. And you can't run an economy without fossil fuels. That is also impossible. However, there is an alarming and growing trend to put unproven theories and radical ideologies over common sense, and it is catching up with us as we speak.

Years of attacks on reliable American energy sources in the name of green policies have taken us backward in our progress to produce affordable, accessible clean energy. Global supply chain issues accelerated the consequences of these policies, leaving many Americans unable to afford things like gas and utilities.

As we inch closer to the coldest part of the year, we face the real threat of the energy crisis. At a time when all Americans should feel the warmth of the holiday, many of them could be and will be left out in the cold. The United States already loses more people in the winter months than in the warmer months, and skyrocketing utility bills could make millions of Americans vulnerable as temperatures drop.

We must change course. It is time to end the blind allegiance to unsustainable energy policies. It is time to end the relentless pursuit of eliminating fossil fuels. These policies are suffocating the American energy sector and the economy as a whole.

All the while, the Biden administration's war on fossil fuel is increasing our reliance on foreign crooks and criminals for energy and oil. Just last week, the Biden White House announced it will allow Chevron to resume the production and export of oil in Venezuela, a country led by a brutal communist regime.

This dirty deal with a dictator will do almost nothing to ease the pain at the pump for Americans. It will do nothing. And Venezuela's oil fields are among the worst—and I mean the worst—for environmental causes in the world.

Why does our President prefer dirtier oil from a foreign adversary over cleaner energy from Texas and North Dakota? It makes zero sense. Per usual, this administration is focused on distractions to make the American people think they are doing something to bring down energy costs, which they are not doing one thing.

It is time to cut out the tricks and the climate rhetoric designed to scare Americans into accepting the consequences of backward energy policies. We must turn on the spigot of American energy before it is too late. We are running out of time.

The simple fact is, we need fossil fuels to run our economy. They are integral to almost every part of our lives, from their obvious use in transportation to their behind-the-scenes role in products we use every day, like clothes, pharmaceuticals, cleaning products, phones, and, from my old job, even football helmets. Petroleum products are integral to a modern economy.

We are nowhere near a world in which we can live without fossil fuels. We are not even close. Anyone who says otherwise or promotes ideas that we can significantly curb our use in the next decade is not living in reality. We have to have them, and we have the supply right here at home. The Permian Basin, spanning Texas and New Mexico, is estimated to have 66 billion—now, that is with a ''b''—barrels of oil waiting for use. That region alone could provide for America tens of thousands over time in the progression of making our energy process more profitable and using our energy here at home.

Our country has ample supply and the cleanest—I want to repeat that—the cleanest generating methods in the world—not dirty oil like Venezuela but the cleanest of anywhere in the world.

We should be producing energy in America with American workers. However, for nearly 2 years, the Biden administration has promoted the ideals of climate change activists and undermining our energy industry. Within hours of taking office, President Biden signed several Executive orders designed to reverse policies that promoted energy production.

Instead, he instructed various arms of the government to put unnecessary burdens on fossil fuels. Here are a few key examples of the actions President Biden took on day one that have led to our biggest energy crisis in years:

No. 1, he canceled the Keystone Pipeline. Most people know about that. It would have delivered, if we had finished this pipeline, 800,000 barrels a day to our country—not 40,000, which we are getting ready to try to get Venezuela to supply. The pipeline's cancellation did not have an immediate impact on our country's energy supply, but it did send an immediate and clear signal to oil producers and investors that this administration was going to war with American energy. The fight was on, and it showed they were not afraid to unilaterally destroy American jobs in the process. As long as green energy activists were satisfied, that is what they were going to do.

No. 2, the President halted new oil and gas leases on Federal property, including Tribal land in New Mexico, despite the objections of Native American leaders in the region.

No. 3, President Biden joined the Paris climate agreement without any consent of this body right here—without any. The American people should always be allowed to weigh in through their representatives in this building when our country plans to join a binding international agreement, but President Biden knew he didn't have to have the votes or didn't have the votes, so he went without us. He did it on his own.

And No. 4, he overturned crucial reforms to policies that have led to historic energy production under the previous administration, creating huge

amounts of redtape for producers and American workers.

In the short term, he made it almost impossible to drill oil. In the coming months, President Biden continued his crusade by creating multiple new positions and groups with broad authority to oversee and regulate energy.

The Biden administration's EPA rolled out new restrictions on methane emissions from the production and transmission of oil and gas.

The Securities and Exchange Commission was given power to require companies to provide detailed reporting on their climate-related activities, like emissions and plans to cut emissions.

Progressive government regulators and Agencies like the SEC and the Federal Reserve are attempting to force banks and other financial firms to consider the effects of climate change when lending money and in investing decisions—an absurd overreach into the private sector by activists posing as public servants.

Just as companies are laying off employees and freezing hiring in preparation for the looming recession that is coming, here comes the government to lay down more regulations that will cost a fortune—an absolute fortune—to comply with. But it won't just cost the companies. It will cost the American taxpayers billions to administer all of these new regulations.

So how many climate scientists do you think the SEC has on their staff to put in all these regulations? I will give you that answer. Zero. None. But they plan to spend enormous amounts of money to be the new climate police.

Then, there is the massive $1.2 billion infrastructure law passed last year. Huge amounts of your taxpayer dollars are being spent on green energy programs, including billions to advance what the White House calls environmental justice. Government Agencies, like the EPA and the Department of Justice, expanded their ''equity and justice offices'' to selectively funnel money to certain communities of their choosing.

This buildup of bureaucrats to harass businesses, farmers, and energy producers is all in the name of climate justice. Is it just to encourage Americans who can't afford gas to go out and buy an electric vehicle, the average of cost which is $65,000? Is that what they are trying to do? No.

In fact, it is insulting. This list of anti-American energy actions is nowhere near comprehensive, but it does make this administration's priorities perfectly clear: more redtape, less affordable energy.

For nearly 2 years, more and more power has been given to government elites while affordable energy production has been crippled. And to make matters worse, the Biden administration elites push their climate agenda on average Americans all the time. And what are they? They are nothing but hypocrites.

Take, for example, President Biden's hand-picked climate envoy, John Kerry. Mr. Kerry spends his time warning Americans that they will suffer unless they believe his extreme climate theories and change their behavior. He insists on it. Meanwhile, he flies around on his private plane, staying at one of his multiple homes and sailing on his yacht.

What concessions has he made to make our lives better? It seems to me he is living pretty comfortably. But he is not cutting back. He is asking you to cut back.

When he led our country's delegation to the United Nations Climate Change Conference just a few weeks ago, he flew in one of the 400 private jets from around the world that took leaders to Egypt to talk about this climate change.

I talked about Mr. Kerry. I don't even want to get into a discussion about our multimillionaire buddy Al Gore, who has made millions on climate change, and that everything that he has predicted has not come true—not one thing. But he has made millions of taxpayer dollars over the years.

These are the same people telling farmers—the same people telling farmers—to find new jobs and average people to ride a bike to work, when they are out there making money off climate change and being hypocritical and telling you to change your lifestyle. President Biden, John Kerry, and Al Gore and climate activists want pain and suffering for you but not for them. It is absolutely hypocritical, and I am hoping the American people see right through it.

Time and time again, Americans are told to ignore the obvious consequences of President Biden's policies and be thankful for the meaningless actions he has taken. After gas prices hit historic highs over the summer, President Biden took to draining our country's Strategic Petroleum Reserve to bring prices down just before the election—how convenient.

But Americans are still feeling the pain at the pump and paying record-high prices for almost everything because fossil fuels power our entire economy. It is a simple fact that it is clear to the American people but lost on the leftwing activists running this administration.

They are being figured out. They are too busy warning us of a climate crisis to address the energy shortage that they have created, which is nowhere at its peak. It is still coming.

This winter things are going to get a lot worse, a lot worse for the American people. Almost half of all American households use gas for heat. This year, the average family that relies on natural gas will pay 28 percent more to stay warm than they did this time last year—28 percent and rising.

That number could even go higher on energy shortages, when they worsen, which they will. This kind of price increase can devastate working families. But, again, instead of promoting American energy production to bring down prices, this administration has demonized and discouraged fossil fuels at every corner, at every opportunity.

Just a few weeks ago, while responding to climate activists, President Biden promised there would be ''no more drilling,'' we are done. This promise ironically came just days after his administration blamed oil and gas producers for not drilling enough. His incoherent energy agenda has created uncertainty and distrust among the energy producers we rely on to survive.

And his administration's obsession with energy sources that are inefficient and unaffordable, like wind and solar, do nothing—I mean, do nothing—for families who won't be able to heat their homes in the next few months. Americans should never have to choose between being fed or being warm—never. But that is where these progressive energy policies are taking us and have left us.

All this has been in the name of fighting back against the so-called climate crisis that has yet to materialize. It has not materialized. They scare you with it. We are all environmentalists. We love this country. We love this world that we live in. We are all concerned about it, but we should not put people in this world in harm's way.

The energy crisis is here. We will see it every day. Americans will feel it every day if we do not act. The Federal Government should reverse policies across all Agencies—Agencies that restrict energy production, that place undue burdens on businesses, or put foreign agreements above domestic priorities. We cannot restore our economy until we revive our energy sector. It is not possible. It is not going to happen.

The safety, security, and the well-being of the American people depend on the leaders in Congress having the courage to stand up to these green activists and stand with the American families who need to fuel their cars and need to heat their homes.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Delaware.

Mr. CARPER. Madam President, I ask unanimous consent to complete my remarks before we start voting.

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

Mr. CARPER. Madam President, I just want to take a minute. I am not a green zealot or environmentalist. I am an environmentalist. I care about this planet. But I just want to say, while my colleague is still on the floor, that I am a recovering Governor, a recovering Governor from Delaware. The 8 years I was privileged to be Governor of our State, more jobs were created in those 8 years than in any years in the history of the State of Delaware. I didn't create one of them, but we worked hard to create a nurturing environment. I think I know something about doing that.

Going forward, we are going to need fossil fuels for probably as far as the eye can see. We are going to need natural gas. We are going to need petroleum. We are going to need them for our homes. We are going to need them for our buildings. We need them for our businesses.

Let me just tell you something else. The State of Delaware is sinking. My State is sinking. Seas around us are rising. My State is sinking. Down in the Gulf of Mexico, the State of Louisiana, during the next 100 minutes, they are going to lose a piece of land to the ocean the size of a football field.

A month or two ago, when they had the big French bicycle race that they have every year, they had to literally stop the race in parts of the Tour de France because the road was melting.

We are seeing sea levels rise. It is not imaginary. It is actually happening. In 10, 20, 30, 40 years—when these pages down here are my age—it is going to be one heck of a problem. And the question is, Are we going to do anything about it? Are we going to do anything about it in ways that create jobs and economic opportunity?

We can walk and chew gum at the same time, we can address climate change, we can address global warming, and we can create jobs and economic opportunities. There are plenty of ways to do that. We have shown that in the IRA, or the Inflation Reduction Act, and also in the bipartisan infrastructure bill. We need to do more of the same.

That is not why I came here. I came here to talk about three separate but important topics.

RESPECT FOR MARRIAGE ACT

Madam President, let me start by turning to the tragedy that took place just a week and a half ago. On the morning of November 2, the community of Colorado Springs, CO, woke up to the devastating news that 5 people were killed, and another 25 were injured, at the hands of a shooter.

While we are still learning the details about this horrific incident, this much is clear: The shooter chose to target an LGBTQ-friendly establishment.

Hate has no place in this nation. It never has and, hopefully, never will. It is up to each of us as individuals to root out hate when we see it and enact change in order to fix it.

It is not every day that the Senate comes together to pass bipartisan legislation, although we do it more than most people would expect. But, yesterday, we did just that with a majority vote of 61 to 36 to reaffirm to our Nation's LGBTQ community that we believe that every adult deserves a right to marry whom they love—no matter their race, gender, or sexual orientation.

I was honored to lend my support for the bipartisan Respect for Marriage Act to protect that sacred and fundamental right to marry for all Americans in the First State and throughout our country.

This is a historic moment for our country and a testament to what can happen when policymakers embrace the golden rule: Treat other people the way you want to be treated. The Golden Rule is in every sacred scripture of every major religion in the world. I don't care if you are a Jew. I don't care if you are Protestant. I don't care if you are Catholic. I don't care if you are Hindu, Buddhist, or Muslim. They all have the Golden Rule in there: Treat other people the way you want to be treated. And I think that is really the thread that underlies the legislation that we enacted yesterday with bipartisan support.

Madam President, as many of us in this Chamber know, for the past 7 years, marriage equality has been the law of the land. It has been the law of the land. It is nothing new. It has been the law of the land for the last 7 years, thanks to the Supreme Court decision in something called Obergefell—I mangled that; I am sure others have as well—v. Hodges. That is the decision of 7 years ago. The basis of this is the law of the land.

Former Justice Anthony Kennedy, who was appointed by President Reagan, wrote in his majority opinion of that—and I am going to quote him. He said:

> No union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family.

His words—I could not have said it better.

Americans deserve the constitutional right to enter into that profound union, marriage, with the person they love—and the person who loves them as well.

However, earlier this summer, the Supreme Court overturned nearly 50 years of precedent protecting a woman's right to make her own healthcare decisions. And tucked away in that radical opinion, Justice Thomas cast doubt on whether the Constitution protects marriage equality.

Let me be clear. Yesterday's bipartisan vote to protect same-sex marriage said that we are not going back.

LGBTQ Americans can now rest assured they are afforded equal dignity under the law. I look forward to this bill being signed into law by President Biden soon to make it official.

RAILWAY LABOR MANAGEMENT DISPUTE

Madam President, let me move along to my second topic, which I hope can yield similar levels of bipartisan agreement, and that is support for our Nation's rail workers.

Let me first state my strong support for freight rail transportation and the hard-working men and women who keep our Nation's trains—both passenger trains and freight trains—both rolling fine and running on time.

This issue is personal to me, not only as someone who commutes on an Amtrak train most days to work here at our Nation's capital but as the grandson of a railroader. My grandfather was a fireman on the B&O Railroad in West Virginia for many, many years. My sister and I would love to listen to my grandfather tell us great stories about railroading in those days. I have had a love affair with trains ever since I was a little kid.

Many of us know that freight rail keeps our economy moving. I didn't know that when I was a kid, but it does. It did then, and it does now. We don't often discuss that freight rail does so in a way that is better for our planet—better for our planet.

Let me tell you what I am talking about. Moving freight by rail is some four times more fuel efficient than moving freight on the highway. I will say that again. Moving freight by rail is some four times more fuel efficient than moving freight on the highway. In fact, freight trains can move—think about this—1 ton of freight from Washington, DC, to Boston, MA—1 ton with 1 gallon of diesel fuel, 1 gallon.

This morning, I rode on an Amtrak train with hundreds of people on board. The train was sold out, and we did it using no diesel fuel. We used electricity. A lot of it was generated by nuclear, offshore wind, and so forth.

At a time when scientists tell us that we must dramatically reduce carbon dioxide emissions—and we must—in order to avoid the worst impacts of climate change, we can't afford to shut down the most fuel-efficient way of moving freight over land in this country.

Freight rail isn't just important for reducing emissions but also critical for keeping our economy humming. Our Nation's most trusted economists all agree that a rail shutdown would be devastating for our economy—devastating. Hundreds of thousands of Americans, many of them union workers, could be put out of work in just the first 2 weeks of a shutdown. And a shutdown could also leave many communities without the necessary chemicals for maintaining clean drinking water. That is why President Biden is calling on us in Congress to pass legislation immediately—not next week, not next month, immediately—to adopt a tentative agreement made in September.

He did not come to this conclusion lightly and neither do I. President Biden is, by almost any estimation, the most pro-labor President we have had in my lifetime. Secretary Walsh is the first union leader to lead the Department of Labor in more than half a century. People think he was the former mayor of Boston. No, no, he was also the president of a major labor union in Massachusetts. Both of them are saying that Congress should intervene in supporting the agreement that 8 out of the 12 rail labor unions are supporting.

The contract agreement that the Biden administration helped negotiate recognizes the importance and dignity of our Nation's rail workers. The deal provides a historic 24-percent pay raise for rail workers and improved healthcare benefits. Eight out of the

twelve unions involved in these negotiations think that is a pretty good deal, and they voted to approve the agreement.

Still, we find ourselves in this scenario because railroad companies won't budge on granting railroad workers any paid sick days. That is wrong and something we should work to address but not at the risk of a devastating rail shutdown.

My colleagues and I do not take lightly the notion that Congress is intervening in a labor dispute. We don't normally do that. In this case, there is a lot at stake. Today, our House colleagues passed legislation, I am told, to avert a rail strike. I think the vote was overwhelming—290 to 137. I am hopeful we will do the same in the Senate well before the December 9 deadline.

TRIBUTE TO CAROLYN MACK AND CAROLINE JONES

Madam President, last but not least, I want to take a moment to recognize two terrific members of our staff on the Environment and Public Works Committee, which I am privileged to lead along with Senator SHELLEY CAPITO.

Two of our finest are going to be leaving us this week. Carolyn Mack, our committee operations manager, departs our office today, which coincidentally is her birthday day. She is retiring after 29 years of Senate service.

Carolyn came to the Environment and Public Works Committee 21 years ago when, I think, Jim Jeffords was our chairman. She has faithfully served not one, not two, but three EPW chairs, including Senator Jeffords, Senator Boxer, and now yours truly.

Many of our colleagues have heard me say that Senators cannot do all that we do without our staff. I hire people smarter than I with better hearts and minds. Carolyn is right up there at the top. Quite simply, she is the heart and the soul of our EPW operations. Everyone in the Senate buildings, from the furniture department to the parking staff, including the graphics department, knows, loves, and respects Carolyn.

At her recent retirement party, Carolyn reflected on what she liked about her job. Here is what she said: ''I like to help people.'' That is what she said: ''I like to help people.'' What a humble and lovely way to view one's job in the U.S. Senate—namely, that it is something that comes and flows from wanting to serve.

We are grateful for Carolyn's help all these years and wish her the very best in retirement.

Lastly, also departing Saturday is Caroline Jones. Caroline started with us at EPW 4 years ago as an intern. The Presiding Officer knows how important interns are to us. It is like a farm system, if you will, of a great staff.

She has blossomed into an integral member of our staff, working with our climate and clean air team. This year, she was the lead for us working to ratify the Kigali amendment to the Montreal Protocol, something that she did an incredible job with as we phased down HFCs, hydrofluorocarbons, which are a thousand times worse than CO_2 in terms of climate change. And it not only did that, but provides jobs—not just climate change but provides jobs—thousands, tens of thousands of jobs—and billions of dollars of economic opportunity. She gave us a big assist on the plate with that.

But we will miss Caroline's attention to detail, and we are going to miss her hard work. But we know she is not going too far. She is joining the staff of the Federal Highway Administration's climate office. We know she will bring her talents to that office, and they will be the better for it, as will our country.

You can leave the payroll, but you can never leave ''Carpertown.'' As they say in the Eagles in ''Hotel California,'' ''You can check out, but you can never leave.''

That certainly is true in this case.

As we say to our departing staff members, we say in the Navy, wishing you fair winds and following seas.

God bless you both.

I yield the floor.

NOMINATION OF CAMILLE L. VELEZ-RIVE

Mr. DURBIN. Madam President, today, the Senate continues the important work of confirming highly qualified, diverse nominees to the Federal judiciary, as we take up the nomination of Judge Camille Velez-Rive, who has been nominated to the U.S. District Court for the District of Puerto Rico.

Born and raised in Puerto Rico, Judge Velez-Rive has served as a magistrate judge for the District of Puerto Rico for the past 18 years. In that time, she has presided over 20 jury trials and six bench trials, including both civil and criminal proceedings.

Before joining the bench, Judge Velez-Rive was an associate at a San Juan-based firm, where she practiced for 3 years. She then served as an assistant U.S. Attorney for the District of Puerto Rico for 6 years. During that time, she worked for 2 years within the criminal appellate division, briefing more than 80 criminal appeals and arguing 10 appeals before the First Circuit. Judge Velez-Rive then spent 4 more years in the civil division, handling approximately 65 cases.

Judge Velez-Rive earned her B.A. with college honors from Washington University in St. Louis and her J.D. magna cum laude from the University of Puerto Rico Law School. After graduating, she went on to clerk for the Honorable Francisco Rebollo-Lopez on the Supreme Court of the Commonwealth of Puerto Rico.

The American Bar Association has unanimously rated Judge Velez-Rive as ''well qualified'' to serve on the District of Puerto Rico.

As a long-serving Federal judge with extensive trial experience, Judge Velez-Rive is highly qualified to continue her service to the District of Puerto Rico as a Federal district court judge.

I look forward to supporting this well-qualified nominee and urge my colleagues to join me in doing so.

NOMINATION OF ANNE M. NARDACCI

Madam President, today, the Senate will vote to confirm Anne Nardacci to serve on the U.S. District Court for the Northern District of New York.

Ms. Nardacci is a seasoned practitioner with a broad range of litigation experience and deep ties to the Northern District.

She was born in Albany, NY, and attended Georgetown University and Cornell Law School before beginning her legal career at Skadden Arps Slate Meagher & Flom in Manhattan. There, Ms. Nardacci specialized in merger review and antitrust litigation.

Since 2005, she has worked at Boies Schiller Flexner LLP in Albany, where her practice has focused on complex commercial litigation, including antitrust, fair competition, bankruptcy, and fraud matters. Throughout the course of her career, Ms. Nardacci has represented large companies, small businesses, and classes of individuals. Impressively, 90 percent of her practice has been in Federal court.

Despite her demanding career in private practice, Ms. Nardacci has managed to dedicate a significant portion of her time to pro bono work. She has defended the civil rights of inmates and represented survivors of domestic abuse.

Ms. Nardacci's distinguished career is a testament to her commitment to equal justice under law. She received a ''qualified'' rating from the American Bar Association and has the strong support of New York's Senators, Mr. SCHUMER and Mrs. GILLIBRAND.

I urge my colleagues to join me in supporting this outstanding nominee to the Federal bench.

VOTE ON VELEZ-RIVE NOMINATION

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

Mrs. MURRAY. 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 Georgia (Mr. WARNOCK) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. HAGERTY) and the Senator from Nebraska (Mr. SASSE).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 42, as follows:

[Rollcall Vote No. 365 Ex.]

YEAS—55

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

NAYS—42

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

NOT VOTING—3

Hagerty	Sasse	Warnock

The nomination was confirmed.

VOTE ON NARDACCI NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Anne M. Nardacci, of New York, to be United States District Judge for the Northern District of New York?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. HAGERTY) and the Senator from Nebraska (Mr. SASSE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 44, as follows:

[Rollcall Vote No. 366 Ex.]

YEAS—52

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

NAYS—44

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

NOT VOTING—4

Hagerty	Sasse	
Sanders	Warnock	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota.

The PRESIDING OFFICER. The junior Senator from Virginia.

Mr. KAINE. Madam President, I would like to ask for an opportunity to engage in a colloquy with my colleague from Virginia, Senator WARNER.

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

REMEMBERING A. DONALD MCEACHIN

Mr. KAINE. Madam President, I am trying to make Senate history as the first Senator to give a speech with a visual aid that is a picture of a T-shirt. So we will see if the Senate Historian will back me up on this.

This is a T-shirt that is 21 years old, and it is a Warner-Kaine-McEachin T-shirt. I had moved recently from my house of 30 years into a condo, and there were boxes of stuff that still months later I am trying to unpack. Over the weekend, I got into one of these boxes, with a little free time at the end of Thanksgiving weekend. The goal was to go through it and throw away as much as I could.

I was going through these T-shirts, and I came across this one. This is a T-shirt from a 2001 campaign in Virginia where three longtime friends—MARK WARNER, TIM KAINE, and Donald McEachin—shared a ticket running for Virginia Governor, Lieutenant Governor, and attorney general.

When I came across the T-shirt, the first thing I noticed is that I am a little bigger than I was 21 years ago, and it doesn't really fit, and so I put it in the Goodwill pile. But then, as I got through the whole box and I was about to make that decision, I thought, you know, I think I should pull this one out of the Goodwill pile and save it, and I did. I washed it, and I put it in the drawer.

Obviously, MARK and I are here on the floor today because our dear friend Donald McEachin, 61 years old, Member of Congress, from Virginia—my congressman, the Fourth Congressional District—we got the surprising news last night, and I heard about it first from MARK, that Donald had passed away in his sleep at home in Richmond and had been found by his wife Collette, who is also a very dear friend. So MARK and I wanted to come to the floor today and just talk a little bit about Donald. I will talk for a bit and then ask MARK to offer his reflections.

I met Donald when I was 26 years old and he was 24. I met MARK 4 years before. So these are three people who have known each other now for basically 40 years. I had moved to Richmond, where I only knew one person in Virginia—my soon-to-be wife. I had taken a job at a law firm, and I was given the last office down the hall.

A few months after I joined the firm in September of 1984, a very personable guy came in and said, ''Who is in my office?'' And it was Donald McEachin. Donald had worked at the firm as a summer associate the summer before and was now at the University of Virginia Law School and came to find me occupying the place where he had worked the previous summer. His challenge to me began a wonderful friendship.

Donald soon graduated from the University of Virginia and came to Richmond, the city of his birth and upbringing, to practice law at a different firm. We had cases together. Soon after he came, he became engaged to an attorney, who is now the Commonwealth's attorney, the chief prosecutor in Richmond, Collette Wallace—Collette Wallace McEachin. They had a big wedding party in Richmond at the Marriott Hotel, which my wife Anne and I were proud to be invited to. And we just began this wonderful friendship with these two couples.

Donald was one of the most successful trial attorneys in Richmond. He started a firm after he had practiced with a larger firm. He and two great twin brothers, Donald and Earl Gee, started a wonderful law firm. He won history-making verdicts in Virginia as a plaintiff's personal injury lawyer, but he was always passionate about public service. He had gone to American University and had been president of the student body there. Then when he went back to Virginia to go to UVA Law School, he always had in his mind that he wanted to do something in the public service realm.

So about the time I was running for city council in Richmond in 1994, Donald ran and successfully became a member of the Virginia General Assembly in the House of Delegates. He

served there with distinction, especially in leadership roles on the Courts of Justice Committee, where he played a key role in the formation of the Virginia judiciary and Virginia criminal and civil procedure, until he, a legislator; MARK WARNER, a prominent philanthropist and Virginia entrepreneur; and TIM KAINE, at that time the mayor of the city of Richmond, landed on a ticket together in 2001. We ran statewide an amazing case.

At that time in Virginia, getting elected as a Democrat was like being Harry Houdini in trying to work your way out of an impossible escape situation. It was very, very difficult.

MARK really set tremendous history by winning the first big statewide race in a number of years as a Democrat, and I had to win my own race. I wasn't on the ticket with MARK, but his strong performance at the top helped me win the Lieutenant Governor's race. Donald McEachin did not win his race. He was not elected to attorney general. No shame in that. We all know this. We are in a line of work where wins are common and losses are common. MARK doesn't like to be reminded that he lost a race for the U.S. Senate in 1996, although I have often heard him say with magnanimity that in that race, the right Warner won. I have not yet had such magnanimity about the race I lost in 2016, but I will let that pass.

The wonderful thing about Donald McEachin when he lost that race for attorney general was that it meant that he was now not in the house of delegates. He went back to practicing law, representing people who often had no one else to represent them. Then a few years later, he successfully ran and became a member of the Virginia Senate and started chapter two in his political life.

He was a fantastic member of the senate because of the fact that he already had experience in the house of delegates. He achieved leadership quickly and was really looked up to as one of the lions of the Virginia Senate.

Here is something about Donald that is pretty amazing, and then I will quickly hand it over to MARK. He had already been successful in politics in the house of delegates and now in the Virginia Senate. He had been tremendously successful as a lawyer for people who really needed representation. He had built a wonderful marriage with Colette, and he was an understanding and caring father to three beautiful children. But Donald decided he needed something more in his life, even with all of that. So when he was in his forties, he decided to go to Virginia Union, which is a historically Black college in Virginia that was founded in the aftermath of the Civil War to educate newly freed slaves. He decided to go back to college in his forties and get a divinity degree, and he did, for nights and weekends for years, studying so he could get a theology degree because he wanted to ground his public service in something more than campaigns and polls. He wanted to really ground it deeply in values. That is the kind of person Donald McEachin was.

And 2016 wasn't a great year for me being on a national ticket and losing, but there was one really great thing that happened in 2016. Donald McEachin decided to leave the State senate and run for Congress in the Fourth District that had been newly reconfigured following a voting rights lawsuit in Virginia. MARK and I were so happy when he got into that race, and we worked very, very hard to help him succeed. On election night 2016, we got the band back together.

And with that, I want to yield to my colleague from Virginia, Senator WARNER.

Mr. WARNER. Thank you, Senator KAINE, the Presiding Officer, and my friend from Illinois.

Tim and I have been friends for 42 years. We met in law school. It has become a standard line: We didn't meet in the library. But this has been a friendship that lasted 42 years.

Donald and TIM go back to the mid-1980s. I first met Donald McEachin in 1989. We went through a series of fluky activities, which I won't bore the floor with. I ended up becoming campaign manager for Doug Wilder's then-extraordinary, historic run for Governor. He was the first African American running for Governor in our country's history and was elected in his own right.

I met this young man, Donald McEachin. You couldn't help but know him. Donald was in a law firm at that point, McEachin & Gee, that had everything—the billboards, the TV commercials. And we started a friendship, similar to what TIM talked about, with Donald.

My daughter's birthday was last week, my 33-year-old daughter. She remembers that decade, in the 1990s and the early 2000s, when we were campaigning together. TIM's family, our family, and Donald and Colette's family kind of—whether they liked it or not, all of these kids were thrown together because we were all engaged in politics. She remembered Donald—and TIM mentioned this in his comments right after the election or right after his passing 2 nights ago—as a gentle giant. Donald was a big guy, 6 feet 5 inches, and kind of looked like a football player. Don't mistake his gentleness for lack of passion and commitment. He was an extraordinarily caring, listening, compassionate human being.

I will take a moment and just talk about the fact that, in my campaign in 2001, we didn't always agree on things. He wasn't totally keen on things I was trying to do to solicit hunters and other folks, but we spent a lot of time campaigning in rural Virginia, in the south side of Virginia, southwest Virginia, in parts of Appalachia, Shenandoah Valley. And Donald had been born abroad, but had grown up in urban areas around Richmond.

Taking a guy with his presence—but also, frankly, somebody who had been a leader from Richmond, an African American, into a lot of these rural communities—he had an amazing ability to just immediately relate to people.

He would have been a great, great attorney general, but I want to echo what TIM said and that is, he didn't take the defeats and say: I will take my marbles and go away.

No, he said: I still have public service in me.

He went back and, as Senator KAINE indicated, played an incredibly important role in the Virginia State Senate. Again, Democrats were trying to reclaim the majority. He was a leader, and he came to the Congress.

TIM and I were together for a moment of silence on the floor of the House last night at about 7:30 and a number of Members, Democrats and Republicans alike, came up and said: Oh, my gosh, this was such a loss.

Donald was such an incredible figure. One of the things—and there were so many issues he cared about. I will briefly mention two and then talk a bit more about the last couple of years with Donald and turn it back over to TIM.

Donald had always been an environmentalist. He was one of the first people, candidly, that I knew that came on a regular basis, linking environmentalism and social justice, pointing out—not just in the last 30 years or 40 years, but the last 60 years, 70 years in the country—that whenever you had a project, whenever you had a runoff, whenever bad water or bad air, those circumstances were way disproportionate to places in poorer communities. He was passionate about the linkage between the need for us to clean up our planet but also to recognize that the disadvantages that came with pollution often fell too much on poorer communities.

In Virginia, as I think many of my colleagues will know, we have had a troubled history with race, and, unfortunately, when you tell Virginia's history—the good, the bad, the ugly—part of it was pretty ugly. TIM had not only come to Virginia because of his brilliant wife Anne Holton but to be that voice for righting some of these wrongs.

All three of us are adopted Virginians. Virginia's history in terms of resistance to integration and massive resistance is still a plight. If you look at any State in the country where there was a disproportionate number of statues and memorials to Confederate figures, Virginia, far and away, topped the list. There is a lot of talk, and probably many people who are listening recall some of the controversy around some of the Civil War Confederate statues in the city of Richmond. But what Donald took on was the question of Fort Lee, the heart of his district, a terribly important training facility.

He made sure that, as Fort Lee went through its renaming process, he had it renamed for the highest ranking African-American service person he knew of who served at Fort Lee. It could have been something where he said: Who needs that fight? Donald McEachin took on that fight and did it in the right way—social justice and environmentalism. Who needs that? Talk about Sisyphus pushing the rock up the hill time and again. Making that connection and continuing to advocate for it, that is the kind of guy Donald McEachin was.

The last part was the last couple of years. Donald, in about 2015, 2014, got hit with cancer. Donald—this big, big man—we literally saw him, at least physically, shrink before our eyes. He lost 60, 70, 80 pounds. He was in for surgery after surgery. So many times I would see him, and, partially, it was his character and, partially, I think, it was his faith. I remember talking to him about going back to Virginia to get that divinity degree.

He never complained. Whenever you asked, ''How are you doing?''—I am getting better. I am getting better. I am getting stronger.

Lord knows there were times in the last couple of years where you could—you might not see it, but you could—see the pain in his face. He would almost shuffle until he would get behind the podium. Then that spirit and voice and that call for justice would come back.

We all knew he had been sick, but I remember—I know TIM was with him on election night and we had a number of communications afterward. He was already planning his agenda, not only for the next Congress but how we could get more engaged with the general assembly and doing the right thing in Virginia politics.

The other night, when I got the call, the first person I called was TIM. We think about the band, when we were together in 2001. Hopefully, we took the progress of Virginia a little bit more forward, and Donald continued that progress in the State senate and in the House of Representatives.

Virginia lost a great leader. Our country lost a leader in the House.

I can't speak for TIM—but I think I can. TIM and I lost a great friend. We are here today to honor his service, to recommit ourselves to that kind of service, to continue to acknowledge Colette and their three children. We will be there for them as they go through this grief process. But we wanted to take a moment of the Senate's time and share with you some of our reminiscences about our friend Donald McEachin.

I turn it back.

Mr. KAINE. I want to thank Senator WARNER for his very great comments. I am getting emotional hearing him recount these stories.

MARK, I remember once—you were talking about how Donald would never complain. He literally changed overnight, seemingly, in his physical appearance because he lost so much weight. His hair turned gray, and he started to stoop and walk with more of a shuffle. I remember once walking through the halls here between the House and the Senate and someone was ahead of me.

Who is that old guy? Who is that old guy?

It was not until I caught up with him—because we had been doing so much by Zoom that sometimes we didn't see each other physically for a couple of months. When I caught up with him, I realized it was Donald. As MARK said, if you asked Donald: How are you doing? Hey friend, it looks like things are tough right now.

I am getting better. I am on the mend.

Donald didn't decide to keep things private. He just didn't think about himself. Donald was not a guy who thought about himself.

Somebody first told me a great definition of humility is not to think less of yourself; it is to think of yourself less. Donald was a person who really exemplified that.

When we were on the House floor last night, the Virginia delegation gathered to do a moment of silence for Donald, and the deans of each side of our delegation, Congressman SCOTT, the Democrat, and Congressman WITTMAN, the Republican, each gave tributes to Donald. There was a white rose display sitting on Donald's chair, which is a tradition in both bodies when someone dies when they are in office.

I happened to visit with G.K. BUTTERFIELD, the retiring Congressman who sat next to Donald, and G.K. told me that so often, when they were on the House floor, Donald would be doubled over because he would be in so much pain. But he would never complain. He would never complain.

We have lost a great friend.

I have said about Donald that he will have a successor, but he won't have a replacement.

It is just an honor to come and share with all of you the recollections about our friend, a great Virginia public servant, a history maker.

I will just say that we got the band back together in 2016, and I look for the day when we will get the band back together again.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Alaska.

UNANIMOUS CONSENT REQUEST—S. 5130

Mr. SULLIVAN. Mr. President, I rise today to introduce a bill that I want to try to pass right here on the Senate floor, that I believe every single Senator should vote for.

If you are an American and you are watching this, if you are a marine and you are watching this, you are going to be outraged. You are going to be outraged. I am outraged.

But we can fix this problem. You are seeing it on TV every damn day. And here is what it is: U.S. marines and their families are being preyed upon by unscrupulous trial lawyers. Yes, it is amazing that it is happening right now.

I have a bill that is called the Protect Camp Lejeune Victims Ensnared By Trial-lawyer's Scams Act, or the VETS Act for short. And here is what is the background. And, again, I really hope no one is going to come down and object to this because, boy, you would have a lot of explaining to do to the American people and to the U.S. marines.

But what has happened, every American has seen it, right? You can't turn on TV anymore—CNN, FOX News, you name it—there is a trial lawyer ad a minute. Here are some of them: Camp Lejeune marines, Camp Lejeune marine families, have you been wronged?

Now, there was a provision in the PACT Act that we all passed here that said marines exposed to water contamination at Marine Corps base Camp Lejeune needed to get compensated. We all supported—I supported that, OK, but then something happened. The trial lawyers of America kicked in, and they are grabbing all the money. And the sick marines and their families aren't getting any.

Now, look at these ads, we had a hearing on this in the Veterans Affairs' Committee 2 weeks ago. I asked questions about this. The VA is getting phone calls. I am going to talk a little bit about the VFW and the American Legion which support my bill I want passed right now. I asked the VA representative, how much of this is happening, and they estimated already a billion dollars in ads.

Look at them. Every American has seen them. A billion dollars. Do you think the trial lawyers are spending a billion out of the kindness of their hearts? out of wanting to help the U.S. marines? No. I don't think so—a billion dollars already spent.

Now, look, I don't blame the marines who dial these 1–800 numbers that they see on the screen. Imagine if you are listening: Hey, I am a marine. I am sick. I am going to call these guys.

But I do blame the trial lawyers, and I blame a lot of my colleagues here who are using sick marines to get rich. That is what my bill is going to change.

Like I said, it is called the veterans act—the VETS Act, OK. Let me unpack this a little bit. Like I said, when the PACT Act passed, it had this legislation to compensate veterans who were sickened by toxins from water at Camp Lejeune, very innovative, and to be clear, again, we need to take care of these marines and their families and others at Camp Lejeune.

The problem, however, is when the PACT Act was passed, my colleagues on the other side of the aisle, unfortunately after agreeing to amendments, decided it was time to block all amendments. So we had no ability to amend the act. We would have made it much better.

But one area where we really wanted to amend the act was that this scam by trial lawyers was predictable. Not only was it predictable, the Biden administration's Justice Department predicted it. They warned us, without a cap on contingency fees, that predatory law firms would grab the lion's share of the judgments going to sick marines and their family members.

Again, the lawyers get billions; the marines, who are sick, get crumbs. The Biden administration said: Hey, you guys have to be aware. So what did we do? Senator INHOFE brought an amendment saying let's put a cap. The Biden administration said a 10-percent cap on contingency fees. Sounds fair.

The rumors we are hearing already is that unscrupulous trial lawyers are charging 50 and 60 percent contingency fees for sick marines. The Biden administration said cap it at 10 percent. We put forward an amendment that was going to cap it at 10 percent. My colleagues on the other side of the aisle blocked it. I wonder what is going on there. We know they love to enrich trial lawyers.

The President of the United States' Justice Department asked us to address this before it would become a problem. But my colleagues chose trial lawyers over sick marines.

As a result, some marines have already lost money because of scams. Some of these law firms are promising big paydays. Of course, they are asking for money upfront, much of which they will likely use. Others are being used without getting any money. A recent media story highlighted a marine in Kentucky whose face was used in an ad claiming he received a $35,000 settlement. In fact, he told a reporter he got 35 cents. How is that for justice? I hope Jon Stewart is listening, by the way. Maybe he can help us on this one.

The VA, local governments, organizations, veterans groups are frantically trying to warn veterans about these scams that I just showed you, but there isn't much they can do when they see this barrage of a billion dollars of advertising. Right now it is probably up to—heck, I asked this 3 weeks ago. It is probably up to 1.5 billion. So they don't know.

Here is what the American Legion said at a recent American Legion meeting:

> WHEREAS, Predatory law firms charging exorbitant fees have engaged in aggressive marketing campaigns [hurting veterans]. . . . The American Legion urges Congress to provide the necessary oversight [for] the implementation of the Camp Lejeune Justice Act to ensure veterans receive fair consideration.

Sounds pretty good. American Legion, we all like them. I am a member, by the way. By the way, I am a U.S. marine, too, which makes me really mad about this. So they are all supporting my bill. It is a simple bill. The VFW has come out in support of my bill as well. What does my bill do?

Well, No. 1, it goes back to the Biden administration's Justice Department recommendations. So I am doing, right now, on the Senate floor, what the Biden administration's Justice Department told us to do—10 percent cap on contingency fees, 2 percent cap for filing the necessary paperwork. All right. Sounds pretty fair. It is actually not that fair because, by the way, they are not doing a lot of work.

The government doesn't have a defense in these lawsuits. This isn't like some giant litigation. Marines, if you are listening, you can do this without a trial lawyer's help. You don't need it. Don't be fooled, but they are being fooled. OK. We know that. Everybody knows that. It was predicted it would happen.

So all we are going to do is go back to the Biden administration's recommendation: 10 percent cap on contingency fees, 2 percent for filing paperwork. And it does one other thing—and by the way, shame on the VA on this. They have been good. They are worried, but shame on the VA on this.

And, again, you wonder who is running this administration, probably a lot of trial lawyers. The VA issued a reg that said the payments to the sick marines that are being awarded would enable the VA to pay the lawyers first and then the marines who are sick second. That is the VA's own reg. Can you imagine that? Can you imagine that?

Most of the time when you hire a lawyer with a contingency fee, the client gets the money, and then you pay your lawyer. Right now, the VA wrote a reg, saying: Let's pay the lawyers first, and the sick marines will get paid second. That is in a reg.

So my bill is very simple: There is a 10-percent cap on contingency fees. That is fair. That is what the Biden administration's Justice Department recommended. There is a 2-percent cap for filing paperwork. Heck, should be 1 percent in my view. We are giving them a gift. And it gets rid of this outrageous reg from the VA to pay the trial lawyers before you pay the U.S. marines who are sick.

Simple bill, but it will have a huge impact on the sick marines who deserve compensation. And it will let them and their families, many of whom are old—remember, this is from marines who served in the 1980s at Camp Lejeune—it will let them and their families not have to deal with these unscrupulous trial lawyers who are taking their money.

This sickens me. I have not seen an issue that is so wrong. That is so wrong. We saw it coming. The Biden administration, to its credit, saw it coming. We tried to fix it. My colleagues on the other side of the aisle blocked it, and so I am just trying to fix it.

The VFW wants us to fix it. The American Legion wants us to fix it. I guarantee you, if you are an American watching this right now, you want us to fix it. The U.S. marines who sacrificed their lives for our Nation want to fix it. So it is a simple issue.

I would be shocked if one of my Democratic colleagues came down here and blocked my bill. But if you do, it is going to answer the question: Whose side are you on; trial lawyers getting rich or the side of U.S. marines who right now are getting crumbs?

So, as in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 5130 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and the motion to consider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me first salute my colleague from Alaska for his service to our Nation in the U.S. Marine Corps and to salute all our veterans for serving our Nation and tell them that as chairman of the Senate Judiciary Committee, the bill which the Senator from Alaska introduced 13 days ago is within the jurisdiction of this committee, and I am more than happy to sit down with him and to discuss righting wrongs, changing language, responding to this in the right way. But I have to say that the Senator from Alaska did not tell us the whole story.

The whole story is a little different, significantly. Back in days gone by, I was a trial lawyer—yes, I just admitted that on the floor of the U.S. Senate—for a living. It goes back many years, 1982 was the last time I ever practiced law, but I handled personal injury cases before Federal courts and State courts in Illinois.

I still have memories of that experience and enough of a memory to suggest that there are parts of the story that the Senator from Alaska did not include which are really relevant to this conversation, and it is an important, timely conversation.

It is worth reflecting on the fact that we are dealing with Camp Lejeune, a Marine Corps base in North Carolina. It is legendary. It has so many historic achievements for the men and now women who are being trained to serve in the Marine Corps who have gone through Camp Lejeune and with that training set out to defend America and to offer their lives and many of them gave their lives in that process. And so it is understandable that Camp Lejeune has this unique place in American history, but it also has a unique place in American environmental history.

You see, there was a determination in 1980 that the water that Marine Corps recruits and officers and their family were drinking at Camp Lejeune was ''highly contaminated.'' ''Highly contaminated.'' The year was 1980. When did the government acknowledge this problem? Seventeen years later, seventeen years with all of these marines, the officers and the recruits and

their families exposed to highly contaminated water sources.

You want to get angry? I get angry over that. Contamination discovered but not disclosed for 17 years.

Well, then you say: Well, thank goodness they have discovered it and admitted it. That must have taken care of the problem. It didn't even get close to addressing the problem because there were all sorts of legal defenses that were raised to the families who were pleading for help.

Many of them felt the birth defects in their families, neurological issues, cancers, and even deaths were attributable to this highly contaminated water. And yet they couldn't recover. They couldn't recover.

It took this Congress and this President, Joe Biden, to decide to change that.

And so in August of this year, the Veterans' Committee reported to the floor the PACT Act, and included in the PACT Act was an opportunity for the families who had been harmed—and many members of the family may have died—to finally be compensated.

Well, the Camp Lejeune Justice Act corrected the situation and enabled the veterans and their families who suffer from health effects of Camp Lejeune contaminated water to bring Federal lawsuits in the Eastern District of North Carolina against the Federal Government to seek economic and noneconomic damages.

Now, there is an earlier approach you can use before you take this to Federal court, taking it to the Navy JAG Tort Claims Unit to see if they accept your claim for damages to your family, for medical bills, lost wages, whatever it happens to be.

The Navy can accept the claim, settle the case. If the Navy denies the claim or does not act within 6 months after you filed it, the victim has to file the lawsuit in Federal court.

So, first, there is an administrative opportunity for the Navy to pay, to say it is a legitimate claim, let's pay it.

But if they fail to act within 6 months or refuse the claim, your recourse is to go to the Federal district court.

Now, let me tell you what that entails—a lawsuit, a lawsuit where you have to prove damages. Now, that takes some doing in a Federal court.

If this were a compensation fund, you could understand where they would say: Well, you are going to automatically recover. The question is, How much? You have to prove the damages are related to the contamination of the water at Camp Lejeune. And when you have proven that there is a proximate cause, a relationship, then you have to prove up your damages.

At what point do you want to do that alone in a courtroom? Perhaps you do. I wouldn't even want to do it without some advice from some group.

If it were accepted that liability was already established, if it were accepted what the standard damages might be, then a legal fee should reflect that. I don't argue with that at all. I am happy to work with the Senator in that regard.

But what do you do for the cases where you have to prove it? Yes, I was in Camp Lejeune. I was working there, my family was there, between 1953 and 1987 or any other period of time. You have to establish all that in a court. What does it take to establish that in a court? It isn't just a simple declaration in a courtroom under oath—depositions, interrogatories, discovery process. It is all part of a Federal court case. Do you need a lawyer for that? I would recommend to anyone, don't do it alone. You could stumble, fail to make something important a part of the record, and not recover a penny when it is all said and done.

The question is, How much should the lawyers be paid?

Well, once again harkening back to decades ago when I did this for a living, they do it on a contingency fee. A contingency fee basically says: I get paid if you recover. If you don't recover, I don't get paid.

How much do I get paid? Now, that is an issue we ought to bring up, I would say to Senator SULLIVAN, in conversation. How much should you get paid for this?

The usual fee is a third. I charged much less. If you were in a case with workers' compensation where you didn't have to prove liability, it might be 20 percent. The Senator from Alaska is suggesting 2 percent.

Well, I am sorry to tell you, but you are not going to get a competent attorney to take the case and represent any marines at 2 percent.

The 10 percent, which he referred to and quotes the Department of Justice as the source, was for the case where there was no adversarial event in court. It is a case like a compensation case, where you say—you automatically don't have to prove that it happened to you, just prove up your damages. That is a different case altogether.

So here is what I would like to say. I sympathize with your complaint that television screens are being inundated with advertising from trial attorneys. I don't know who they are. I couldn't name one of them personally, but I know that they see this as an opportunity. Why? Because they have 2 years from our passage of this act to file a lawsuit. So they are anxious to get this done, move forward. I am sure those who were injured in the process would also like to move forward.

So I would say to the Senator from Alaska: Let's sit down together. The bill that you introduced almost 2 weeks ago is the starting point of a conversation which should take place. It is an important one. But at the end of the day, these marines and others who were victims of this water contamination waited for years for the opportunity for compensation.

Because the U.S. Congress passed the PACT Act and because President Joe Biden signed it into law, they have their day in court, if necessary. That is a remarkable achievement when you consider how far back this goes. It is remarkable.

We want to make sure that those marines who were denied justice all those years leading up to the passage of that legislation have an opportunity to recover or their day in court, if that is what it takes. But we also don't want to handcuff them with attorneys representing them who would accept 2 percent as a fee or 10 percent as a fee.

You just don't understand, Senator, that if I am going to prepare the case to take it into a Federal court, work—good work is involved in a good case.

Do some of these lawyers overcharge? You bet they do, and you and I can talk about that and the disclosure and the actual contingency fee so that marines and their families know what they are getting into and decide for themselves based on that knowledge.

In terms of whether the marine should be paid or the lawyer first, there is no question about it. The marine should be paid, no question about it. And we can clarify that as well. I think that is something we should do.

What I say to you, I offer to work with you on this to make sure that we do not deny a day in court or deny adequate representation to the marines who are seeking to recover. Let us expose those who may be exploiting the situation together. I join you in an outrage against that kind of phenomena, but in the meantime, let's do something positive and bipartisan that gives these marines justice. They have waited too long. And let's do it as soon as we can.

I am going to object at this moment, but I am not going to quit on this issue if you want to continue. I want to work with you.

The PRESIDING OFFICER. Objection is heard.

Mr. SULLIVAN. Mr. President, I want to let my other colleagues speak, but as the chairman mentioned—I have a lot of respect for the chairman. You can tell he is a good trial lawyer, but he said I don't understand.

Actually, I do understand. I understand a lot of what is going on here, and, unfortunately, I understand the power of the trial bar that blocked a lot of this. That is what happened. We know it.

My colleague mentioned 2 percent. Remember, this is the Biden administration's recommendation. It is not like they are enemies of the trial lawyers—2 percent to file a fee. OK? You can file a fee in your sleep. That is pretty generous, and 10 percent when—I am not sure the chairman has read his own bill, but the Camp Lejeune Justice Act actually restricts the Federal Government from making traditional defenses in court, making the job of lawyers much easier and much less burdensome, which is a whole other reason you need 10 percent. Ten percent is generous. Ten percent is a compromise.

So here is my question for the chairman, again, whom I have a lot of respect for.

It doesn't kick in for 2 years, but every single day, one of these marine's families is getting scammed, and we all know it. We see it. Why the heck did the trial lawyers spend a billion dollars in ads? out of philanthropy? No, so they can get even wealthier.

So here is my request, and I hope the chairman will take it on. He is the chairman of the Judiciary Committee. We still have time before the end of this year. Bring this to the committee, mark it up. You do markups every Thursday to consider nominees. No offense to the nominees. U.S. marines who are sick are a lot more important. Address this right now.

So if I can get the chairman's commitment to work with me and others who care about this, to mark up this bill and UC it with us before the end of this Congress and get it over to the House to get justice for marines—not for trial lawyers—I would welcome that commitment from the chairman before the end of the year.

Is that something that you would agree to, Mr. Chairman?

Mr. DURBIN. I will agree to work with you on this.

Mr. SULLIVAN. By the end of the year?

Mr. DURBIN. I can't tell you that we are going to achieve it in 3 weeks.

Mr. SULLIVAN. Oh, I think it is pretty easy. It is the Biden Justice Department.

Mr. DURBIN. I hope we can, but let's do it in good faith. I am willing to sit down with you and work on it. Anyone who is trying to exploit these marines, their family, or others who were victims of this contaminated water that has been going on for decades, I have no use for them. But I do believe that in some cases they need good legal representation, and when you cap the fees where you capped them, good lawyers, frankly, are not going to accept cases. That means that marine may not get his day in court and may not get a case presented that is really critical for him and his family.

So let's try to find that happy medium. Let's try to stop the abusing that is going on, if we can. The advertising, I have seen it. Everybody—you can't miss it. It is everywhere, but the point is, let's do it in a conscientious way, thoughtful way, and as quickly as we can.

You introduced this bill almost 2 weeks ago. It is a significant change in the law. To think that we can finish it in 2 weeks, I am not sure, but I will try. At least I will give my good-faith effort to try and reach a place where you and I can agree.

Mr. SULLIVAN. Well, I hope, if you are a member the American Legion or the VFW, you want to call the Senate and tell them to get this done by the end of the year, we welcome your phone calls—welcome your phone calls.

I hope we can get that done, Mr. Chairman. I know some of my other colleagues—Senator TUBERVILLE also feels very passionate about this.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, I want to thank my colleague Senator SULLIVAN for calling up this important legislation.

You know, I have the pleasure of serving with him on the Armed Services Committee and Veterans' Affairs Committee and am proud to join him in this effort.

You know, the brave men and women who serve in our Armed Forces know they might be asked to pay the ultimate sacrifice, but no person, no matter how selfless, joins the military willing to give up their health or their family's health because of toxic chemicals in their drinking water—nobody does.

Unfortunately, that is the reality faced by many marines who spent time at Camp Lejeune. And since the passage of the PACT Act earlier this year, we have seen unprincipled trial lawyers jump at the chance to take advantage of the situation.

The bill we are discussing closes a loophole in the PACT Act that should not have existed in the first place.

I have 500,000 veterans in the State of Alabama. I got on the Veterans' Committee to help those people.

We worked for almost a year on this PACT Act. It wasn't near complete, but at the State of the Union last year, President Biden gets up and says we are going to get this thing done, and we are going to get it done quick.

Nothing happens quick in this building, I will tell you right now. And if it does happen quick, it doesn't work.

We were probably three-quarters of the way done with it, and last year we were told we are going to take it—from the majority leader in the Senate, and said we are going to take it. We are going to run it through. It wasn't ready to go because we had things like this that were going to be a problem.

I voted against it. I caught heck from my veterans back in Alabama and still catching it. Until today, I am still explaining why I did this. And I told them: It wasn't ready to come out. A $500 billion bill wasn't ready to come out to help the veterans of this country. It was going to have problems. And I told them: I hope I am wrong. I hope it all works. But here we are, just a few months later, and we have got our first problem. This won't be the last. This will not be the last.

One example is this section 804, the Camp Lejeune Act, while well-intentioned and meant to be right and right a wrong, this section doesn't include a critical guardrail to protect those it meant to protect.

So, currently, bad actors are able to profit from this misfortune of veterans. And, again, hopefully we can get this right. I mean, because if this—and it is not small. This is a defect of the bill that was rushed through for some unknown reason. We are going to have other problems, but we need to correct this problem first. We are all sick of these dang commercials and all these lawyers making this money.

So as a member of the Senate Veterans' Affairs Committee, I am committed to protecting those who protected us, and I hope we all are in here. This includes doing what I can to fix this PACT Act along with my colleagues on both sides of the aisle.

I am disappointed my colleagues failed their commitment to protecting our veterans in this bill, and hopefully we can get it right.

I yield the floor to my colleague.

Mr. SULLIVAN. Thank you, Senator TUBERVILLE.

I just hope that our colleagues will do what is right for our veterans and get this done by the end of this year.

If you are a veteran or a member of the American Legion or the Marine Corps, call the Senate, call the chairman of the Judiciary Committee. I am willing to work tonight to get this done, but we cannot delay. We cannot do rope-a-dope tactics here in the Senate to give the trial lawyers the money when it should go to U.S. marines and their families.

I also want to call on my colleague Senator BLACKBURN.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes prior to the scheduled vote and that Senator CARDIN be permitted to speak for up to 15 minutes prior to the vote.

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

BOTS ACT

Mrs. BLACKBURN. Mr. President, earlier this month, Ticketmaster truly met its match after hundreds of thousands of Taylor Swift fans walked away empty-handed from a disastrous online ticket presale. Ticketmaster blamed a combination of demand and ''a staggering number of bot attacks'' for the slow-moving queues and last-minute crashes that left fans furious and with a lot of questions. They still want to know how all of those tickets that were in their carts just disappeared.

Now, this isn't the first time we have seen Ticketmaster struggle to manage bot attacks. Other popular tours have given their web developers a workout. But this time, the company failed on such an unprecedented scale that people who don't follow popular music know exactly what happened. Anytime a major company causes this level of disappointment in their customers, we see consumer protection advocates launch new demands for antitrust investigations.

And I am sure most of my colleagues know that has happened here in the Senate. Some of my Judiciary Committee colleagues have already promised a hearing to explore potential antitrust violations of Ticketmaster. But here's the problem: Spending more

time and resources examining competition in the online ticket marketplace isn't going to solve the problem that caused this mess. To do that, we need to back up and understand how bots actually work.

All ticket sellers use technological safeguards to impose limits on the number of tickets each buyer can purchase. Your average ticket buyer doesn't have the skills to sidestep those limits, but modern-day scalpers do. All they need to do is write a software program—or a bot—to get around those safeguards. Because of the way these bots work, one scalper can purchase hundreds or thousands of tickets in just seconds after they go on sale. When this happens, real consumers end up at the back of the line because no matter how fast you click, you are not going to beat a bot.

Fortunately, we already have a way to solve this problem that will benefit both the artist and their fans. In 2016, when I was still serving in the House, I led congressional efforts to pass the Better Online Ticket Sales Act, also known as the BOTS Act. Senator SCHUMER led that effort here in the Senate.

This bill made it unlawful for scalpers to circumvent the controls used by ticket issuers to limit sales. It also created a backstop: If the scalpers do manage to get their hands on too many tickets, the BOTS Act made it illegal for scalpers to resell those tickets on the secondary market. The BOTS Act passed the Federal Trade Commission with enforcement authority, but the FTC has not followed through.

In January 2021, the FTC took its first and only enforcement action under the BOTS Act against three New York-based brokers for conduct that began in 2017. That is one enforcement action in 6 years.

Now, one of two things can be true here: Either the existing enforcement mechanisms are faulty, or the FTC's approach to using them is faulty. This is the investigation that we should focus on.

I want to thank my colleague, Senator BLUMENTHAL, for helping me kick it off. This week, we sent a letter to the FTC asking a few very simple questions about how they are using their BOTS Act authority.

First, does the FTC have any pending enforcement actions?

Second, why has the FTC only undertaken a single enforcement action to date?

Third, are there any obstacles preventing the FTC from exercising its authority?

And, finally, are there other solutions Congress needs to consider in conjunction with the BOTS Act?

The Commissioners have a choice. They can either tell us how we can expect them to use their BOTS authority in the future, or they can tell us what they need to get the job done.

The trickle-down effects of their failure to enforce the law have put music fans in a bind, but it is important to remember that the entertainment industry is not the only industry that will suffer if the FTC does not do its job.

Especially since the beginning of the pandemic, we have seen entire industries move their operations online. This has presented scalpers and bot programmers with a golden opportunity to branch out and start forcing consumers into secondary markets for sports tickets, movie tickets, sneakers, video game consoles, popular toys, and other items that come with limited availability. In 2021, tickets for the opening of the newest Spiderman movie went for $100 on the secondary market—which is about five times the regular price of a movie ticket.

Now, you may not care about concerts or movies, but consider how this could eventually trickle down to affect the things that you really do care about. Anywhere you find that combination of scarcity and popularity, you are going to find bots blocking access to the market. And for the average person, there is nothing that individual is going to be able to do about it.

We, however, can do something about this; but as I said, an antitrust investigation isn't going to get the job done. If my colleagues want to fulfill their promise to fix the problems that led so many music fans to be disappointed earlier this month, they need to join me and Senator BLUMENTHAL in working with the FTC to enforce the law against these ticket scalpers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

CLIMATE CHANGE

Mr. CARDIN. Mr. President, one of the greatest challenges we have is climate change. We are seeing the cost of inaction: the flooding that is occurring very frequently here in the United States and around the world; the forest fires that we have experienced here in the United States; droughts; extreme weather events occurring more frequently, including in my own State, where we had two 100-year floods within 20 months in Ellicott City, MD; climate migrants, people who can no longer live in their communities because of the rising sea levels. It is an urgent issue for us to address.

So I want to share with my colleagues the recent codel I led to the COP27 climate discussions at Sharm el-Sheikh, Egypt. I was joined in that codel with Senator WHITEHOUSE and Senator MARKEY. We were there November 10 through 12 for approximately 2½ days.

COP27 is the United Nations climate change conference. It was my fourth conference that I have led Senators to attend to deal with the climate issues with the international community.

My first was in 2015, COP21 in Paris, in which the U.S. leadership under the Obama administration was able to bring together the global community to a commitment that we needed to limit the rising heat—rising temperatures to no more than 1.5 degrees Celsius. But we also needed that commitment among all nations. And we got that in Paris. It was a major accomplishment, thanks to U.S. leadership.

I returned to a COP23 meeting in 2017 in Bonn. That is when President Trump had withdrawn the United States from the climate discussions and from Paris. We were there to make it clear that the United States was still committed to our participation in doing what is responsible to reverse the trend of rising climate heat.

I then attended the COP meeting in 2021, COP26 in Glasgow. I was pleased to report at that time with my colleagues that America was back. This was after President Trump had withdrawn and President Biden reengaged the United States in the global climate discussions. We were very strong in our language, but the international community wanted to know if the United States would back those words with action.

So I was very pleased that in 2022, at the COP27 meetings in Sharm el-Sheikh. We could say, in fact, that the United States was back, that we have acted; we have taken action. And I must tell you that the international community was very impressed by what we have been able to do in this Congress, what the Biden administration has been able to do on the climate agenda. In fact, one complaint I got is that—from our traditional allies is that we may have done too much, and they are not sure they can compete with us in regards to the renewable energy industry. That is a nice situation for us to be in as the leader of the world.

So we talked about the passage of the bipartisan infrastructure bill, which was our first major investment into electric vehicle infrastructure for green infrastructure.

But the passage of the Inflation Reduction Act was a game changer. It was the largest investment in climate change by a nation ever—$369 billion we were able to get done. It provided many incentives and many different buckets in areas in order to deal with our commitment to reduce emissions. It provided incentives for electric vehicles. It provided incentives for a battery supply chain here in the United States. It provided incentives for offshore wind, a major renewable energy source. And the list goes on and on and on.

It included a major commitment on environmental justice, because we know vulnerable communities are more vulnerable, those that are the traditionally underserved communities are more vulnerable to the effects of climate change. We need to make sure that we help these communities deal with these challenges.

The bottom line that what we can report at the COP27 conference is the United States is on target to meet our emission goals. We have taken decisive action in order to achieve the goals

that President Biden announced of a 50- to 52-percent reduction in emissions over 2005 levels.

That was good news for the international community and provided, I think, the type of energy in Egypt that allowed us to make progress.

We were there for 2½ days. We had over 30 meetings. I must tell you we were a popular group. Many countries wanted to meet with us. We had a lot of bilateral meetings. We do this because we recognize that every country must meet its goals if we are going to be able to achieve the emission reductions that are necessary. So we made ourselves available to listen to the concerns of other countries. Some of them were our traditional allies that are fully industrialized nations; some of them were developing countries. We all understood that we all need to find a way to meet our emission reductions goals if we are going to be able to avert the most severe consequences of climate change.

We met with many foreign officials. We met with the U.N. officials that are responsible to conduct the conference. We got a good briefing as to the politics of trying to get 190-plus nations together on the same page on these issues—not an easy task. We met with global business leaders.

We met with the indigenous community leaders, because the indigenous communities—particularly in the developing countries—are the ones who are the most vulnerable. They are living under very difficult circumstances. And when we asked them not to deforest the land in which they are living on which they do for farming practices or we ask them to make certain sacrifices, they are saying: Well, why should we be making these sacrifices when the developed nations didn't do that way back when?

So we need to be concerned about the welfare of all these communities.

We met with civil society leaders, because you cannot have success in a strategy to deal with climate unless we had the buy-in from all of the stakeholders.

And, yes, we met with our leaders, the U.S. leaders. I want to give a special shout-out to our former colleague John Kerry, who has been one of our principal leaders in negotiating on behalf of the United States and has traveled the world in order to increase countries' commitments to emission reductions.

The theme for the 2 days that we were there, the theme every day at the COP meetings—one was Decarbonization Day, and the other was Adaptation and Agriculture Day.

On decarbonization, it was right on message of what we are concerned about. We talked about meetings that we had with the power sector as to how we needed to use the incentives we have in America and then globally to have clean energy credits to bring down the emissions that are being created through the fossil fuels in creating energy. We talked about how we in America can use the credits that are in the Inflation Reduction Act to show the international community how we can all help in reducing emissions.

We also had a chance on Adaptation and Agriculture Day to listen to President Biden. President Biden attended the COP27 meetings and gave I think a very important address to all of the conferees about America's leadership. It was Adaptation Day, and the President announced additional funds that America committed to the Adaptation Fund to make it clear that the United States is going to be part of these efforts.

I must tell you, we met with the Pakistani delegation. We expressed our condolences over the loss of thousands of citizens of Pakistan due to the consistent and continuance flooding that has taken place in that country. A large portion of Pakistan is really not habitable today because of sea level increases and the effects of climate change. Adaptation is very important. They don't have the resources for adaptation.

(Ms. SMITH assumed the Chair.)

Madam President, I was just at the Naval Academy this past week, where we had a groundbreaking for raising the seawall. We have to raise the seawall in order to protect the Naval Academy. That is something we have to do to adapt to the realities that we have—more frequent high-tide flooding in Annapolis. We had the resources to do that. Pakistan does not have the resources to protect their population.

The United States and the international community must work on adaptation, but it is not a substitute for mitigation. Our principal way to deal with climate is to make sure we reach our emissions goals and reduce our greenhouse gas emissions so that the worst effects can be avoided. Mitigation and adaptation are critically important. We need to do both.

Now, I will tell you, the most controversial discussions that took place at COP27 dealt with the international climate financing issues. You may have heard about the loss and damage discussions that took place there, and it is controversial. It is not controversial, what we are trying to achieve.

I pointed out and my colleagues Senator WHITEHOUSE and Senator MARKEY pointed out that the United States has been very actively engaged with the developing world to help develop their green infrastructure. We do that through USAID and the work they do around the world. We do it in the Millennium Challenge grants and the work they do around the world. We do that in our participation with international banking institutions to provide credit to the developing countries so that they can develop green infrastructure, particularly in the energy sector. We do that through many bills we pass here.

I will just give you one example. I am proud of the Neotropical Migratory Bird Act, that I was partially responsible for making sure that we funded that. That provides grants for habitats for migratory birds. That money is almost all spent in other countries. I was just recently in South America, and they were thanking us for the work they have done in regard to this program in protecting the habitat for migratory birds.

So the United States does a lot in regard to international financing. We share our technology. It is U.S. technology that is being used by these countries in order to develop their infrastructure.

Our objective is clear: We want the developing world to have green infrastructure that gives them reliable energy, gives them reliable transportation. We want them to do that without deforestation, without taking away their forests. We want them to do that without using their fossil reserves. For that, we have to be active participants in international financing to help them. We are that. We are a reliable global partner, and we made that point over and over again.

I will just give you one more example of how we are helping. Senator MENENDEZ has introduced what is known as AMAZON21, a bill I hope we can pass in this Congress. It provides help to preserve forestation around the world. It is named for the Amazon, of course, which is the greatest treasure we have in our hemisphere on forest lands that are very much subject to being lost.

I joined Senator MENENDEZ in Ecuador recently, and we talked to leadership there about what they are doing to protect the Amazon. They need help so that the indigenous population does not have to cut down the forests in order to farm. We need to be helpful in that, and AMAZON21 would be the U.S. response to help to maintain the forests. Why do we want to maintain the forests? Twenty percent of the global carbon emissions is occurring through deforestation. It is a huge source to meet our goals that we need to meet.

COP27 was held in Egypt, and we cannot go to Egypt without mentioning the human rights concerns that we have in that country. Thousands of journalists, protesters, and activists are in jail today without trial solely because they are trying to report the news or disagree with their government or be environmentalists.

That is wrong, and we raised those issues. We met with the families of some of the victims who are in jail today, and we met with the Foreign Minister of Egypt in order to raise these issues. We will continue to raise these issues and urge the Egyptians to release those who are being held for just expressing their views or being journalists. That is wrong, and they need to be released.

Lastly, let me just compliment the U.S. leadership at COP27. I already mentioned Secretary John Kerry. John Kerry has done a great service to this country and to the global community.

He has traveled the world. He has gotten countries to move a lot further than I think any of us thought was possible. I want to congratulate our former colleague for the work he has done on the climate issues. I want to also acknowledge Assistant Secretary Monica Medina, who worked tirelessly during COP27 in order to get results.

We are certainly not satisfied with everything that happened at COP27. Let me make that clear. There were disappointments. We would like to have seen an increase in the emissions targets, much more than have been made. We have to do better. They only made modest progress on mitigation. But important progress was made in forest protection. So we did make progress, and we brought the international community together in order to recognize that this is a global problem.

I am so proud that the U.S. leadership is back on the international scene, leading the international community to do what we need to to reduce greenhouse gas emissions and avert the most severe consequences of climate change.

With that, I would yield the floor.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Robert Phillip Storch, of the District of Columbia, to be Inspector General, Department of Defense.

The PRESIDING OFFICER. There will now be 2 minutes for debate, equally divided.

Mr. CARDIN. I yield back our time.

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

VOTE ON STORCH NOMINATION

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

Mr. CARDIN. 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. DURBIN. I announce that the Senator from Georgia (Mr. WARNOCK) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. HAGERTY), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Nebraska (Mr. SASSE), and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 92, nays 3, as follows:

[Rollcall Vote No. 367 Ex.]

YEAS—92

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

NAYS—3

Braun	Cotton	Hawley

NOT VOTING—5

Hagerty	Sasse	Warnock
Hyde-Smith	Toomey	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. OSSOFF). Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be notified immediately of the Senate's action.

The Senator from Virginia.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. KAINE. Mr. President, I rise to offer a unanimous consent request for the approval of two important nominees to ambassadorial positions that have passed through the Foreign Relations Committee, and the first that I want to offer deals with seeking to advance the nomination of William H. Duncan for the U.S. Ambassador to El Salvador.

I appreciate that my colleagues—two colleagues from the Republican side—are here on the floor to respond to these requests.

Mr. Duncan is a 30-year veteran of the career Foreign Service. He has experience serving throughout the Western Hemisphere region: El Salvador; Monterrey, Mexico; Mexico City; Asuncion; Madrid; Bogota; and Matamoros. He has also served domestically in the Offices of Andean Affairs, Mexican Affairs, and Central American Affairs. He has had a tour in Baghdad and in the State Department Operations Center.

I say this not to bore everybody with a long recitation, but because Mr. Duncan has had a pretty incredible career. And it is near impossible to imagine a career more fit to purpose and a nominee better suited to serve an enormous and unique challenge that the United States faces today in El Salvador.

The United States faces a very tough question in El Salvador right now, and that is the current President of El Salvador, President Bukele. He is locally very, very popular, but he has utilized his popularity for malfeasance. He has exploited weak local institutions to begin to undermine civilian society and build up a security state. He has imprisoned around 50,000 of his own citizens since just March of this year and curtailed the civil right of the remainder.

Members of Bukele's party have openly meddled directly in U.S. legislative elections.

Experts increasingly doubt the country's ability to pay nearly $800 million in Eurobond payments that it owes coming up in February. A default could spur a fresh round of migration northward from El Salvador to Mexico and the United States.

My friends across the aisle frequently—and, I think, appropriately—cite migration as a top foreign policy challenge, and they have got a point. The size and scope of this crisis, compounded by El Salvador and President Bukele's actions, and the humanitarian impact on the entire region and our country are worsening by the day. I agree that the issue needs much, much more attention, and El Salvador is right on the frontline of this crisis.

I lived in Honduras, very near the Salvadoran border in 1980 and 1981. It was a challenge then. It is a challenge now. No country can, on its own, confront the myriad of challenges facing El Salvador today, transnational organized crime being one of them.

So we have to work together to strengthen the rule of law in El Salvador. That is essential if we are going to discourage irregular migration. Without the rule of law, El Salvador will never have the economic growth that it needs nor will it be able to prevent human rights abuses and attacks on civil liberties, reduce gender-based violence, or defeat the threat from criminal gangs, all drivers of irregular migration.

Addressing these drivers and other serious U.S. policy concerns requires engagement at the highest level by experienced, incredible interlocutors, such as Mr. Duncan. We urgently need a Senate-confirmed Ambassador to engage President Bukele in El Salvador and civil society, including the courageous human rights activists, on these issues.

As Mr. Duncan noted in his testimony in front of the Senate Foreign Relations Committee, the relationship between the United States and El Salvador has been exceptionally close for more than 40 years, despite many, many challenging issues. Through a horrific civil war, a fraught peace process, and into today's challenges, such as fighting transnational organized crime, the United States has worked cooperatively with El Salvador in everything we can and disagreed firmly and constructively when we needed to.

It is worth noting that over these years, many Salvadorans have become our fellow citizens, including right here in the DMV, through processes such as TPS status. Two and a half million Salvadorans live in the United States. They proudly contribute to our national fabric through their creativity and work ethic and to El Salvador

through billions of dollars in remittances every year.

Now, I have been speaking a bit. One word you haven't heard me mention at all is Cuba. I have a feeling, based on an earlier iteration of this, that my colleague will cite concerns about the administration's challenges with Cuba as a reason for this hold, and I just ask the question: What does this have to do with El Salvador?

There are always differences of opinions within the Senate on every administration's policies on Latin America and especially Cuba—I get that—even, at times, strong opposition. And I have raised opposition about issues with respect to Cuba with this administration and others.

We all are free to offer bills and amendments dealing with the many challenges in Cuba, but Mr. Duncan was nominated for this role in an entirely different country, El Salvador, in February 2022. His Senate Foreign Relations Committee hearing was in August. He has been pending consideration by the full Senate since then, as the human rights situation in El Salvador has been worsening. Let's get our Ambassador out onto the field and put him to work.

And so with that, Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 1106, William H. Duncan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador of the United States of America to the Republic of El Salvador; that the Senate vote on the nomination without intervening action or debate; that, if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately informed of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. SCOTT of Florida. Reserving the right to object, first, I want to thank my colleague from Virginia for coming down to the floor and bringing up the issue of U.S. foreign policy toward the Western Hemisphere. I agree with my colleague that U.S. foreign policy toward Latin America is of the utmost importance and that the Ambassadors we send into Latin America must advocate for the right policies.

Sadly, as both Vice President and President, Joe Biden has had a policy of appeasement toward Latin America dictators. President Biden has given operational control of the U.S. southern border to criminal cartels that work with narcostates like Venezuela and has shown that there are no consequences for crossing the U.S. border illegally.

He removed FARC from the list of foreign terrorist organizations, which I cannot understand why he would do that. He didn't invite Juan Guaido to the Summit of the Americas, even though the United States recognizes him as a legitimate interim President of Venezuela.

He eased sanctions on the illegitimate regimes in Cuba and Venezuela, while getting nothing in return to stop the oppression of the innocent people in these countries.

Biden's policy of appeasement toward Latin America dictators has done nothing to help the Cuban and Venezuelan people. I believe his actions have made our hemisphere more dangerous and more dangerous for the people who live in these countries. While President Biden doesn't stand up to Castro, Diaz-Canel, and Maduro, we are left with a destabilized hemisphere that is less peaceful and puts our national security at greater risk and hurts the citizens of these countries. These are murderers, illegitimate dictators. Appeasement is the worst move imaginable.

Iran, Russia, and communist China love it when Biden is nice to their friends in Latin America.

And as any active observer of Latin America knows, the countries in the region are incredibly interconnected. Policy toward Cuba affects policy toward everywhere else in the region. And as we see leftwing, socialist candidates rise in the region, like Gustavo Petro in Colombia, it only gives further reasoning for why the United States must strongly project our values of stability, democracy, and anticommunism.

Joe Biden has the power to join the Cuban people to call for the Cuban Communist Party to change. Where is he? Aside from a couple of statements he made last year, President Biden has not taken one action to support the Cuban people in their fight for freedom. He has done nothing to provide them with internet connections. He talked about it but didn't do it. He has done nothing to support the democracy movement on the island. He talks about it but hasn't done it. Instead, he and his administration have bowed to the demands of Cuba's murderous regime and have chosen not to stand for democracy and human rights.

The President couldn't even be bothered to speak about the 1-year anniversary of the July 11 historic and peaceful demonstrations in Cuba.

It is time for President Biden to stand up. He must call for the immediate release of the hundreds—hundreds—of pro-democracy activists, including children as young as 14 years old, that the regime has unjustly detained and subjected to physical and psychological torture.

President Biden's policies toward Latin America have diminished our influence in the region, and the people have seen their calls for freedom abandoned. It is essential to the national security of the United States, as well as our efforts to support freedom, democracy, and human rights, that President Biden reverses these foolish actions and not allow totalitarian dictatorships in our hemisphere to go unchecked.

We can never bow to dictators—never. It is time for Biden to lead and oppose these genocidal dictators and support human rights. Until he does, I am not going to allow these nominations to go forward.

And I don't disagree with anything that my colleague from Virginia said, as far as that there are different ways that you can do foreign policy in Latin America. But not to be willing to just make a statement that these poor people in Cuba ought to be released is just unbelievable to me.

So, therefore, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. KAINE. Mr. President, let me respond, and I will soften my request toward my colleague after I briefly respond.

My response is this: I don't see the logic. Cuba is not El Salvador. I listened to my colleague's comments, and I heard him talk about Cuba, and I talked to him about Venezuela. I didn't hear him say one word about El Salvador or one word about William H. Duncan.

These are not the same countries. It is not like they all look alike. They are different countries.

Now, we don't want them to be alike. That is true. We don't want them to be alike, and the danger we have—and I will have a request for the Senator from Florida in a second. The danger we have is, if we send El Salvador a sign of disrespect by not sending them an Ambassador, the dangerous tendency of the current President Bukele becoming more and more authoritarian could move El Salvador into a position where they are more and more like Cuba, and I don't think any of us want that to happen.

And so I would render a softer version of my request to my colleague from Florida and, instead of asking unanimous consent, that we just have a UC vote on this.

I would soften it and ask unanimous consent that, at a time to be determined by the majority leader, the Senate consider this nomination: Calendar No. 1106, William H. Duncan, a Career Member of the Senior Foreign Service; and that the Senate vote on the nomination, offering to all the opportunity to vote no, if that is their choice, without intervening action or debate; and that if confirmed, the motion to reconsider be considered made and laid upon the table, with the President notified immediately of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. SCOTT of Florida. As soon as President Biden puts out a statement that all the peaceful protesters in Cuba should be immediately released, I will not object.

But until he does, I object.

The PRESIDING OFFICER. The objection is heard.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. KAINE. Mr. President, I have a second UC request.

Understanding that request, I agree with you on the request, and we will work to see if we can accomplish something that will be satisfactory.

Now I rise to seek consent to advance the nomination of a friend and a Virginian, Leopoldo Martinez, for Executive Director of the Inter-American Development Bank. I did this a few weeks ago, but the important need of America to have an IDB that is investing in the region to counter Chinese investments that are occurring every day has become even more apparent to me because, since the last time I took to the floor to promote Mr. Martinez, I have visited the Dominican Republic, Costa Rica, and Panama and seen the tremendous competition that we are up against.

The IDB is the largest source of international financing and development financing for Latin America and the Caribbean. It is of national interest for the United States to build up the economic prosperity of the countries of the Southern Hemisphere.

Latin America and the Caribbean continue to face challenges from COVID–19, where the region had the highest global per capita infection and death rate. And 8 percent of the world's population is in Latin America, and 30 percent of the world's COVID deaths were in Latin America.

It is also experiencing the largest economic contraction of any region in the world. The IDB plays a key role in improving economic outcomes for the region. We have seen again and again that when these countries have troubled economies, it is not just a faraway problem. It drives government corruption, organized crime, drug use, drug trafficking, and irregular migration that can start as a country's problems, but very quickly they expand beyond the borders of the country to affect other nations, including the United States.

When we don't step up, we see China, Russia and Iran and other nations step up.

Over the last decade, China's investments in Latin America have ballooned. They are moving aggressively and rapidly in this space. In 2020, just for a prepandemic example, China's direct investments in Latin America were roughly $17 billion. The China Development Bank and the Export-Import Bank of China, both of which I know are state-owned, are among the regions's leading lenders. So between 2005 and 2020, these two banks together loaned around $137 billion to Latin American governments.

So what does that matter to us? Well, the cost to American interests is very clear. In exchange for these funds, China gets favorable access to oil resources. They support and control high-value strategic energy and infrastructure projects. They force tough decisions on the recognition or the removal of recognition of Taiwan. The Dominican Republic and Nicaragua flipped their positions after being offered financial incentives by China. The few holdouts left, like Haiti, are facing increased pressure to do so as well.

So how do we push back? It is the IDB that allows us to push back. In 2021, despite the pandemic, the IDB pumped $28.3 billion in investments, loans, and assistance into the region. I would note that China is now a voting member of the IDB. Our absence has a direct impact on China's ability to exert influence even within the IDB structure itself.

Now, again, my colleagues across the aisle, they want a more muscular approach on China. They are right. They accuse the Biden administration of not doing enough, of being soft, but if you look at the extraordinary effort they are putting in to block qualified nominees across the region without any justification that meets my standards, it is clear that—wait a minute—are these blocks of nominations in the Western Hemisphere, are they helping the United States stand up to China or are they making it harder for us to do that? If we can't even take the step of approving Ambassadors and putting key people in place that will use U.S. resources to exert our more pro-democratic influence, what is the outcome? China has an active and growing presence right here in the neighborhood. Failing to confirm Leopoldo and these other nominees based off of accusations and unrelated policy concerns, I think, is malpractice in terms of our foreign policy.

Mr. Martinez is the right man for the job at the IDB. He brings decades of experience in the public and private sectors as well as academia. He has extensive experience advising Fortune 500 companies, private equity funds, international businesses, and nongovernmental organizations. He is the CEO of the Center for Democracy and Development of the Americas as well as commissioner for small business of the Commonwealth of Virginia, and on the Board of Visitors at the University of Mary Washington. He is a constituent, and I will admit to the personal bias that he is also a friend—a person of high integrity whom I have known for years and can vouch for.

Now I want to take now a minute just to respond to some comments that were made by my friend—and he is a friend—from Texas about Mr. Martinez's background when we last discussed this nomination in September. Mr. Martinez was then labeled—accused, actually, somehow of being a Chavezista or a Maduro regime sympathizer. I responded without notes on that day, but I want to go a little deeper into it to tell you about Leo's personal history because that personal history is a significant and painful one, and it suggests that his being branded as a Chavezista could not be further from the truth.

Yes, Leo Martinez is a former Venezuelan politician. He was elected to his role in the Venezuelan Parliament in opposition to Hugo Chavez. His consistent, strong, and public opposition to Chavez resulted in his persecution by that regime. For this reason, he had to flee to the United States in 2005 to escape persecution by a regime and a very real threat of imprisonment. The regime confiscated all of his family's assets. The idea that someone who had the courage to risk his life to oppose Chavez, who quite literally fled from the regime's attacks, who has had his family wealth seized by the Chavez regime, who is in the United States and eligible for this nomination because of his opposition to the regime—to claim that that person is somehow a Chavezista is just outrageous.

But don't take my word for it. When the accusations were made in September, they were thoroughly debunked by fact checkers. Univision went line by line through the accusations and found them to be grossly incorrect. The very day that President Biden nominated Leo for this role, the Maduro regime put a communications official on Venezuelan national TV and accused him of being a traitor. That is what the Maduro regime says about this nominee that President Biden has put forward to carry forward U.S. interests, including our U.S. interests in calling for accountability in Venezuela. Does that sound like a Chavezista to anyone—a person who would be branded a traitor by the Maduro regime because of being too pro-American?

Ultimately, I understand and respect there are differences of opinion within the Senate on some of the Biden administration's policies on Latin America. And I also admit that this is a challenging region with a number of challenges that are immune from easy answers, but strong opposition is one thing, and we are all free to offer bills and amendments to go in a different direction and to ask the Senate to vote on them.

But I would ask my colleagues—all of them—what does keeping the U.S. Executive Director position at IDB vacant accomplish for us? As we try to make smart investments in Latin American to get at the root causes of problems like migration, is hobbling the most important organization charged with financing our goal really helpful?

With that said, I ask unanimous consent that the Senate Foreign Relations Committee be discharged and the Senate proceed to the following nomination: PN1028, Leopoldo Martinez Nucete, to be United States Executive Director of the Inter-American Development Bank for a term of 3 years to succeed Eliot Pedrosa; that the Senate vote on the nomination with no intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that no further motions be in order on the nomination; that any related statements be printed in the Record; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Mr. President, reserving the right to object, in September, Democrats asked unanimous consent to the confirmation of Mr. Martinez Nucete. I objected.

At the time, I explained that President Biden had been pursuing a policy in Latin America that has given momentum to the hard left pro-Chavez, pro-Castro, anti-American movements across the hemisphere.

Indeed, I have explained at considerable length my deep opposition to the misguided foreign policy of President Biden and his administration. This President and this administration has consistently shown weakness and appeasement to the enemies of America, whether Communist China or Russia or Iran or Venezuela, while at the same time demonstrating deep animosity to friends and allies of America.

It is a foreign policy that I believe is precisely backward if the objective were defending U.S. national security interests.

President Trump, the previous President, frequently described his foreign policy as an America-first foreign policy. One of the best descriptions that can be given of President Biden and the Democrats' foreign policy is an America-last foreign policy.

Every region on Earth has gotten worse, more hostile to America, and more dangerous in the 2 years that Joe Biden has been President, and yet no region has been hurt more than Latin America.

President Biden came into office and immediately froze out pro-American governments in Latin America. For example, he went out of his way to undermine and to alienate the government of Colombian President Ivan Duque. He denied Duque a phone call for the first 5 months of the administration, providing morale and momentum to Duque's domestic enemies, and so the predictable result occurred. The Colombian far left gained more and more momentum, and a few months ago, leftist Gustavo Petro took control of Colombia, a former terrorist with a long record of deep anti-American animosity.

Since then, things have only gotten worse. In the aftermath of recent elections, Lula da Silva is set to take control of Brazil, the largest country in Latin America. And, of course, Biden immediately picked up the phone to call Lula to congratulate him.

I will note during the same few days, it took Biden a full week to call and congratulate Benjamin Netanyahu, who had just won election to be the next Prime Minister of our dear friend and ally Israel.

But for the Biden administration, they were thrilled to see an anti-American leftist like Lula in power, and they were deeply dismayed to see a pro-American friend and ally like Netanyahu in power.

Just last week, the Biden administration announced that it was providing sanctions relief to the Maduro regime in Venezuela.

Mark my words, I believe this administration is moving step by step systematically toward formally recognizing the Maduro regime. That would be a catastrophic mistake. I think the Biden administration would do it expeditiously. They would do it today if they could, but they know the political costs are high so, instead, they are advancing incrementally, inch by inch.

Right now, they are starting to unwind sanctions on Venezuelan oil while continuing to stifle drilling here at home, forcing American energy producers to seek oil from dictators and enemies of America rather than produce high-paying jobs here in the United States.

And I might note that oil produced in the United States is produced much more cleanly, emits less carbon, emits less pollutants than does the foreign oil, and yet the Biden foreign policy is such that they relish putting billions in the coffers of dictators.

Back in September, I said that the Senate badly needed to debate the trajectory and the likely consequences of Joe Biden and Kamala HARRIS's disastrous Latin America policy and that the nomination of Mr. Martinez Nucete for Executive Director of the IADB was particularly problematic in this context.

Mr. Martinez Nucete has a long career of being a hard-left partisan. In Venezuela, he served as a socialist congressman during the tenure of Hugo Chavez.

His nomination is both an example of, and if confirmed he would fuel, the Biden administration's ongoing effort to drag Latin America to the far left to empower anti-American Marxists throughout the region.

Now, I just listened to the words of my friend and colleague, the Senator from Virginia, claiming that, in actuality, Mr. Martinez Nucete was not the kind of Venezuelan socialist who supported Chavez; he was a different kind of Venezuelan socialist. He doesn't dispute that he is a Venezuelan socialist former congressman, but he says: No, he wasn't exactly of the same flavor of Chavez.

I will say I am not particularly interested in slicing and dicing the varieties of socialists in Latin America operating in Chavez's Venezuela.

I am opposed to former socialist congressmen of foreign nations representing the United States of America in any context, let alone at international banks.

I will say my colleague from Virginia spoke movingly about the importance of the IADB. I agree. We should have an American representative on that bank, and that underscores the need for President Biden to withdraw this nomination and nominate someone with experience who would advocate for America and not for the far left in Latin America.

I will note also that Mr. Martinez Nucete failed to advance favorably out of the Senate Foreign Relations Committee because every single Republican on the committee voted against him, and it was not just his record as a former socialist congressman.

One of the significant concerns was his deeply manifested hostility to religion and to people of faith. That hostility was demonstrated in answers and written testimony provided by Mr. Martinez Nucete in response to questions that I asked him.

These answers demonstrated a bizarre and disturbing hostility and antipathy for conservatives and people of faith and especially for conservative people of faith.

And let me note specifically what the concerns were. I asked Mr. Martinez Nucete, in writing, about his views and to what extent faith should be disentangled from development. Development often employs and is deeply involved with faith-based nonprofits throughout the developing world.

Here was his answer:

> There should be no entanglement between government and religion. That is a bedrock constitutional principle for us in America. I don't think any particular culture or religion is superior to others in terms of achieving socioeconomic development.

That answer was nonresponsive and deeply confused. So I asked more precisely for Mr. Martinez Nucete to describe the role that faith plays in economic development as a constraint or as a contributing factor.

Here was his answer:

> Education and respect for human rights, promoting social mobility in market economies, is the key to development, not faith.

For anyone involved in the efforts of the IADB and other international banks engaged in development, that is a bizarre answer, because faith-based nonprofits have played transformational roles in development. It demonstrates, sadly, the kind of antipathy to people of faith that is becoming more and more common on the American left and apparently was the view of at least one former socialist congressman from Venezuela.

I do not believe this nominee is an appropriate nominee to represent the United States of America on this international bank; and, therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KAINE. Mr. President, I would like to respond briefly, and then I will soften my request of my colleague.

Mr. Martinez was chased out of Venezuela because of his opposition to the regime that my Texas colleague opposes.

As to Mr. Martinez in Venezuelan politics, I didn't concede that he was a socialist. You said that I did. I did not. He was a member of three parties: the Democratic Party, the Justice First Party, and the Democratic Action Party. Those were the parties that he served in. And for one period of time, because of disagreements with the parties, he was an independent member.

So that is why the fact-checkers that went through this in September rebutted the allegation that Mr. Martinez was somehow a hard man of the left.

He is an opposition leader, and the proof of that is he had to do something that is very difficult: leave his own native country, leave family behind, be branded a traitor by the very regime that both of us would want to counter, and lose family assets and wealth to the regime.

I mean, do we want him to sacrifice more than that as evidence that he is in opposition to the Maduro regime? Left his country, lost his wealth, been branded a traitor—is that not enough to demonstrate his bona fides as an opponent of the Maduro and Chavez regime?

And with respect to the other claims made by my colleague, he doesn't like the answers that Mr. Martinez gave about faith. He broadens that to suggest that people on the left are against faith.

I resent that. I was a missionary in Honduras for a year in Latin America with Jesuits in 1980 and '81, and I know an awful lot of people on my side of the aisle, some who talk about it a lot and some who may not talk about it, including the Presiding Officer, whose faith is a central and motivating factor in our lives.

So if you don't like an answer that Mr. Martinez gave, that is a good reason, I guess, to vote against him. You have that right. But don't use that as an opportunity to say about everybody over on this side of the aisle, that we have hostility to people of faith. Many of us have sacrificed a lot and acted to do so because of our faith.

Let me soften my request, since my colleague, I understand, would like to vote against Leo Martinez and doesn't like a UC motion that would sort of lump everybody together to advance him.

I would ask unanimous consent that at a time to be determined by the majority leader, the Senate consider the nomination PN1028, Leopoldo Martinez Nucete, to be U.S. Executive Director of the Inter-American Development Bank for a term of 3 years; that the Senate have a vote on that nomination—a debate and vote on that nomination, with Members able to vote no, but with no intervening action; that the motion to reconsider be considered made and laid upon the table, with no further motions be in order with respect to the nomination; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Mr. President, reserving the right to object. There are a couple of things, but first of all, that nowhere did the Senator from Virginia, in his remarks, dispute in any way, shape, or form the chronology I laid out about the absolute disaster the Biden foreign policy has been in Latin America.

Nowhere did the Senator from Virginia dispute that as a result of Joe Biden undermining our friends and allies, far-left Marxist, anti-American leaders over and over and over again have risen to power, hurting the region and hurting America. That has been a consistent, deliberate pattern to undermine our friends and allies and to elevate vocal enemies of America.

My friend from Virginia also said he did not concede that Mr. Martinez has said that he was a socialist congressman. I believe what I said is he didn't dispute it. But, actually, in saying he didn't concede it, my friend from Virginia perhaps inadvertently did concede it, because he described on the Senate floor how Mr. Martinez Nucete was a member of the Democratic Action Party in Venezuela.

Democratic Action is a party that is formally and officially part of Socialist International. It is a socialist party. And that is one of the factors that I believe renders Mr. Martinez Nucete inappropriate for this nomination.

Let me finally talk about faith. I do not remotely question or doubt the Senator from Virginia's faith and the good faith with which he advocates his positions. He and I served together on the Foreign Relations Committee. I will say an unusual thing about my friend from Virginia. He is virtually alone among Democratic Senators. He will sit and patiently listen to my remarks in public and often in closed classified settings. I am certainly not immune from the senatorial disease of being sometimes long-winded and enjoying the sound of my own voice; although, I will note, I am not the only Member of this body afflicted with that particular disease.

Senator KAINE regularly will sit and listen to my arguments, despite the fact that the topics on which we are debating, he disagrees passionately with me. I try to reciprocate the favor and listen to his arguments, despite the fact that I disagree with many of the things he says. And I know that the Senator from Virginia cares deeply about his faith.

I also lament the rise of explicit hostility to faith among the left in today's Democratic Party. I recall when one Democrat Senator, questioning a nominee in the prior administration, suggested at a hearing that his Christian faith made him unsuitable to serve in the post to which he had been appointed. I recall when another senior Democrat in a confirmation hearing for Justice Amy Coney Barrett said infamously that ''the dogma lives loudly'' in her, by which that Senator meant Justice Coney Barrett's Catholic faith.

There was a time a few decades ago when we had a bipartisan embrace of religious liberty. The Religious Freedom Restoration Act passed this body overwhelmingly with Democratic and Republican support and was signed into law by a Democratic President. Sadly, that Democratic Party no longer exists.

Today's Democratic Party routinely votes in ways directly hostile to people of faith. And I need not look to prior confirmation hearings. I can look to votes on the floor of this Chamber yesterday. Yesterday, in advancing their gay marriage legislation, Democrats stood united against religious liberty. My colleague, Senator MIKE LEE from Utah, introduced an amendment that would protect religious liberty, that would prevent the Biden IRS from targeting for persecution churches and charities and universities and K–through–12 schools that believe marriage is the union of one man and one woman. Every Democrat in this Chamber had the opportunity to vote in favor of religious liberty, and yet the Democrats in this Chamber overwhelmingly voted against protecting religious liberty.

That is a sad development for this body. I wish we were back in the days where the protection of religious liberty was a bipartisan commitment. I hope one day we can return to that time.

Regardless of where today's American Democrats are, Mr. Martinez Nucete has written answers that demonstrated an unusual antipathy to faith, even among nominees in the Biden administration. And for all of these reasons—his antipathy to faith and his history as a socialist congressman in Venezuela—I believe this nominee is inappropriate to represent the United States on this international bank.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KAINE. Mr. President, I would like to respond, but I am not going to, just to remind my colleague from Texas that the bill we passed yesterday had ample protections for religious liberty that we and Republicans in both Houses have found very acceptable. But my colleague from Rhode Island has been very patient in waiting to take the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, I rise today for the 19th time to discuss the dark money scheme to capture and control our Supreme Court.

These themed speeches have covered a lot of ground, and if they have shown one thing, it is that the capture of the Supreme Court didn't happen overnight. It took years of planning and hundreds of millions in dark money dollars to turn our highest Court into a delivery system for far-right special interests. Slowly but surely, these special interests engulfed our Supreme Court. They set up dark money front groups to help confirm handpicked Justices. They swarmed the Court with flotillas of phony amici curiae to signal to the Justices which way they

wanted them to rule. And they built dark money doctrine factories to pump out fringe legal theories for the Justices to deploy, as they have.

Well, it turns out these weren't the only avenues the right-wing special interests used to influence the Supreme Court. Two weeks ago, the New York Times, building on earlier reporting by Rolling Stone and Politico, reported that during a private dinner with Justice Alito and his wife in 2014, two far-right activists received advance notice about the results of an important reproductive rights case—the Hobby Lobby case.

This was not an ordinary social occasion. Here is what we know:

Over more than two decades, a man named Robert Schenck invested more than $30 million in a private far-right campaign to lobby the Supreme Court. According to Schenck himself, the goal of this campaign was to ''embolden the justices'' to write ''unapologetically conservative opinions,'' to actually influence the text of opinions.

In pursuit of that goal, these activists set up base camp at a building they purchased across the street from the Supreme Court. From there, they slithered into every nook and cranny they could find, getting to know Court employees who could give them special access.

To get close to the Justices themselves, Schenck's operatives gave big donations to the Supreme Court Historical Society, an odd little organization but one that provides high-dollar donors with access to the Justices at private functions. After meeting the Justices at these events, the operatives then set to work ''emboldening'' them. They prayed with the Justices in their private chambers. They arranged for the Justices to meet other far-right activists. Most importantly, Schenck himself said, he encouraged his wealthiest donors ''to invite some of the justices to meals, to their vacation homes, or to private clubs.'' According to Schenck, he ''arranged over the years for about 20 couples to fly to Washington to visit with and entertain'' Justices Thomas, Alito, and Scalia, the three Justices who, in his words, ''proved amenable''—''proved amenable''—to these efforts.

I have spoken before in these scheme speeches about Justices' failures to disclose what they call ''personal hospitality,'' and we have found no disclosure of these dinners, visits, and vacations.

One couple from Ohio, the Wrights, stood out among the operatives in this plan. This couple not only ''financed numerous expensive dinners'' with these Justices at what they call DC hotspots, they secured special seats at the Court reserved for guests of Justices Alito and Scalia. They hosted Justice Scalia for hunting trips at their Ohio retreat, and they wined and dined privately all three of these Justices and their spouses. It was apparently at one of these private dinners with Justice Alito that the couple learned about the decision in the pending 2014 case.

The similarities between that alleged leak and the leak of the Dobbs opinion earlier this year aren't lost on anyone. Both cases involved women's reproductive rights, and both leaked opinions were written by Justice Alito.

But put the leak entirely aside and just look at a plan over 20 years for far-right activists to secretly wine and dine three FedSoc Justices as part of an orchestrated, multimillion-dollar influence campaign. That ain't nothing. And the only reason we learned about it is because the former lead of the operation decided to fess up.

As Slate's Dahlia Lithwick put it last week, ''[t]he real issue is that the justices allowed this to happen, encouraged [it] and rewarded it.''

The day after the Alito Dobbs opinion leaked, Chief Justice Roberts directed the Marshal of the Court to investigate, calling the leak ''a singular and egregious breach of trust that is an affront to the Court and the community of public servants who work here.'' Is a 20-year, $30 million private lobbying operation involving a base of operations, expensive dinners, trips to private retreats, cozying up to Court employees, and potentially another Alito opinion leak not worthy of the same response? Justice Alito denies leaking the results of the 2014 case and says he ''never detected any effort . . . to obtain confidential information to influence anything he did.''

So let's shift from the problems with this cozy, multidecade, multimillion-dollar influence scheme to the problems with the Court's inquiry into it.

The first problem is, no inquiry. The statements from the Court that we have seen have been by the Supreme Court's legal counsel, addressed to Chairman HANK JOHNSON in the House and myself in the Senate. Before the leak stories, Chairman JOHNSON and I had sent a letter to the Court asking it to address this wining-and-dining influence operation and whether any ethics rules were broken. After the leak story broke, we asked the Court to answer similar questions about that story related to the same operation.

The Court's legal counsel sent two letters in response, one that we received right before the leak story broke and one that came in just a couple of days ago.

The first letter omitted to mention a pretty salient fact—the fact that, as we now know, Mr. Schenck had already sent the Chief Justice a letter informing the Court of the influence operation and the leak. They were already on notice.

In a nutshell, the Court's first letter back to us said: ''We have ethics rules.'' Great. It is nice to have ethics rules. But it did not indicate that any inquiry had been made to determine if those ethics rules were violated. And the second letter gave no sign of inquiry, either, seeming to repeat Justice Alito's denials from press stories.

There is a reason in ethics investigations in all three branches of government that questions are asked. The reason is that proper questions and answers help get to the truth and that false statements in that investigation can be punished. A Court lawyer fishing quotes out of newspaper stories just isn't the same thing. It is not an inquiry, not to mention that that response completely ignored the overlay of the $30 million operation and that operation's use of the Supreme Court Historical Society to arrange private meetings with the Justices. It ignored the contemporaneous evidence that Schenck in fact knew the outcome of the case in advance and had acted at that time on that knowledge. The letter was a masterwork in cherry-picking, not a proper inquiry.

The obvious second problem is that with no inquiry, there is obviously no independent inquiry. Independence is the hallmark of proper inquiry, whether by a prosecutor or an inspector general or a congressional ethics committee. An independent inquiry would likely not overlook the many possible ethics problems raised by a $30 million private judicial lobbying campaign involving big donors courting Republican Justices.

One line from this last letter is worth focusing on. Toward the end, the Court lawyer says that ''Justice and Mrs. Alito . . . did not receive any reportable gifts from the Wrights.'' How does the Court's lawyer know that? Did he ask Justice Alito? Do they have a record of that conversation? Did he talk to the Wrights? We don't know the answer to any of these questions because there is no process in place at the Court for conducting these kinds of investigations—no process; no independence; no inquiry.

Let's assume that the substance of the Court's first letter is true: Yes, the Court has an ethics code. But even if the Court ''has'' an ethics code, an ethics code without any provision for a complaint to be delivered, without any provision for inquiry, without any process for enforcement, without any independence, and without any ultimate determination ever being arrived at and reported—that is not an ethics code; that is a wall decoration. Congress understood this point more than 40 years ago when it passed a law mandating a process for Federal courts to receive and investigate misconduct complaints against Federal judges. That law just doesn't apply to the Supreme Court.

So where are we? The Court does not even have a clear place for people to submit ethics complaints. In this case, it took repeated letters from the chairman of Congress's two courts committees, plus a flurry of stories in the press, to get the Court to respond at all. There is no procedure for how or when or whether the Court conducts ethics investigations, and there is no formal process to report any findings of the nonexistent inquiries.

The two essential classes that we recall from law school are civil procedure and criminal procedure. Procedure matters.

A Supreme Court Justice once said:

Procedure is the bone structure of a democratic society.

Procedure is the bone structure of justice, but, forgive me, the Supreme Court is the boneless chicken ranch of judicial ethics. You may remember the Gary Larson ''Far Side'' cartoon of the boneless chicken ranch. That is what we are up against.

A perfect illustration of this problem occurred when Judge Brett Kavanaugh became Justice Brett Kavanaugh. At the time Kavanaugh was elevated to the Supreme Court, he was the subject of 83 complaints for allegedly perjuring himself and for conduct unbecoming of a Federal judge during his confirmation hearings. A panel had been assigned. An inquiry was underway, independent inquiry, to find facts, to investigate those complaints, and that panel had acknowledged that the allegations were ''serious.'' But the investigations about Kavanaugh vanished when he was elevated to the Supreme Court. They weren't concluded. They weren't resolved. They just ended because, with his appointment, Kavanaugh escaped to the accountability-free zone surrounding the Supreme Court.

The $30 million wining-and-dining campaign is just the tip of the iceberg. There are many unanswered and evidently uninvestigated concerns.

We have heard nothing from the Court about whether Justice Thomas violated Federal law by refusing to recuse himself from multiple cases implicating his wife's attempts to overturn the 2020 election.

We have heard nothing from the Court about why the Trump-appointed Justices shouldn't recuse themselves from cases where dark money organizations that spent millions getting them confirmed show up or why those dark money groups shouldn't disclose who is behind them when they show up.

We have heard nothing from the Court about why Justice Scalia took dozens of vacations seemingly paid for by people with interests before the Court without disclosing those trips to the public under the Court's disclosure rules.

We have heard nothing from the Court about why it is appropriate for Justice Alito to make political statements about world leaders, as he did in Rome earlier this year, or show up at Federalist Society pep rallies.

Now, I know I have been very persistent about this, but I am not alone in this regard.

The four recent articles, first, ''The Supreme Court has lost its ethical compass. Can it find one fast?'' by the respected Ruth Marcus, editorial page, Washington Post editor, is at https://www.washingtonpost.com/opinions/2022/11/22/supreme-court-ethics-alito-ginni-thomas/; second, ''Confidence in the Supreme Court is cratering. It needs to adopt a code of ethics,'' by the editorial board of the Globe, is at https://www.bostonglobe.com/2022/11/29/opinion/supreme-court-facing-crisis-confidence-must-be-more-transparent/; third, ''The Real Problem With the Second Alleged Leak at the Court,'' the article by Dahlia Lithwick in Slate, is at https://slate.com/news-and-politics/2022/11/alito-leak-hobby-lobby-real-problem.html; and finally, the respected Linda Greenhouse's article in the Atlantic magazine, ''WHAT IN THE WORLD HAPPENED TO THE SUPREME COURT?'', at https://www.theatlantic.com/ideas/archive/2022/11/supreme-court-dobbs-conservative-majority/672089/.

It is well past time for the Supreme Court to join every other court in the land in adopting a real code of ethics, with procedures that are fair and transparent. Justices should disclose the same gifts and travel that other Federal officials are required to disclose, like in the legislative branch and in the lower courts.

And the Court should shine a light on the real interests behind phony amici curiae flotillas that show up there, just like we require lobbyist disclosure. The Justices ought to explain their recusal decisions to the public with a process to help enforce our Federal recusal laws.

And the guiding principle in all of this should be a rule so old it is in Latin: Nemo judex in sua causa—no one should be a judge in their own cause.

Is it too late to trust the Court that dark money built to take these steps on its own? Is our Supreme Court too permeated with special interest influence to restore itself?

If so, that means it is up to Congress. We can accomplish a lot by passing the bill Congressman HANK JOHNSON and I drafted, the Supreme Court Ethics, Recusal, and Transparency Act. And in the meantime, we will continue to pursue oversight, including oversight of these latest troubling allegations.

The people of the country deserve real answers from Justices we trust to wield the power of the highest Court in the country. We won't give up until we have those answers. So across the street over there, they had better get used to it.

To be continued.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

CLUB Q SHOOTING

Mr. HICKENLOOPER. Mr. President, I had hoped to come to the floor to celebrate the passage of the Respect for Marriage Act, a bipartisan vote to give same-sex couples equal protection under the law. I hoped we could reflect on how far we have come.

But instead, a little over a week ago, we were reminded how much remains to be done, how far we have slid back. On Saturday, November 19, a shooter walked into Club Q, an LGBTQ haven in Colorado Springs, and killed five innocent people—five people in a space where everyone is empowered to be who they are, to live as themselves, and to do so without fear. Unfortunately, that was taken away.

It is hard not to see this shooting in the context of a rise in hate speech toward the LGBTQ community and a rise in using the community as a literal target to score cheap political points. The entire LGBTQ community has been demonized, slandered, and defamed by politicians and public figures.

Three hundred forty-four laws have been introduced across the country attacking the community. We have seen a resurgence of old tropes and falsehoods and a fixation on drag shows and drag queens, with baseless claims of their danger to children.

According to the Human Rights Campaign, during the last election alone, $50 million worth of anti-LGBTQ ads were run—at best, spreading misinformation; at worst, fueling the flames of hate.

And on November 19, the Colorado Springs LGBTQ community paid for that hate. They paid with their lives. The shooter walked in during a drag show, no less, and started shooting indiscriminately. Several patrons—Richard Fierro and Thomas James among them—ran toward the shooter and wrestled him to the ground, saving countless lives. Helping Richard and Thomas was a drag queen who attacked the shooter with her heels—a drag queen, a supposed danger to children everywhere, courageously fighting for her life and the lives of everyone in that bar.

We should be past this. We should all be past this. A clear majority of Americans support same-sex marriage, including a majority of young Republicans. At its core, our country is about individual freedom—freedom to be the person you want to be, to live the life you choose to live, however you choose to do it, so long as it doesn't infringe on others. No one in Club Q was doing anything—not a single thing—that harmed or infringed in any way with the rights of anyone else.

There are many conversations that we need to have about guns, about red flag laws, and about protecting the LGBTQ community. We also need to talk about the extremism terrorizing our country. A few loudmouths have set their sights on some of the most vulnerable among us and decided to make them out to be the root of all their problems. So who can be surprised that someone out there decided to walk into a drag show with a gun and just start shooting?

It doesn't have to be this way. The Respect for Marriage Act was unthinkable not so long ago, as were openly gay Senators, Cabinet Secretaries, or judges. Stonewall wasn't just in our lifetimes; it is a living memory.

But we learn. We learn. We keep moving forward because it is hard to demonize someone when it is your sibling or your child or your best friend.

We all know someone who could have been a victim, part of that shooting targeting this community.

Club Q is a reminder that it is on us to maintain our hard-fought progress. We can't slide back. The passage of the Respect for Marriage Act is a measure of hope and a reminder that which direction we go from here is still very much a choice. The stakes are too high for anyone to sit on the sidelines.

I yield the floor.

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

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that at 11:30 a.m. tomorrow, the Senate vote on the motions to invoke cloture on Executive Calendar Nos. 1148 and 1129.

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

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the follow nominations: Calendar Nos. 1205 through 1232 and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, Navy, and Space Force; that the nominations be confirmed, en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

NOMINATIONS

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Alvin Holsey

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Thomas A. Bussiere

IN THE SPACE FORCE

The following named officer for appointment in the United States Space Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. DeAnna M. Burt

IN THE AIR FORCE

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Lisa M. Ahaesy
Col. Jenifer E. Pardy
Col. Tad J. Schauer
Col. Kristof K. Sills

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Steven A. Breitfelder
Col. Jason S. Christman

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Denise M. Donnell
Brig. Gen. Joseph R. Harris, II

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Troy T. Daniels
Brig. Gen. Terrence L. Koudelka, Jr.

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Konata A. Crumbly
Brig. Gen. Kenneth S. Eaves
Brig. Gen. Robert G. Kilgore
Brig. Gen. Gary A. McCue
Brig. Gen. Bryan E. Salmon
Brig. Gen. Bryan J. Teff

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Paul M. Bishop
Col. Tyler D. Buckley
Col. Scott C. Humphrey
Col. Christopher A. Jarratt
Col. Jennifer R. Kondal
Col. Gregory R. Lewis
Col. Kenneth Lozano
Col. Ileana Ramirez Perez
Col. Linda A. Rohatsch
Col. Jeremiah S. Tucker
Col. Keith C. Wilson

The following named Air National Guard of th United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Christopher G. Batterton
Col. Daniel J. Begin
Col. Matthew G. Brancato
Col. Matthew D. Calhoun
Col. Andrew J. Camacho
Col. Barry F. Deibert
Col. Michael J. DiDio
Col. George H. Downs
Col. Megan H. Erickson
Col. Christopher D. Gries
Col. Michael S. Griesbaum
Col. Jason L. Hawk
Col. Shawn E. Holtz
Col. Shawne M. Johnson
Col. Mitchell R. Johnson
Col. Brian D. Kile
Col. Jason W. Knight
Col. Jason L. Knobbe
Col. Daniel J. Kramer, II
Col. Quaid H. Quadri, Jr.
Col. Christopher J. Southard
Col. Trace N. Thomas

The following named Air National Guard of th United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Christopher A. Eason
Col. Amy P. Kremser
Col. Kallie D. Kuehl
Col. Reid J. Novotny
Col. Humberto Pabon, Jr.
Col. Jonathan L. Vinson
Col. Justin T. Wagner

The following named Air National Guard of th United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Kenneth A. Borchers
Col. Gene C. Buckner
Col. Richard L. Coffey, III
Col. Martin L. Hartley, Jr.
Col. Raymond L. Hyland, Jr.
Col. Patrick L. Lanaghan
Col. Joshlin D. Lewis
Col. Brian S. McCullough
Col. Mark L. Miller
Col. Adam T. Rice
Col. Ronald N. Speir, Jr.
Col. Joseph H. Stepp, IV
Col. Todd E. Swass

The following named Air National Guard of th United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. John A. Conley
Col. Scott A. Coradi
Col. Christopher M. Dunlap
Col. Matthew J. French
Col. Nathan W. Kearns
Col. Joseph F. Morrissey, Jr.
Col. Beverly G. Schneider
Col. Lane A. Thurgood
Col. Brian J. Tollefson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. James C. Slife

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Christopher A. Brown

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Antonio A. Aguto, Jr.

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Warren L. Wells

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. William E. Crane

Brig. Gen. Kodjo S. Knox-Limbacker
Brig. Gen. Shawn P. Manke

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Levon E. Cumpton
Brig. Gen. Gregory C. Knight

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Miguel Aguilar
Brig. Gen. Janeen L. Birckhead
Brig. Gen. Rodney C. Boyd
Brig. Gen. Stanley E. Budraitis
Brig. Gen. Robert G. Carruthers, III
Brig. Gen. Andrew J. Chevalier
Brig. Gen. Robert B. Davis
Brig. Gen. Gregory T. Day
Brig. Gen. Nick Ducich
Brig. Gen. Adam R. Flasch
Brig. Gen. Bryan J. Grenon
Brig. Gen. Lynn M. Heng
Brig. Gen. Stefanie K. Horvath
Brig. Gen. Bryan M. Howay
Brig. Gen. Jack A. James
Brig. Gen. Charles G. Kemper, IV
Brig. Gen. Steven J. Kremer
Brig. Gen. Lowell E. Kruse
Brig. Gen. Roy J. Macaraeg
Brig. Gen. Thomas H. Mancino
Brig. Gen. James G. McCormack
Brig. Gen. Jennifer R. Mitchell
Brig. Gen. John A. Pelleriti
Brig. Gen. Stephanie A. Purgerson
Brig. Gen. Carl T. Reese
Brig. Gen. Stephen L. Rhoades
Brig. Gen. Shawn R. Satterfield
Brig. Gen. Scott M. Sherman
Brig. Gen. Matthew D. Smith
Brig. Gen. Thomas M. Vickers, Jr.
Brig. Gen. Michael E. Wegscheider
Brig. Gen. Richard D. Wilson

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Farin D. Schwartz

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Jerry E. Baird, Jr.
Col. Deborah L. Bartunek
Col. Jonathan P. Beddall
Col. Matthew P. Beilfuss
Col. Larry W. Benton
Col. Leland D. Blanchard, II
Col. Wiley O. Blevins, Jr.
Col. Timothy M. Brower
Col. Clayton W. Chappell
Col. Benjamin T. Cleghorn
Col. Anthony J. Cloud
Col. David R. Doran
Col. Michael W. Ecker
Col. Steven A. Fairbourn
Col. Sean M. Flynn
Col. James C. Fowler
Col. Joseph H. Gardner, II
Col. Arthur J. Garffer, Jr.
Col. Michael P. Grundman
Col. Michael S. Hatfield
Col. James B. Haynie
Col. Javontka R. Hoeflein
Col. Scott E. House
Col. Christopher A. Hyman
Col. Nicholas P. Jaskolski
Col. Gray A. Johnson, Jr.
Col. Mark E. Kalin
Col. Timothy T. Kemp
Col. Jared D. Lake
Col. Randy I. Lau
Col. Michael J. Liesmann
Col. Murry B. McCullouch
Col. Carl C. Meredith
Col. Scott L. Meyers
Col. Wesley D. Murray
Col. Sean C. Nikkila
Col. Brent A. Orr
Col. Christopher T. Patterson
Col. Robert J. Payne
Col. Tracey L. Poirier
Col. Eric A. Rant
Col. Randy N. Remiker
Col. Jose D. Rivera
Col. Christopher J. Samulski
Col. Thomas K. Sarrouf
Col. Michael T. Scates
Col. Simon L. Schaefer
Col. Todd W. Schaffer
Col. Theodore R. Scott, III
Col. Joseph J. Sharkey
Col. Andrew B. Stone
Col. William E. Temple, V
Col. Carlos G. Torres-Febus
Col. Kendrick D. Traylor
Col. Tanya R. Trout
Col. Daniel R. Waters
Col. Kenneth P. Wisniewski, III
Col. Colby B. Wyatt
Col. James E. Young, III
Col. Richard J. Zeigler, III

The following named Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Matthew M. Bacon
Col. Nathaniel L. Carper
Col. Michael J. Eastridge
Col. Jakob Z. Norman
Col. James C. Packwood
Col. James M. Palembas, Jr.
Col. Sally F. Petty

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. John F. Kelliher, III
Brig. Gen. William E. Souza, III

The following named officers for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Raymond L. Adams
Col. John K. Jarrard

The following named officer for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Kevin S. Woodard

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. John F. Wade

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Christopher O. Mohan

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN2593 AIR FORCE nominations (46) beginning ALLEN SETH ABRAMS, and ending THOMAS BENJAMIN WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2022.

PN2594 AIR FORCE nominations (119) beginning ROMI R. ABOUZEDAN, and ending TIMOTHY J. ZERWIC, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2022.

PN2684 AIR FORCE nomination of Christopher D. Coulson, which was received by the Senate and appeared in the Congressional Record of October 11, 2022.

PN2685 AIR FORCE nomination of Michael A. Hyland, which was received by the Senate and appeared in the Congressional Record of October 11, 2022.

PN2737 AIR FORCE nomination of Stephanie L. M. Croyle, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2739 AIR FORCE nomination of Richard R. Burges, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2740 AIR FORCE nominations (2) beginning RONALD B. BELLAMY, and ending LENA S. FREIENMUTH, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2741 AIR FORCE nomination of Michael S. Pontius, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2742 AIR FORCE nominations (164) beginning WILLIAM JAMES ACOSTATREJO, and ending JOHN ANDRE ZOLAN, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2777 AIR FORCE nomination of Duane G. McCrory, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

IN THE ARMY

PN2034 ARMY nomination of Nicholas E. Park, which was received by the Senate and appeared in the Congressional Record of May 2, 2022.

PN2673 ARMY nomination of Wilfredo P. Salada, Jr., which was received by the Senate and appeared in the Congressional Record of September 29, 2022.

PN2674 ARMY nomination of Diego A. Rincon, which was received by the Senate and appeared in the Congressional Record of September 29, 2022.

PN2686 ARMY nomination of David L. Gutierrez, which was received by the Senate and appeared in the Congressional Record of October 11, 2022.

PN2687 ARMY nomination of Jeffrey Thompson, Jr., which was received by the Senate and appeared in the Congressional Record of October 11, 2022.

PN2688 ARMY nomination of Phillip S. Stone, which was received by the Senate and appeared in the Congressional Record of October 11, 2022.

PN2689 ARMY nomination of Meghann E. Sullivan, which was received by the Senate and appeared in the Congressional Record of October 11, 2022.

PN2743 ARMY nomination of Joseph T. Scholz, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2744 ARMY nomination of Tracie D. Thornton, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2745 ARMY nomination of Thomas L. Husted, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2746 ARMY nominations (35) beginning CHRISTOPHER L. ANDERSEN, and ending ROBERT P. VENTON, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2747 ARMY nomination of James A. Silsby, III, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2748 ARMY nomination of Peter J. Van Howe, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2749 ARMY nomination of Patricia J. Oelschlager, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2750 ARMY nomination of Michael D. Valletta, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2751 ARMY nomination of Matthew F. Cohen, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2752 ARMY nominations (13) beginning ANECE L. BAXTERWHITE, and ending PATRICK M. WALSH, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2753 ARMY nomination of William D. Ward, III, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2754 ARMY nomination of Bryan R. Gibby, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2755 ARMY nomination of Eugene J. Gregory, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2760 ARMY nomination of Eden E. Coelho, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2761 ARMY nomination of Adam L. Sanders, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2762 ARMY nomination of Sarah B. Snyder, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2763 ARMY nomination of Erik D. Masick, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2764 ARMY nomination of Jillian R. Guy, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2765 ARMY nomination of Ayodele O. Lawson, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2766 ARMY nominations (24) beginning MICHAEL E. BAHM, and ending D016157, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2779 ARMY nomination of Daniel P. Morgan, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2780 ARMY nomination of Thomas J. Souza, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2781 ARMY nomination of Jose A. Quintero, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2782 ARMY nomination of Javier J. Hernandez, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

IN THE MARINE CORPS

PN2767 MARINE CORPS nomination of Jennifer M. Farina, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2768 MARINE CORPS nomination of Thomas J. Watts, II, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

IN THE NAVY

PN2675 NAVY nomination of Luke J. Patterson, which was received by the Senate and appeared in the Congressional Record of September 29, 2022.

PN2676 NAVY nominations (2) beginning WILLIAM J. UFFMANN, III, and ending GEOFFREY S. RAYNOR, which nominations were received by the Senate and appeared in the Congressional Record of September 29, 2022.

PN2690 NAVY nomination of Rama K. Mutyala, which was received by the Senate and appeared in the Congressional Record of October 11, 2022.

PN2769 NAVY nomination of Lashaundra S. Collins, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2770 NAVY nomination of Andrew P. Gorie, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2771 NAVY nomination of Daniel W. Rhodeback, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

PN2783 NAVY nomination of Michael J. Arnold, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2784 NAVY nomination of Paul T. Hill, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2785 NAVY nomination of Taibatu E. Obasi, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2786 NAVY nomination of Jenniffer M. Rajner, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2787 NAVY nominations (38) beginning JOSE A. ARANDA, and ending DANIEL J. WILKINSON, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2788 NAVY nomination of Patric C. Jang, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2789 NAVY nomination of Charles J. Osier, Jr., which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2790 NAVY nomination of James C. Hanlon, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2791 NAVY nomination of Jarrett C. Walke, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2792 NAVY nomination of Amy M. Respondek, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2793 NAVY nomination of Andrew S. Gibbons, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

IN THE SPACE FORCE

PN2772 SPACE FORCE nomination of Kirsten N. Pecua, which was received by the Senate and appeared in the Congressional Record of November 15, 2022.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

VOTE EXPLANATION

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted no on the confirmation of Executive Calendar No. 993, Rheanne Wirkkala, of Maryland, to be an Assistant Secretary of Defense.

CENTENNIAL OF SUBLETTE COUNTY, WYOMING

Mr. BARRASSO. Mr. President, I rise today to celebrate the centennial of Sublette County, WY.

Sublette County is stunning. Located in western Wyoming, Sublette County's 3.2 million acres is home to 8,424 residents. Its residents are fortunate to live in the authentically western and unique communities of Marbleton, Pinedale, Big Piney, Bondurant, Daniel, Cora, and Boulder.

Officially recognized on February 15, 1921, Sublette County was the last established county in the State. Its namesake originates from William T. Sublette, a famous fur trapper who frequented the annual Trappers' Rendezvous held in the region.

Sublette County was a popular hub for mountain men and fur traders, given the nearby fur-rich streams and lakes. It was home to some of the best beaver trapping in the Rocky Mountains. It became the ideal place to host the annual Trappers' Rendezvous six times between 1825 and 1840. The rendezvous allowed mountain men to trade their pelts for yearly supplies.

Today, the county celebrates the legacy of the mountain men with its annual Green River Rendezvous held every summer in Pinedale.

In addition to trapping, cattle ranching was prominent throughout the region. Thanks to the region's moderate climate, prairie-grass was available year-round for the cattle to graze.

Today, farms and ranches lead the county as one of the top economic drivers. The county houses over 57,000 head of cattle, 3,200 horses, as well as sheep, goats, pigs, and poultry, and produces potatoes, melons, and vegetables. Livestock and livestock products produce

over 87 percent of the agricultural sales in the county, while crop production generates 13 percent.

The rugged beauty of the Rocky Mountains including the Wind River, Gros Ventre, and the Wyoming Ranges attracts thousands of tourists every year. The county hosts the highest peak in Wyoming, Gannett Peak, at 13,810 feet. Sublette County is home to more than 1,300 lakes, nearly one-third of all the lakes in Wyoming. The county also contains the headwaters of the Green River, America's 15th largest river.

Sublette County's tourism originated with the establishment of one of the first Wyoming dude ranches, created by Billy Wells in 1887. Located in the Upper Green River Valley, guests visited the Billy Wells Dude Ranch to experience the cowboy culture and mountain living. Following the Great Depression, the popularity of dude ranches declined but their existence jump-started the tourism industry and it still remains one of Sublette County's main revenue sources.

The most recent income generator in Sublette County is the production of crude oil and natural gas. The Pinedale Anticline Project Area—PAPA—and the Jonah Field are two of the largest natural gas developments in Wyoming. Together, they have earned the county the top spot in the State for natural gas production.

From the Native American Wardell Buffalo Trap and the Oregon Trail, to the Mountain Men and the cowboys, Sublette County's history is filled with incredible stories that shaped the West. Its heritage and abundant resources fashioned the economic industries prominent in the county today. The county's residents continue to contribute to its success and are fortunate to be a part of the beautiful communities that make up Sublette County.

The 2022 Sublette County government is led by these officials: Joel Bousman Chairman, Board of County Commissioners Doug Vickrey Member, Board of County Commissioners Sam White Member, Board of County Commissioners Dave Stephens Member, Board of County Commissioners Tom Noble Member, Board of County Commissioners Carrie Long County Clerk Emily Paravicini County Treasurer Matthew Gaffney County Administrator Laila Illoway County Assessor Mike Crosson County Attorney K.C. Lehr County Sheriff Curt Covill County Coroner Shad Cooper Fire Warden Dennis Fornstrom County Planner Brendan Fitzsimmons County Health Officer Jimmy Mitchell Emergency Management Coordinator Andre Irey Maintenance Superintendent Jay Brower Fairgrounds Manager Billy Pape Superintendent, Road & Bridge Ben Schornak Sanitarian Kenna Tanner SAR Coordinator Skylar Wilson County Surveyor

Special thanks must be given to the Sublette County Centennial Committee: Mary Lankford, Clint Gilchrist, Betty Fear, Tim Thompson, Janet Montgomery, Debbee Woyciesjes and Todd Brown.

In honor of the 100th anniversary of Sublette County, I urge my colleagues to see the rugged beauty and immerse themselves in the industrialized frontier culture. I applaud the citizens who have worked tirelessly to introduce the county to the modern era while also conserving and celebrating its rich history. They should be proud to welcome this momentous accomplishment.

TRIBUTE TO LIEUTENANT COLONEL JEREMY TILLMAN

Mr. INHOFE. Mr. President, I am proud to honor a superb leader, legislative liaison, and soldier for his tireless commitment to the U.S. Army which include 2 years of service with the U.S. Army Office of the Legislative Liaison. During 2020, LTC Jeremy Tillman served in the Washington, DC, office of the Second Congressional District of South Carolina and went on to serve as a U.S. Army legislative liaison in the Senate. As Lieutenant Colonel Tillman prepares to take command of the 3rd Battalion, 13th Field Artillery Regiment at Fort Sill, OK, I believe it is especially fitting to recognize his dedication to fostering the relationship between the U.S. Army and Congress.

Lieutenant Colonel Tillman proved invaluable in educating Members and staff on Army combat systems, modernization programs, and policy initiatives. He provided exceptional support for multiple congressional delegations' official travel to locations within the United States and to various countries around the world.

Lieutenant Colonel Tillman has served our Army and our Nation for more than 17 years. During this time, Lieutenant Colonel Tillman served at Fort Bragg, NC; Fort Knox, KY; Maxwell Air Force Base, AL; and Fort Sill, OK. He was deployed to Iraq and a rotational deployment to the Republic of Korea. During his Iraq deployment, Lieutenant Colonel Tillman was wounded on a combat patrol by an improvised explosive device. He demonstrated his dedication and tireless commitment as he recovered from his injuries and was medically cleared for full Active-Duty status. As Lieutenant Colonel Tillman returns to Fort Sill, OK, he will lead our Nation's young men and women in uniform, both at home and abroad.

On behalf of Congress and the United States of America, I thank Lieutenant Colonel Tillman, his wife Cassie, and their three daughters Emma, Lily, and Anne for their continued commitment, sacrifice, and contributions to our great Nation. I wish Lieutenant Colonel Tillman future successes as he continues to serve our great Army and Nation.

TRIBUTE TO MITCH SILVERS

Mr. CRAPO. Mr. President, I honor Mitch Silvers, who is retiring after serving as a fundamental member of my staff for nearly 20 years.

Mitch has served as my State director of intergovernmental affairs and environment since he was promoted to this position in 2008, after serving as regional director in my Lewiston office since 2003. His responsibilities have included interaction and coordination with local governments, State and Federal agencies, and Tribal leaders on a number of initiatives involving environmental and natural resources concerns, Native American and other issues. He also has shared various agricultural assignments. Mitch's steady hand at the helm of some of Idaho's most important issues has been invaluable as we have navigated some highly contentious and weighty challenges on behalf of and along with Idahoans.

Locally driven collaboration to provide lasting resolution to Idaho's public lands management disputes is one of my top priorities in Congress, and Mitch has been instrumental in advancing this effort. Mitch's great appreciation for the outdoors and the value he places in opportunities to collaborate with many throughout the northwest to better the resources in our care has been beyond helpful as he has represented me in key discussions about critical collaborative efforts across the State. This includes his careful work in advancing the Owyhee Initiative and other collaborative efforts underway, such as the Clearwater Basin Collaborative, the Kootenai Valley Resource Initiative, the Payette Forest Coalition, the Boise Forest Coalition, and others. As these efforts succeed, they establish lasting examples of what can be achieved when we work together to get consensus on difficult public policy matters.

Throughout, I have known that Mitch approaches these discussions with foresight deeply rooted in his wealth of on-the-ground experience and his great appreciation for responsibly managing natural resources for Idaho and the northwest. After graduating from high school and working in construction for a few years, Mitch worked his way up the ranks of the Idaho Department of Parks and Recreation, IDPR, from park ranger, to assistant manager, to park manager before he retired from IDPR after 20 years of service. He then, thankfully, continued to use his considerable experience to serve Idahoans as a member of my staff. Mitch truly enjoys the friendships he has made on a local, State, and national level. As his wife Sue shared, ''Mitch has never met an enemy, everyone becomes a quick friend.''

Mitch, while I certainly am saddened to lose you as a member of my staff, you can retire knowing you have made a lasting difference for Idahoans and our great State. Thank you for your thoughtful, knowledgeable service all these years. And recognizing your work has frequently brought you to Boise and many other parts of our great

State, I am grateful to Sue and your family, including your 4 children and 14 grandchildren, for their great support over these years. I wish you a very happy retirement.

ADDITIONAL STATEMENTS

TRIBUTE TO JOHNNY TORRES

• Mr. MENENDEZ. Mr. President, I would like to recognize and celebrate the many accomplishments of Mr. Johnny Torres, who has been an exemplary business leader for decades and has promoted Latino businesses in pioneering and innovative ways.

Born in Mayaguez, PR, to Mr. Senen Torres and Mrs. Rosa Rodríguez, Mr. Johnny Torres has been married to his wife Gloria for 57 years and is the proud father of Manuel, Richard, and Diana. After graduating from high school, he completed his B.A. in interior design at New York University and has been a resident of New Jersey for the last 47 years. In 1960, Mr. Torres took over the management and operation of a bodega that he and his brother purchased. As a bodeguero, he realized there was an urgent need to create an organization representing Spanish-speaking merchants to advocate on their behalf. Inspired by this experience, Mr. Torres founded the Metropolitan Spanish Merchants Association, also known as La Metro.

As the association grew, it increased its activities to effectively channel Hispanic food retailers' purchasing power. Mr. Torres organized, developed, and promoted the Cash & Carry Cooperative concept among the grocers and planned the growth and future of the cooperative, with sales reaching over $56,000,000 in 1986.

As Mr. Torres familiarized himself with the needs and challenges of the small business community, he was determined to take action on their behalf. He spearheaded the creation of a technical assistance unit in the areas of business management; ''El Vocero Mercantil,'' a Spanish trade newspaper; Metro Merchants Federal Credit Union to provide financial assistance to small merchants; and Metro Superette, Inc., a network of small grocery stores working under the name of Metro Superette and enjoying the benefits of a big chain.

Mr. Torres' knowledge and experience as a retailer, wholesaler, and small business organizer in New York was recognized by merchants across the Nation, helping create similar organizations. For 8 years, Mr. Torres helped spread this knowledge as a lecturer on small business management and development at Hostos Community College in the South Bronx.

Mr. Torres retired from the food industry in 1989 after 29 years of service. He then created the Institute for Human Development in New Jersey. As president of the institute, Mr. Torres is dedicated to the creation of programs for Spanish-speaking sales people, executives, small business groups, and other organizations. Thousands of men, women, and children have benefited from his conferences and seminars, which cover subjects such as stress management, human relations, self-improvement, small businesses, and family relations.

For the past 25 years, Johnny has served Save Latin America, Inc., where he has planned, implemented, and advocated for various programs and services.

As Mr. Torres nears retirement, I am glad to see that his visionary leadership, talent, and genuine commitment to helping others are being recognized. I proudly congratulate Johnny Torres on his well-earned Lifetime Achievement Award for his exemplary service to small businesses, the Latino community, the people of New Jersey.•

TRIBUTE TO DEPUTY GREG COUNTRYMAN, JR.

• Mr. OSSOFF. Mr. President, I rise to honor Muscogee County Sheriff Deputy Greg Countryman, Jr., for his heroic and livesaving service to the Chattahoochee River Valley.

On May 16, 2022, emergency personnel received a harrowing call about two children who were unconscious and not breathing after being pulled from a swimming pool. Already on the way home from his shift, Deputy Countryman quickly sprang into action and was the first to arrive on the scene. He swiftly administered CPR and successfully helped resuscitate the children until EMS arrived. Deputy Countryman's swift response saved their lives.

As Georgia's U.S. Senator, it is my honor to commend Muscogee County Sheriff's Deputy Greg Countryman, Jr., for his heroism and service to the Chattahoochee River Valley community.•

TRIBUTE TO AMERICA GRUNER

• Mr. OSSOFF. Mr. President, today I rise to honor someone who is a cornerstone of the Dalton, GA, community.

America Gruner has been a leader in her community for over 30 years. She serves as the CEO of the Coalicion de Lideres Latinos, an advocacy organization she founded that works to advance human and civil rights for the Latino community. Over the last three decades, she has accrued skills in civic participation, mental health and crisis intervention, medical interpretation, nonprofit organization management, and voting mobilization to help advance the lives of the people of Dalton. She has also become a leading voice for Dalton's Latino community, using her work as an experienced journalist to uncover injustices and right those wrongs. My team and I have had the privilege of witnessing Mrs. Gruner's impact on the State of Georgia firsthand, and she is a beacon of hope and service in our communities.

As Georgia's U.S. Senator, it is my honor to commend America Gruner for her service and steadfast commitment to Dalton and the entire State of Georgia.•

TRIBUTE TO PATTI LYONS

• Mr. OSSOFF. Mr. President, I rise today to honor Patti Lyons for her 25 years of service to the coastal Georgia community.

Patti Lyons has dedicated her career to helping our seniors, oftentimes the most vulnerable among us. In 1997, Patti became the president of Senior Citizens, Inc., a nonprofit organization focused on ensuring older adults have the food, social programs, and community they need. I had the honor of delivering meals to seniors alongside Patti earlier this year. The smile Patti's warmth and joy brings to seniors' faces on their doorsteps was priceless, and it was obvious the amazing impact she has on people's lives every day.

As Georgia's U.S. Senator, it is my honor to commend Patti Lyons for her 25 years of service to the coastal Georgia community as president of Seniors Citizens, Inc.•

TRIBUTE TO MARTY McLENDON

• Mr. OSSOFF. Mr. President, I rise today to honor Marty McLendon for his dedication and unwavering commitment to Georgia's agricultural community.

Mr. McLendon has worked as a peanut farmer in Albany, GA, for the past 25 years, leading the Albany community in ensuring Georgia remains a top producer of quality peanuts. He continues this important work as a board member of the U.S. Department of Agriculture's Peanut Standards Board. Mr. McLendon also currently serves as district chairman of the Flint River Soil and Water Conservation District and as a board member of Flint River Fresh, an Albany-based organization that helps low-income communities in Dougherty County and southwest Georgia access fresh fruits and vegetables. His work does not stop there. Mr. McLendon takes his commitment to public service to the next level by frequently opening his home to local events and gatherings, building community with his friends and neighbors.

As Georgia's U.S. Senator, it is my honor to commend Marty McLendon for his valiant service to the southwest Georgia community.•

TRIBUTE TO DR. CARLOS DEL RIO

• Mr. OSSOFF. Mr. President, I rise today to honor Dr. Carlos del Rio, MD, for his outstanding service to the State of Georgia and the entire Nation for more than 25 years.

Dr. del Rio, a native of Mexico, is a distinguished and awarded professor of medicine in the division of infectious diseases at Emory University School of Medicine. He has been a leader in epidemiology and research on diseases affecting the immune system and issues

related to early diagnosis of HIV, access to care, and compliance with antiretrovirals. Throughout his years of service, Dr. del Rio has worked with underserved populations to improve outcomes of those infected with HIV and to prevent infection with those at risk. His work has been published in multiple books and hundreds of scientific papers.

The COVID–19 pandemic only sharpened the public's ability to see Dr. del Rio's leadership first-hand, with countless Georgians and Americans turning to his expertise and guidance during such unsettling times. Dr. del Rio continues to excel at serving our country and our Georgia community. This year, he was selected as the new president of the Infectious Diseases Society of America, where he continues his commitment to promoting top-tier patient care, education, and research.

As Georgia's U.S. Senator, it is my honor to commend Dr. Carlos del Rio for his achievements and contributions to Georgia and our country.●

REMEMBERING FRANK BIRD GUMMEY III

● Mr. RUBIO. Mr. President, I pay tribute to the memory of Frank Bird Gummey III, a former attorney for Daytona Beach, Volusia County, and New Smyrna Beach, whose career spanned 44 years and put him in the middle of many court battles throughout the State.

Frank Bird Gummey III was born on April 12, 1945, to Frank Bird Gummey II and his wife, Madeline. The only son of three children, Frank grew up in Gladwyn, PA, and was raised by his mother after his father passed away when he was just 4 years old.

In 1963, Frank graduated from Governor Dummer Academy in Byfield, MA, and enrolled at the University of the South, Sewanee, TN, graduating in 1967. He would later serve his alma mater as a trustee and regent. Frank then served in the Army for 2 years, spending time in Thailand before enrolling in law school at the University of Florida and received his J.D. in early 1973.

Frank's legal career began in Daytona Beach as an assistant city attorney, a position he held for 5 years until the city's attorney John Chew retired. He subsequently became the new city attorney and defended it throughout the 1980s and 1990s through many legal battles before leaving the city after 24 years. Frank then served as a deputy county attorney for Volusia County, where he argued a case involving the 2000 U.S. Presidential election. This brought him national recognition, though he declined press requests noting, ''You don't try your cases in the press.''

In 2004, Frank became New Smyrna Beach's city attorney as the city was involved in legal battles over its zoning laws for businesses. In 2017, Frank retired after a 44-year career of practicing law. After retirement, Frank embarked on cruises, traveled to Australia, New Zealand, and made time to meet friends for breakfast or lunch.

Throughout his legal career, Frank was involved with several legal organizations. He helped found the Florida Municipal Attorneys Association, served as president of the International Municipal Lawyers Association, and received the Charles S. Rhyne Lifetime Achievement in Municipal Law Award.

My wife Jeanette and I express our heartfelt condolences to Frank's wife Susan, their children Sarah and Frank, and their two grandchildren, Ezra and Madeline, on the loss of an important leader and great Floridian. May God bless his family during this time of sorrow.●

MESSAGES FROM THE HOUSE

At 10:10 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 3846. An act to reauthorize the Justice and Mental Health Collaboration Program, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5455. An act to amend the First Step Act of 2018 to permit defendants convicted of certain offenses to be eligible for reduced sentences, and for other purposes.

H.R. 8025. An act to designate the facility of the United States Postal Service located at 100 South 1st Street in Minneapolis, Minnesota, as the ''Martin Olav Sabo Post Office''.

At 10:37 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 118. Concurrent resolution authorizing the use of the rotunda of the Capitol for a ceremony to present Congressional Gold Medals to the United States Capitol Police and others who protected the Capitol on January 6, 2021.

At 10:56 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has agreed to the following resolution:

H. Res. 1496. Resolution relative to the death of the Honorable A. Donald McEachin, a Representative from the Commonwealth of Virginia.

At 1:46 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed to the following joint resolution, in which it requests the concurrence of the Senate;

H.J. Res. 100. Joint resolution to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 119. Concurrent resolution providing for a correction in the enrollment of H.J. Res. 100.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5455. An act to amend the First Step Act of 2018 to permit defendants convicted of certain offenses to be eligible for reduced sentences, and for other purposes; to the Committee on the Judiciary.

H.R. 8025. An act to designate the facility of the United States Postal Service located at 100 South 1st Street in Minneapolis, Minnesota, as the ''Martin Olav Sabo Post Office''; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

(LEGISLATIVE DAY NOVEMBER 29, 2022)

The following joint resolution was read the first time:

H.J. Res. 100. Joint resolution to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees.

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–5583. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Methoxyfenozide; Pesticide Tolerances'' (FRL No. 9525–01–OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on November 21, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5584. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''IN–11460: 2-Propenoic acid, polymer with ethene, ethenyl acetate and sodium ethenesulfonate; Tolerance Exemption'' (FRL No. 10228–01–OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on November 21, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5585. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Lysate of Willaertia magna C2c Maky; Exemption from the Requirement of a Tolerance'' (FRL No. 9994–01–OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5586. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Siloxanes and Silicones, di-Me, Me hydrogen; Tolerance Exemption'' (FRL No. 10196–01–OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5587. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dimethyl sulfoxide; Exemption from the Requirement of a Tolerance'' (FRL No. 10239–01–OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5588. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Defining Small Number of Animals for Minor Use Determination; Periodic Reassessment'' (RIN0910–AI46) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5589. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5590. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of five (5) officers authorized to wear the insignia of the grade of major general or brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5591. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974; Implementation'' (RIN0790–AL32) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Armed Services.

EC–5592. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Release of Official Information in Litigation and Presentation of Witness Testimony by DoD Personnel (Touhy Regulation)'' (RIN0790–AK11) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Armed Services.

EC–5593. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974; Implementation'' (RIN0790–AL17) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Armed Services.

EC–5594. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Medical Malpractice Claims by Members of the Uniformed Services'' (RIN0790–AL22) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Armed Services.

EC–5595. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974; Implementation'' (RIN0790–AL13) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Armed Services.

EC–5596. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974; Implementation'' (RIN0790–AL28) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Armed Services.

EC–5597. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Enrollment Fee and Cost Sharing Under TRICARE Prime and Select for Retirees and Their Dependents'' (RIN0720–AB84) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Armed Services.

EC–5598. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Department of State Rescission of Determination Regarding Sudan'' (RIN0750–AL46) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Armed Services.

EC–5599. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Prohibition on Award to Contractors That Require Certain Nondisclosure Agreements'' (RIN0750–AL36) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC–5600. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Repeal of Preference for Fixed-Price Contracts'' (RIN0750–AL58) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC–5601. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Removal of Passive Radio Frequency Requirements'' (RIN0750–AL73) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC–5602. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Reporting Tax Information on Certain Foreign Procurements'' (RIN0750–AL51) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC–5603. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Requirement for Firms Used to Support Department of Defense Audits'' (RIN0750–AK47) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC–5604. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Requiring Data Other than Certified Cost or Pricing Data'' (RIN0750–AK95) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC–5605. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Removal of Pilot Program for Acquisition of Military Purpose Nondevelopmental Items'' (RIN0750–AL71) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC–5606. A communication from the President of the United States, transmitting, pursuant to law, the report on the 2022 National Security Strategy of the United States of America; to the Committee on Armed Services.

EC–5607. A communication from the Assistant Secretary of Defense (Energy, Installations, and Environment), transmitting, pursuant to law, a report entitled ''Per- and Polyfluoroalkyl Substances Task Force Activities''; to the Committee on Armed Services.

EC–5608. A communication from the Director, Naval Reactors, Naval Nuclear Propulsion Program, transmitting, pursuant to law, the Naval Nuclear Propulsion Program's reports on environmental monitoring and radioactive waste disposal, radiation exposure, and occupational safety and health; to the Committee on Armed Services.

EC–5609. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled ''Fiscal Year 2021 Purchases from Foreign Entities''; to the Committee on Armed Services.

EC–5610. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled ''Evaluation of the Effectiveness TRICARE Program; Fiscal Year 2021 Report to Congress''; to the Committee on Armed Services.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–246. A joint resolution adopted by the Legislature of the State of California urging the President of the United States and the United States Congress to take action to restore honor to the sailors unjustly blamed for, and the sailors convicted of mutiny following, the disaster at the Port Chicago Naval Magazine in Concord, California during World War II and to rectify any mistreatment by the military of those sailors, including the full exoneration of those who were convicted at court-martial; to the Committee on Armed Services.

Whereas, On the night of July 17, 1944, two transport vessels loading ammunition at the Port Chicago naval base on Suisun Bay, at the confluence of the Sacramento and San Joaquin Rivers in California, were suddenly engulfed in a gigantic explosion, which wrecked the naval base and heavily damaged the Town of Port Chicago, located 1.5 miles away; and

Whereas, Everyone on the pier and aboard the two ships was killed instantly, some 320 American naval personnel, two-thirds of whom were African American enlisted men.

Another 390 military and civilian personnel were injured, including 226 African American enlisted men; and

Whereas, The two ships and the large loading pier were totally annihilated, and an estimated $12,000,000 in property damage was caused by the huge blast; and

Whereas, This single, stunning disaster accounted for nearly 15 percent of all African American naval casualties during the whole of World War II and was the worst homefront disaster of the war; and

Whereas, The specific cause of the explosion was never officially established by a court of inquiry, in effect clearing the officers-in-charge of any responsibility for the disaster, and insofar as any human cause was invoked, laid the burden of blame on the shoulders of the African American enlisted men who died in the explosion; and

Whereas, Following the incident, many of the surviving African American sailors were transferred to nearby Camp Shoemaker, where they remained until July 31, when two of the divisions were transferred to naval barracks in the City of Vallejo near Mare Island. Another division, which was also at Camp Shoemaker until July 31, returned to the Town of Port Chicago to help with cleaning up and rebuilding the base; and

Whereas, Many of these men were in a state of shock, troubled by the vivid memory of the horrible explosion; however, they were provided no psychiatric counseling or medical screening, except for those who were obviously physically injured. None of the men, even those who had been hospitalized with injuries, were granted survivor leave to visit their families before being reassigned to regular duties, and none of these survivors were called to testify at the court of inquiry; and

Whereas, Captain Merrill T. Kinne, Officer-in-Charge of Port Chicago, issued a statement praising the African American enlisted men, stating that ''the men displayed creditable coolness and bravery under those emergency conditions''; and

Whereas, After the disaster, White sailors were given 30 days' leave to visit their families, according to survivors. This was the standard for soldiers involved in a disaster, while only African American sailors were ordered back to work the next day to clean and remove human remains; and

Whereas, After the disaster, the preparation of Mare Island for the arrival of African American sailors included moving the barracks of White sailors away from the loading area in order to be clear of the ships being loaded in case of another explosion; and

Whereas, The survivors and new personnel who later were ordered to return to loading ammunition expressed their opposition, citing the possibility of another explosion. The first confrontation occurred on August 9. when 328 men from 3 divisions were ordered out to the loading pier. The great majority of the men balked, and eventually 258 were arrested and confined for 3 days on a large barge tethered to the pier; and

Whereas, Fifty of these men were selected as the ringleaders and charged with mutiny, and on October 24, 1944, after only 80 minutes of deliberation by a military court, all 50 men were found guilty of mutiny. Ten men were sentenced to 15 years in prison, 24 were sentenced to 12 years, 11 were sentenced to 10 years, and 5 were sentenced to 8 years, and 11 were to be dishonorably discharged from the Navy. This was the largest mass mutiny trial in the United States to this day; and

Whereas, Thurgood Marshall, working as special counsel for the NAACP Legal Defense and Educational Fund, watched some of the court-martial proceedings and subsequently began a publicity campaign to gather public support for the release of the men. Marshall additionally obtained permission from each of the 50 men to appeal their case to the Judge Advocate General of the Navy; and

Whereas, After a massive outcry the next year, in January 1946, 47 of the Port Chicago men were released from prison and ''exiled'' for one year overseas before returning to their families; and

Whereas, In a 1994 investigation, the United States Navy stated, ''there is no doubt that racial prejudice was responsible for the posting of only African American enlisted personnel to loading divisions at Port Chicago''; and

Whereas, In the 1994 investigation, the United States Navy, prompted by Members of Congress, admitted that the routine assignment of only African American enlisted personnel to manual labor was clearly motivated by race; and

Whereas, The United States Congress reduced the death benefit to those killed in the Port Chicago disaster from $5,000, the normal amount given, to $3,000, simply because the sailors were African American; and

Whereas, In many cases, families of sailors killed in the disaster were never told they were entitled to consideration for the death of their relative; and

Whereas, In 2010, the Port Chicago memorial site was designated as part of the National Park Service; and

Whereas, In 2019, the United States Navy transferred a park to the East Bay Regional Park District after a ''decades-long effort'' to turn the area into a park: and

Whereas, In 2021, the East Bay Regional Park District's board of directors unanimously renamed the park the Thurgood Marshall Regional Park—Home of the Port Chicago 50, the first regional park in the County of Contra Costa to be named after a Black person; and

Whereas, The City of Concord endorsed the renaming of the park at its May 25, 2021, city council meeting; and

Whereas, The newly named park is planned to include a joint visitor center with the National Park Service that will contain historic information about the Port Chicago 50 and will commemorate the role that Thurgood Marshall played in defending the Port Chicago 50, in addition to his efforts in the desegregation of the United States Armed Forces; and

Whereas, United States Representative Mark DeSaulnier has requested $10,000,000 in federal funds for this visitor center; and

Whereas, The entire site totals to be 5,046 acres and the park itself will take up roughly 2,540 of those acres. The remaining redevelopment will additionally include commercial space and housing units; and

Whereas, Despite the gross injustice faced by these sailors, only one of the men charged with mutiny was given a pardon by President William J. Clinton in 1999; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California respectfully urges the President of the United States and the Congress of the United States to take action to restore honor to the sailors unjustly blamed for, and the sailors convicted of mutiny following, the Port Chicago disaster, and to rectify any mistreatment by the military of those sailors; and be it further

Resolved, That the California State Legislature respectfully urges the President of the United States and the Congress of the United States to take the necessary actions to ensure those sailors' treatment is rectified by the full exoneration of all who were court-martialed, whether alive or deceased, and having the military records of these men cleared of any court judgment or less-than-honorable discharge; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, and each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM–247. A joint resolution adopted by the Legislature of the State of California urging the President of the United States and the United States Congress to amend specified provisions of the federal Social Security Act to allow recipients of disabled adult child benefits under the act to continue to receive those benefits upon marriage; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 8

Whereas, An individual with a physical or mental condition that arose before 22 years of age, and that very seriously limits the person's ability to engage in substantial employment activity, may qualify for the childhood disability benefit through the social security earnings record of a retired, disabled, or deceased parent; and

Whereas, This benefit provides funds and insurance coverage that provide critical support for many disabled children; and

Whereas, Children with disabilities receiving the childhood disability benefit may continue to be covered into adulthood as adult disabled children if they still qualify as disabled under the social security disability standards after reaching adulthood; and

Whereas, The childhood disability benefit for adult disabled children is also known as the disabled adult child (DAC) benefit, and an adult whose disability arose before 22 years of age may receive the DAC childhood disability benefit through their retired, disabled, or deceased parents' social security earnings record; and

Whereas, The DAC benefit provides funds to cover basic living expenses and health insurance coverage that is critical for disabled adult children, as it covers necessary, and often costly, medical care needed to live with a disability; and

Whereas, For adults who have been disabled from a young age and receive the DAC benefit, access to health insurance coverage through the federal Medicare and Medicaid programs continues to be vital, because other types of insurance do not cover the necessary medical services, personal attendant care, durable medical equipment, therapies, and other services that are often required for individuals with significant disabilities;and

Whereas, Under the federal Social Security Act and policy, recipients of the DAC benefit have their benefits terminated upon marriage, unless an exception applies; and

Whereas, Because recipients of the DAC benefit who many may only continue to receive their benefits if they marry an individual who is also receiving the DAC benefit, Social Security Disability Insurance (SSDI), or certain other categories of social security benefits, this policy creates a substantial barrier to marriage for younger interabled couples; and

Whereas, The federal Social Security Act and policy currently provide that individuals who receive DAC may lose their access to Medicaid, operated as Medi-Cal in California, if they are deemed to have certain assets or income; and

Whereas, Loss of DAC benefits, including Medicare and access to Medi-Cal, is simply not an option for most disabled adults, as they depend on their insurance coverage to survive; and

Whereas, Many DAC benefit recipients do not marry their life partners because they

cannot survive without their benefits, and are therefore unable to enjoy the fundamental right to marry and are unable to exercise their religious beliefs with regard to marriage; and

Whereas, Individuals who are disabled later in life after participating in the workforce, potentially for as few as one and one-half years of work, may be eligible to receive SSDI; and

Whereas, SSDI recipients who receive benefits on their own work record do not face termination of coverage upon marriage, yet DAC benefit recipients do face termination of coverage upon marriage; and

Whereas, Many DAC benefit recipients participate or have participated in the workforce and pay or have paid social security and Medicare payroll taxes, but there is a lack of clear public guidance from the federal Social Security Administration regarding whether and how DAC benefit recipients can leave the DAC program and begin receiving SSDI benefits on their own work records so that they do not face termination of coverage upon marriage;and

Whereas, The discrepancy in the treatment of marriage on benefits between adults who are disabled as children versus those who become disabled as adults and who have had the opportunity to participate in the workforce for at least one and one-half years prior to developing a disability is plainly unequal treatment; and

Whereas, Articles 3, 5, and 7 of the United Nations Conventi6n on the Rights of Persons with Disabilities recognizes that all persons are equal under the law and that individuals with disabilities should be guaranteed equal protections of the laws without discrimination; and

Whereas, Article 23 of the United Nations Convention on the Rights of Persons with Disabilities speaks clearly to the fact that the freedom of people with disabilities to marry and form families is an issue of fundamental human rights; and

Whereas, Adults who were disabled as children should have the right to marry whomever they wish without having their DAC benefits terminated: Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature denounces the inequality and discriminatory treatment of adults receiving DAC benefits in reference to their termination of benefits upon marriage; and be it further

Resolved, That the Legislature urges the President and Congress of the United States to amend Section 402(d)(1) of Title 42 of the United State Codes and any other necessary statutes to allow recipients of DAC benefits to continue to receive those benefits upon marriage; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM–248. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to amend the Social Security Administration's index of earnings to ensure that a decline in aggregate wages due to COVID–19 does not result in decreased benefits; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 5

Whereas, Sixty-three million people collect Social Security benefits; and

Whereas, Sixty-three million people amounts to one in every six United States residents; and

Whereas, Social Security benefits lift more than 15,000,000 elderly individuals out of poverty; and

Whereas, Social Security is especially beneficial for minority demographics such as African Americans, Latinos, and women who all face higher rates of poverty and earn less than their White, male, working counterparts; and

Whereas, Social Security is also especially beneficial to African American and Latino men, as they are also more likely to become disabled while working; and

Whereas, The global COVID–19 pandemic has unearthed a technical glitch in the United States Social Security system; and

Whereas, If left unaddressed, this glitch may result in more than 8,000,000 workers, those who turn 60 years of age in 2020 or 2021, receiving substantially lower Social Security benefits than workers with identical earnings who turned 60 years of age in the years immediately prior to the COVID–19 pandemic; and

Whereas, Social Security's earned benefits are based on each worker's earning history adjusted to reflect the growth in aggregate economywide wages; and

Whereas, Social Security benefits are calculated individually and adjusted through the average wage index, which amounts to the total wages paid in the United States in a year, divided by the number of W–2 tax forms issued in that same year; and

Whereas, Due to the COVID–19 pandemic, tens of millions of Americans have filed for unemployment during the COVID–19 pandemic; and

Whereas, Due to high levels of unemployment, aggregate wage levels are expected to continue to decline substantially this year, which may result in lower adjusted benefits by as much as roughly 9 percent, or $2,511 annually, for those workers who turn 60 years of age in 2020 or 2021; and

Whereas, A median income worker who turns 60 years of age in 2020 or 2021, retires at the normal retirement age of 67 years of age, and collects Social Security benefits for 18 years may lose $45,859 over the course of their retirement; and

Whereas, A decline in overall wages due to a pandemic should not produce lower benefits for a select group of retirees; and

Whereas, Retirees use Social Security benefits to supplement their income and pay for things like rent, food, clothing, medication, health care, and transportation; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That we urge the United States Congress to amend the United States Social Security Administration's index of earnings to ensure that a decline in aggregate wages due to COVID–19 does not result in decreased benefits; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Commissioner of the Social Security Agency, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–249. A resolution adopted by the Senate of the State of Michigan condemning the federal government's expansion of the Internal Revenue Service through the Inflation Reduction Act of 2022; to the Committee on Finance.

SENATE RESOLUTION NO. 171

Whereas, The Inflation Reduction Act will allow nearly five hundred billion dollars in new spending by our federal government over the next decade, with almost eighty billion dollars being directed to the Internal Revenue Service's (IRS) budget. The budget allocations of this law spell out the current Administration's big-government intentions for the future of the IRS. Over forty-five billion dollars will be directed to ''enforcement'' while a meager three billion is expected to be used for ''taxpayer services.'' As part of these budgetary expansions, the IRS would hire eighty-seven thousand new employees, making this agency larger than the FBI, Pentagon, State Department, and Border Patrol combined. This Act is not intended to benefit Americans—it is just the latest development in this Administration's police state agenda; and

Whereas, This bloating of the IRS's budget and staff also comes at the same time Americans are learning of the massive stockpiling of weapons and ammunition by the government agency. The latest data, released in a 2020 report analyzing the militarization of federal agencies in years prior, found that the IRS had thousands of rifles, shotguns, pistols, and submachine guns as well as an arsenal of over five million rounds of ammunition. Additionally, a 2017 report by the Treasury Inspector General for Tax Administration found that the IRS's Criminal Investigation Division repeatedly violated the civil rights of Americans under the guise of enforcing tax laws and seizing taxpayer property. Michiganders are right to fear a massive budget expansion for a tax collection agency that feels it necessary to arm itself to the teeth in pursuit of collecting our citizens' hard-earned money with little to no restraint; and

Whereas, In 1974, then-President Gerald Ford warned Congress that ''[a] government big enough to give you everything you want is a government big enough to take from you everything you have.'' This Administration represents just the latest installment in a half-century long tradition of paying no heed to past generations' commonsense understanding that government should play a minimal role in our lives. As the only President who was a fellow Michigander, it is appropriate for our citizens to take seriously President Ford's warning and strongly condemn this massive expansion of a federal agency that only exists by virtue of our collective tax dollars. The Inflation Reduction Act would hand over tens of billions of dollars to create an IRS big enough—and well-armed enough—to take whatever it wants from our citizens whenever it pleases; now, therefore, be it

Resolved by the Senate, That we condemn the expansion of the Internal Revenue Service through the Inflation Reduction Act of 2022; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.

POM–250. A joint resolution adopted by the Legislature of the State of California urging the United States Congress and the President of the United States to enact legislation, S. 3213, known as the IDEA Full Funding Act, which would fully fund the federal Individuals with Disabilities Education Act; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION NO. 4

Whereas, The federal Education for All Handicapped Children Act of 1975 (Public Law 94–142) (1975 Act) was enacted by the United States Congress and signed into law by the President of the United States to address the failure of states to meet the educational needs of children with disabilities.

This act, known as the federal Individuals with Disabilities Education Act (IDEA) since 1990 with the enactment of Public Law 101–476, remains the cornerstone of federal statutory mandates governing special education; and

Whereas, The purpose of the 1975 Act, as declared by the United States Congress, was to ensure that all children with disabilities have available to them within specified time periods ''a free appropriate public education which emphasizes special education and related services designed to meet their unique needs, to assure that the rights of children with disabilities and their parents or guardians are protected, to assist States and localities to provide for the education of all children with disabilities, and to assess and assure the effectiveness of efforts to educate children with disabilities''; and

Whereas, The 1975 Act authorized a maximum state funding entitlement of 40 percent for the fiscal year ending September 30, 1982, and for each fiscal year thereafter, of the average per-pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, Since 1975, including in the most recent amendments to IDEA, the federal Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108–446), the United States Congress has maintained the funding authorization at ''40 percent of the average per-pupil expenditure in public elementary schools and secondary schools in the United States''; and

Whereas, The federal government has never paid its promised 40-percent share of the IDEA mandate. For many years, the United States Congress paid less than 8 percent of the excess cost of educating children with disabilities, which forced states and local educational agencies to cover the remaining costs. The California student population requiring special education and related services continues to grow each year; and

Whereas, School, disability, and parent groups have been trying for years to bring IDEA appropriations up to the authorized 40 percent of average per-pupil expenditures, the maximum any state can receive per student with disability. This effort has come to be known as ''full funding,'' but the effort has never succeeded; and

Whereas, The California Legislature, since the early 1990s, has approved a number of joint resolutions memorializing the President of the United States and the United States Congress to provide the full federal share of funding for special education programs to states so that this state and other states will not be required to take funding from other vital state and local programs to fund this underfunded federal mandate; and

Whereas, In the 2018–19 school year, federal funding only represented 8.4 percent of special education costs, well short of the promised 40-percent level; and

Whereas, Because the promised federal funding level is not being met, the burden has fallen on states and local school districts, which leads to cuts in programs, tax increases, or both; and

Whereas, A bill was introduced in the United States House of Representatives in 2017, H.R. 2902, known as the IDEA Full Funding Act, that aimed to reach the 40-percent ''full funding'' level by the 2027 fiscal year through incremental increases in the federal share of funding each fiscal year; and

Whereas, Another bill was introduced in the United States Senate in 2019, S. 866, known as the IDEA Full Funding Act, that aimed to reach the 40-percent ''full funding'' level by the 2029 fiscal year through incremental increases in the federal share of funding each fiscal year; and

Whereas, No vote was taken on H.R. 2902 by the 115th United States Congress even though it contained a bipartisan coalition of 119 cosponsors, and S. 866 died in the 116th United States Congress without a vote; and

Whereas, A bill is pending on the floor of the United States Senate, S. 3213, known as the IDEA Full Funding Act, which provides permanent, mandatory funding for the grant program that assists states and outlying areas in providing special education and related services to children with disabilities; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature respectfully memorializes the 117th Congress of the United States and the President of the United States to enact legislation, S. 3213, known as the IDEA Full Funding Act, which would fully fund the federal Individuals with Disabilities Education Act; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to the Chair of the Senate Committee on the Budget, to the Chair of the House Committee on the Budget, to the United States Senate Committee on Appropriations, to the Chair of the House Committee on Appropriations, to each Senator and Representative from California in the Congress of the United States, and to the United States Secretary of Education.

POM–251. A joint resolution adopted by the General Assembly of the State of Tennessee strongly supporting the completion of the secure border wall across our nation's southern border and strongly urging the United States Congress to immediately act to fund the construction of such border wall without delay; to the Committee on Homeland Security and Governmental Affairs.

HOUSE JOINT RESOLUTION NO. 652

Whereas, the security of our nation's borders and the safety of our citizens are paramount to protecting the American way of life; and

Whereas, it is essential to the welfare of our nation that illegal immigration cease; and

Whereas, we should continue to safeguard our borders by completing the construction of the secure border wall on the southern border of the United States; and

Whereas, illegal immigrants who cross the southern border are not required to receive a vaccination against COVID–19; and

Whereas, it is known that at least eighteen percent of illegal immigrants who cross the southern border of the United States are infected with COVI D–19 and are contributing to this country's national health crisis; and

Whereas, the members of this General Assembly have consistently taken steps to address illegal immigration within the borders of our great State and now wish to urge the United States Congress to address illegal immigration by completing the construction of the border wall; now, therefore, be it

Resolved by the House of Representatives of the One Hundred Twelfth General Assembly of the State of Tennessee, the Senate concurring, that we strongly support the completion of the secure border wall across our nation's southern border and strongly urge the United States Congress to immediately act to fund the construction of such border wall without delay; and be it further

Resolved, that certified copies of this resolution be transmitted to the President of the United States, the U.S. Secretary of Homeland Security, the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate, and each member of the Tennessee Congressional delegation.

POM–252. A joint resolution adopted by the Legislature of the State of California recognizing October 12, 2021, as the 20-year anniversary of the enactment of the exemption from nonresident tuition for qualified students during the 2001–02 Regular Session and calling on the United States Congress to pass the American Families Plan and provide financial resources for undocumented students through the budget reconciliation process, and to adopt comprehensive immigration reform; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 9

Whereas, Over 2,000,000 undocumented immigrants of all nationalities and backgrounds call California home, including over 183,000 Deferred Action for Childhood Arrivals recipients; and

Whereas, Undocumented pupils who have lived in the United States for five years or more graduate from high school every year; and

Whereas, Many undocumented pupils who arrive in the United States before 14 years of age desire to go on to college; and

Whereas, California has uplifted and empowered undocumented immigrants to seek a better life by providing pathways to public services and extending protections through sanctuary laws; and

Whereas, Undocumented immigrants have historically faced racism, poverty, and other barriers that restrict access to higher education and that limit their ability to work, contribute to California's economy, and provide for their families; and

Whereas, Nonresident tuition is cost prohibitive to undocumented students who already experience barriers to employment and lack of access to federal financial aid; and

Whereas, The passage of Assembly Bill 540 of the 2001–02 Regular Session (AB 540), authored by the late Assembly Member Marco Antonio Firebaugh and signed into law by former Governor Gray Davis on October 12, 2001, declared that long-term California residents, regardless of their citizenship status, would pay in-state fees at California public colleges and universities; and

Whereas, AB 540 established the right of undocumented students to seek a college degree, and the bill substantially increased their educational and economic opportunities to achieve their highest potential; and

Whereas, It is estimated between 75,000 and 156,000 undocumented students attend campuses of the California Community Colleges, 10,063 undocumented students attend campuses of the California State University, and over 4,000 undocumented students attend campuses of the University of California; and

Whereas, Approximately 62,000 students attending campuses of the California Community Colleges benefit from that exemption from nonresident tuition today: and

Whereas, That exemption from nonresident tuition expanded opportunities for a college education and reduced opportunity gaps for undocumented students by removing the burden of out-of-state tuition; and

Whereas, Without AB 540, and other subsequent college affordability measures like the California Dream Act, undocumented students would pay thousands of dollars in tuition and fees each year as nonresidents or international students: and

Whereas, California's higher education systems are committed to serving all students, regardless of their immigration status, and providing them with the supports, resources, and opportunities to pursue their educational goals: and

Whereas, The Budget Act of 2021 expands on the successful Dreamer Resource Liaison program by doubling the amount of funding, ensuring that the California Community Colleges, California State University, and University of California have the capacity and resources to support undocumented students; and

Whereas, The federal American Families Plan proposes a pathway to citizenship for undocumented students and expands access to federal financial aid, which will enable more undocumented students to pay for college, complete their studies, and contribute to the economy; and

Whereas, The passage of the federal American Families Plan will ensure a stable and welcoming future for undocumented students by allowing them to achieve their higher education goals and become fully participating members of their communities; and

Whereas, California's public higher education systems continue to combat persisting inequalities among this underserved population, develop pathways that foster access, equity, and inclusion, and advocate fiercely for the necessary policies and resources; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California jointly, That the Legislature of the State of California hereby recognizes October 12, 2021, as the 20-year anniversary of the enactment of the exemption from nonresident tuition during the 2001–02 Regular Session; and be it further

Resolved, That the Legislature urges all residents of the state to celebrate the significance of that enactment in enabling more undocumented students to pursue a college education; and be it further

Resolved, That the Legislature calls on the United States Congress to pass the American Families Plan and provide financial resources for undocumented students through the budget reconciliation process, and to adopt comprehensive immigration reform; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the United States Congress, and to the author for appropriate distribution.

POM–253. A resolution adopted by the City Council of the City of Marathon, California urging the Florida Legislature to adopt Governor Ron Desantis's state fiscal year 2021–2022 Budget Recommendation to create the ''Resilient Florida'' Program; to the Committee on Commerce, Science, and Transportation.

POM–254. A resolution adopted by the City Council of the City of Marathon, California supporting SB 1086/HB 639 and additional amendment language addressing long-term anchoring, reflecting the continuing efforts of Florida Fish and Wildlife Conservation Commission to improve boater safety, reduce vessel dereliction, and improve marine sanitation to protect our natural marine resources, and in support of additional FWC staff and financial resources to adequately implement existing and new law enforcement measures; to the Committee on Commerce, Science, and Transportation.

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. SULLIVAN:

S. 5147. A bill to designate the Staten Island Unit of the Gateway National Recreation Area as the ''Senator James L. Buckley Seashore''; to the Committee on Energy and Natural Resources.

By Ms. ERNST (for herself, Mr. TESTER, and Mr. BRAUN):

S. 5148. A bill to end unemployment payments to jobless millionaires; to the Committee on Finance.

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

S. 5149. A bill to amend title XVIII of the Social Security Act to exclude independent agents and brokers from requirement to record calls with beneficiaries under the Medicare Advantage and Prescription Drug Benefit programs; to the Committee on Finance.

By Mr. MURPHY (for himself and Mr. VAN HOLLEN):

S. 5150. A bill to amend the Public Health Service Act to provide additional transparency and consumer protections relating to medical debt collection practices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY:

S. 5151. A bill to prohibit individuals and entities from owning more than 100 single-family residences, and for other purposes; to the Committee on Finance.

By Mr. MARSHALL:

S. 5152. A bill to foster transparent crime data, to discourage no-cash bail, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN:

S. 5153. A bill to amend title 18, United States Code, to require certain notice requirements by law enforcement officers of the Environmental Protection Agency before executing and serving warrants; to the Committee on Environment and Public Works.

By Mr. VAN HOLLEN:

S. 5154. A bill to promote the African Continental Free Trade Area, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Ms. WARREN, and Ms. SMITH):

S. 5155. A bill to establish the Proprietary Education Interagency Oversight Coordination Committee and facilitate the disclosure and reporting of information regarding complaints and investigations related to proprietary institutions of higher education eligible to receive Federal education assistance; to the Committee on Health, Education, Labor , and Pensions.

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

S. 5156. A bill to amend the Justice for United States Victims of State Sponsored Terrorism Act to authorize appropriations for catch-up payments from the United States Victims of State Sponsored Terrorism Fund, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. BALDWIN:

S. Res. 852. A resolution recognizing the 50th anniversary of the enactment of the Marine Protection, Research, and Sanctuaries Act of 1972, which provided for the establishment of national marine sanctuaries; to the Committee on Commerce, Science, and Transportation.

By Mr. MANCHIN (for himself, Ms. COLLINS, Ms. CANTWELL, Ms. HIRONO, Mrs. FEINSTEIN, Mr. COONS, Mr. REED, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Ms. HASSAN, Mr. WYDEN, Mr. VAN HOLLEN, Mr. PETERS, and Ms. MURKOWSKI):

S. Res. 853. A resolution recognizing November 2022, as ''National Homeless Children and Youth Awareness Month''; considered and agreed to.

By Mr. DAINES (for himself, Mrs. FEINSTEIN, Mr. HICKENLOOPER, Mr. BARRASSO, Mr. PADILLA, Mr. CRAPO, Mr. RISCH, Mr. BOOZMAN, Ms. LUMMIS, and Mr. SULLIVAN):

S. Res. 854. A resolution honoring the individuals fighting and the individuals who have fallen responding to wildland fires during the ongoing 2022 wildfire season; considered and agreed to.

ADDITIONAL COSPONSORS

S. 5

At the request of Mr. CARPER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 5, a bill to amend title XVIII of the Social Security Act to ensure appropriate supervision requirements for outpatient physical therapy and outpatient occupational therapy.

S. 673

At the request of Ms. KLOBUCHAR, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 673, a bill to provide a temporary safe harbor for publishers of online content to collectively negotiate with dominant online platforms regarding the terms on which content may be distributed.

S. 1136

At the request of Ms. CANTWELL, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors 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. 1408

At the request of Mr. MARKEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1408, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 1625

At the request of Mr. CRAMER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1625, a bill to authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any State, to require any State to recognize notarizations performed by a notarial officer of any other State when the notarization was performed under or relates to a public Act, record, or judicial proceeding of the notarial officer's State or when the

notarization occurs in or affects interstate commerce, and for other purposes.

S. 3199

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was withdrawn as a cosponsor of S. 3199, a bill to promote peace and democracy in Ethiopia, and for other purposes.

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3199, supra.

S. 3421

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3421, a bill to clarify that section 107 of the Countering America's Adversaries Through Sanctions Act applies sanctions with respect to unmanned combat aerial vehicles following a 2019 change by the United Nations providing additional clarity to the United Nations Register of Conventional Arms.

S. 3840

At the request of Ms. HASSAN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3840, a bill to amend the Internal Revenue Code of 1986 to increase the threshold for the de minimis exception for information reporting by third party settlement organizations.

S. 3957

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3957, a bill to amend the Infrastructure Investment and Jobs Act to make certain activities eligible for grants from the Abandoned Mine Reclamation Fund, and for other purposes.

S. 4441

At the request of Ms. CORTEZ MASTO, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 4441, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide for peer support specialists for claimants who are survivors of military sexual trauma, and for other purposes.

S. 4499

At the request of Mrs. BLACKBURN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 4499, a bill to prohibit any requirement that a member of the National Guard receive a vaccination against COVID–19.

S. 4587

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 4587, a bill to award a Congressional Gold Medal to Benjamin Berell Ferencz, in recognition of his service to the United States and international community during the post-World War II Nuremberg trials and lifelong advocacy for international criminal justice and rule of law.

S. 4690

At the request of Mr. VAN HOLLEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 4690, a bill to provide grants for fire station construction through the Administrator of the Federal Emergency Management Agency, and for other purposes.

S. 4693

At the request of Mr. COONS, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 4693, a bill to amend the National Trails System Act to include national discovery trails and designate the American Discovery Trail, and for other purposes.

S. 4925

At the request of Mrs. BLACKBURN, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 4925, a bill to preserve the readiness of the Armed Forces by limiting separations based on COVID–19 vaccination status and continuing pay and benefits for members while religious and health accommodations are pending.

S. 5098

At the request of Mr. DURBIN, the names of the Senator from Vermont (Mr. LEAHY), the Senator from California (Mrs. FEINSTEIN), the Senator from Oregon (Mr. MERKLEY), the Senator from Maryland (Mr. CARDIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Maine (Mr. KING) and the Senator from California (Mr. PADILLA) were added as cosponsors of S. 5098, a bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of State.

S. 5100

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 5100, a bill to provide accountability for funding provided to the Internal Revenue Service and the Department of Treasury under Public Law 117–169.

S. 5130

At the request of Mr. SULLIVAN, the names of the Senator from Florida (Mr. RUBIO), the Senator from Arkansas (Mr. COTTON) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 5130, a bill to amend the Camp Lejeune Justice Act of 2022 to appropriately limit attorney's fees.

S. 5134

At the request of Mr. COONS, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 5134, a bill to establish the United States Foundation for International Conservation to promote long-term management of protected and conserved areas, and for other purposes.

S. 5145

At the request of Mrs. FISCHER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 5145, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid Vapor Pressure under that Act, and for other purposes.

S. CON. RES. 47

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Con. Res. 47, a concurrent resolution commending the bravery, courage, and resolve of the women and men of Iran demonstrating in more than 80 cities and risking their safety to speak out against the Iranian regime's human rights abuses.

S. RES. 830

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 830, a resolution expressing support for the designation of the week of October 24, 2022, to October 31, 2022, as ''Bat Week''.

AMENDMENT NO. 5530

At the request of Mrs. BLACKBURN, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Kansas (Mr. MARSHALL), the Senator from South Carolina (Mr. GRAHAM) and the Senator from Alabama (Mr. TUBERVILLE) were added as cosponsors of amendment No. 5530 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5531

At the request of Mrs. BLACKBURN, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Kansas (Mr. MARSHALL), the Senator from South Carolina (Mr. GRAHAM), the Senator from Alabama (Mr. TUBERVILLE) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of amendment No. 5531 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Ms. WARREN, and Ms. SMITH):

S. 5155. A bill to establish the Proprietary Education Interagency Oversight Coordination Committee and facilitate the disclosure and reporting of information regarding complaints and investigations related to proprietary institutions of higher education eligible to receive Federal education assistance; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 5155

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Proprietary Education Interagency Oversight Coordination Improvement Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ACCREDITING AGENCY.—The term ''accrediting agency'' means a private educational association that acts as a reliable authority on the quality of education or training provided by an institution of higher education and is recognized by the Secretary of Education under section 496 of the Higher Education Act of 1965 (20 U.S.C. 1099b).

(2) EXECUTIVE OFFICER.—The term ''executive officer'', with respect to a proprietary institution of higher education that is a publicly traded corporation, means—

(A) the president of such corporation;

(B) a vice president of such corporation who is in charge of a principal business unit, division, or function of such corporation, such as sales, administration, or finance; or

(C) any other officer or person who performs a policy making function for such corporation, including an executive officer of a subsidiary of the corporation if the officer performs a policy making function for the corporation.

(3) FEDERAL EDUCATION ASSISTANCE.—The term ''Federal education assistance'' when used with respect to a proprietary institution of higher education, means Federal funds that are disbursed or delivered to or on behalf of a student to be used for tuition, fees, instruction, or any component of the student's cost of attendance (as defined in section 472 of the Higher Education Act of 1965 (20 U.S.C. 10871l)) to attend such institution.

(4) INSTITUTIONAL DEBT.—The term ''institutional debt'' means any debt owed by a student or the parent of a student to an institution of higher education, including—

(A) debt owed through a private loan program or income share agreement operated by the institution;

(B) debt owed from a return of student assistance made, insured, or guaranteed under title IV of the Higher Education Act 1965 (20 U.S.C. 1070 et seq.) to the Department of Education; and

(C) debt owed from the student's nonpayment of institutional charges or fees.

(5) PRIVATE EDUCATION LOAN.—The term ''private education loan'' means—

(A) a loan provided by a private educational lender (as defined in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a))) that—

(i) is not made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(ii) is issued expressly for postsecondary educational expenses to a borrower, regardless of whether the loan is provided through the educational institution that the subject student attends or directly to the borrower from the private educational lender (as so defined); and

(iii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and

(B) does not include an extension of credit under an open end consumer credit plan, a reverse mortgage transaction, a residential mortgage transaction, or any other loan that is secured by real property or a dwelling.

(6) PROPRIETARY INSTITUTION OF HIGHER EDUCATION.—The term ''proprietary institution of higher education'' has the meaning given the term in section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)).

(7) RECRUITING AND MARKETING ACTIVITIES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''recruiting and marketing activities'' means activities that consist of the following:

(i) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events, that are made directly or indirectly to a student, a prospective student, the public, an accrediting agency, a State agency, or to the Secretary by an institution of higher education, one of its representatives, or any person with whom the institution has an agreement to provide educational programs, advertising, or admissions services.

(ii) Misleading statement, misrepresentation, and substantial misrepresentation (as defined in section 668.71(c) of title 34, Code of Federal Regulations, or any successor regulation).

(iii) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for a grant, a loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including soliciting an individual to provide contact information to an institution of higher education, including through websites established for such purpose and funds paid to third parties for such purpose.

(iv) Such other activities as the Secretary of Education may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(B) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a recruiting and marketing activity under subparagraph (A).

(8) STATE APPROVAL AGENCY.—The term ''State approval agency'' means any State agency that determines whether an institution of higher education is legally authorized within such State to provide a program of education beyond secondary education.

(9) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means an organization that is—

(A) recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code;

(B) congressionally chartered under title 36, United States Code, and serves or represents veterans;

(C) recognized by the Secretary of Veteran Affairs under section 14.628 of title 38, Code of Federal Regulations (or a successor regulation), as a national organization, State organization, tribal organization, or regional or local organization; or

(D) an organization that has a record of demonstrating expertise in, assists in, or serves the interests of veterans in education.

SEC. 3. ESTABLISHMENT OF COMMITTEE.

(a) ESTABLISHMENT.—There is established a committee to be known as the ''Proprietary Education Interagency Oversight Coordination Committee'' (referred to in this Act as the ''Committee'') and to be composed of the head (or the designee of such head who is designated under subsection (d)) of each of the following Federal entities:

(1) The Department of Education.

(2) The Consumer Financial Protection Bureau.

(3) The Department of Justice.

(4) The Securities and Exchange Commission.

(5) The Department of Defense.

(6) The Department of Veterans Affairs.

(7) The Federal Trade Commission.

(8) The Department of Labor.

(9) The Internal Revenue Service.

(10) At the discretion of the President, any other relevant Federal agency or department.

(b) PURPOSES.—The Committee shall have the following purposes:

(1) To improve enforcement of applicable Federal laws and regulations.

(2) To increase accountability of proprietary institutions of higher education to students and taxpayers.

(3) To ensure the promotion of quality education programs.

(4) To reduce and prevent fraud and abuse by proprietary institutions of higher education.

(c) RESPONSIBILITIES.—To meet the purposes described in subsection (b), the Committee shall have the following responsibilities:

(1) Coordinate administrative oversight of proprietary institutions of higher education—

(A) such that the Federal agencies represented on the Committee may develop a memorandum of understanding to specify responsibilities of each such Federal agency in creating the report under section 6;

(B) to encourage information sharing among the Federal agencies related to Federal investigations, audits, or inquiries of proprietary institutions of higher education; and

(C) to increase coordination and cooperation between Federal and State agencies, including State Attorneys General and State approval agencies, with respect to improving oversight and accountability of proprietary institutions of higher education.

(2) Synthesize cross-agency industry data on proprietary institutions of higher education to—

(A) develop an annual report under section 6;

(B) publish a ''For-Profit College Warning List for Parents and Students'', in accordance with section 7; and

(C) develop consistency among Federal and State agencies in the dissemination of consumer information regarding proprietary institutions of higher education to ensure that students, parents, and other stakeholders have easy access to such information.

(d) MEMBERSHIP.—

(1) DESIGNEES.—The head of a Federal entity described in subsection (a) may designate a high ranking official of the entity to serve as a designee on the Committee. The designee shall be, whenever possible, the head of the portion of the entity that is most relevant to the purposes described in subsection (b).

(2) CHAIRPERSON.—The Secretary of Education or the designee of such Secretary shall serve as the Chairperson of the Committee.

(3) COMMITTEE SUPPORT.—The Chairperson of the Committee shall ensure appropriate

staff and officials at the Department of Education are available to support Committee-related work.

SEC. 4. MEETINGS AND ADVISORY COMMITTEE.

(a) COMMITTEE MEETINGS.—The members of the Committee shall meet regularly, but not less than once during each quarter of each fiscal year, to carry out the purposes described in section 3(b) and responsibilities described in section 3(c).

(b) PROPRIETARY EDUCATION OVERSIGHT ADVISORY COMMITTEE.—

(1) IN GENERAL.—The Committee shall establish a Proprietary Education Oversight Advisory Committee to advise the Proprietary Education Interagency Oversight Coordination Committee that meets not less than twice each fiscal year.

(2) FACA APPLICABILITY.—The activities of the Proprietary Education Oversight Advisory Committee shall be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

(3) MEMBERSHIP.—The Proprietary Education Oversight Advisory Committee shall be composed of the following members:

(A) State Attorneys General.

(B) Representatives from State approval agencies.

(C) Representatives from veterans service organizations.

(D) Representatives from accrediting agencies.

(E) Representatives from civil rights organizations.

(F) Representatives from proprietary institutions of higher education.

(G) Consumer advocates.

(H) Any additional stakeholders deemed relevant by the Proprietary Education Interagency Oversight Coordination Committee to provide input and information to enable the Proprietary Education Interagency Oversight Coordination Committee to carry out the purposes described in section 3(b) and responsibilities in section 3(c).

SEC. 5. COLLECTION AND TRACKING OF COMPLAINTS.

(a) IN GENERAL.—In consultation with the Committee, the Secretary of Education shall establish a single, toll-free telephone number, a website, and a database (or utilize an existing database) to facilitate the centralized collection of, monitoring of, and response to student complaints regarding the services or activities of any proprietary institution of higher education eligible for Federal education assistance. The Committee shall coordinate with the Federal agencies represented on the Committee to route complaints to such agencies, where appropriate.

(b) ROUTING CALLS TO STATES.—To the extent practicable, State approval agencies may receive appropriate complaints from the systems established under subsection (a), if—

(1) the State approval agency system has the functional capacity to receive calls or electronic reports routed by the Department of Education systems;

(2) the State approval agency has satisfied any conditions of participation in the system that the Department of Education may establish, including treatment of personally identifiable information and sharing of information on complaint resolution or related compliance procedures and resources; and

(3) participation by the State approval agency includes measures necessary to provide for protection of personally identifiable information that conform to the standards for protection of the confidentiality of personally identifiable information and for data integrity and security that apply to the Federal agencies described in subsection (c).

(c) DATA SHARING REQUIRED.—To facilitate preparation of the reports required under section 6, supervision and enforcement activities, and monitoring of the market for educational services provided by any proprietary institution of higher education eligible for Federal education assistance, the Committee members shall share student complaint information with accrediting agencies, the Federal Trade Commission, other Federal agencies, and State agencies, subject to the standards applicable to Federal agencies for protection of the confidentiality of personally identifiable information and for data security and integrity. The accrediting agencies, the Federal Trade Commission, and other Federal agencies shall share data relating to student complaints regarding educational services provided by any proprietary institution of higher education with the Department of Education, subject to the standards applicable to Federal agencies for protection of confidentiality of personally identifiable information and for data security and integrity.

SEC. 6. REPORT.

(a) IN GENERAL.—The Committee shall submit an annual report to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and Labor of the House of Representatives, and any other committee of Congress that the Committee determines appropriate.

(b) PUBLIC ACCESS.—The report described in subsection (a) shall be made available to the public in a manner that is easily accessible to parents, students, and other stakeholders.

(c) CONTENTS.—

(1) IN GENERAL.—The report shall include—

(A) a description of the role of each member of the Committee in achieving the purposes described in section 3(b);

(B) an accounting of any action taken by the Federal Government, any member entity of the Committee, or a State to enforce Federal or State laws and regulations applicable to a proprietary institution of higher education;

(C) a summary of complaints received, resolved, or pending against each proprietary institution of higher education during the applicable year, including—

(i) student complaints collected by the complaint system established under section 5 or received by any member entity of the Committee;

(ii) any complaint filed by a Federal or State agency in a Federal, State, local, or tribal court;

(iii) any administrative proceeding by a Federal or State agency involving noncompliance of any applicable law or regulation;

(iv) any other review, audit, or administrative process by any Federal or State agency that results in a penalty, suspension, or termination from any Federal or State program; and

(v) any complaint, review, audit, or administrative process initiated against the proprietary institution of higher education by an accrediting agency or any adverse action taken by an accrediting agency during the applicable year;

(D) the data described in paragraph (2) and any other data relevant to proprietary institutions of higher education that the Committee determines appropriate; and

(E) recommendations of the Committee for such legislative and administrative actions as the Committee determines are necessary to—

(i) improve enforcement of applicable Federal laws;

(ii) increase accountability of proprietary institutions of higher education to students and taxpayers;

(iii) reduce and prevent fraud and abuse by proprietary institutions of higher education; and

(iv) ensure the promotion of quality education programs.

(2) DATA.—

(A) INDUSTRY-WIDE DATA.—The report shall include data on all proprietary institutions of higher education that consists of information regarding—

(i) the total amount of Federal education assistance that proprietary institutions of higher education received for the previous academic year, and the percentage of the total amount of Federal education assistance provided to institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) for such previous academic year that reflects such total amount of Federal education assistance provided to proprietary institutions of higher education for such previous academic year;

(ii) the total amount of Federal education assistance that proprietary institutions of higher education received for the previous academic year, disaggregated by—

(I) educational assistance in the form of a loan provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(II) educational assistance in the form of a grant provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(III) educational assistance provided under chapter 33 of title 38, United States Code;

(IV) assistance for tuition and expenses under section 2007 of title 10, United States Code;

(V) assistance provided under section 1784a of title 10, United States Code; and

(VI) Federal education assistance not described in subclauses (I) through (V);

(iii) the percentage of the total amount of Federal education assistance provided to institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) for such previous academic year for each of the programs described in subclauses (I) through (VI) of clause (ii) that reflects such total amount of Federal education assistance provided to proprietary institutions of higher education for such previous academic year for each of such programs;

(iv) the average retention and graduation rates for students pursuing a degree at proprietary institutions of higher education;

(v) the average cohort default rate (as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)) for proprietary institutions of higher education, and list of each cohort default rate for each proprietary institution of higher education;

(vi) the average pre-enrollment expenditures on a per-enrolled-student basis, including expenditures on recruiting and marketing activities;

(vii) the average educational and general expenditures (as defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a)) per student, excluding all pre-enrollment expenditures;

(viii) for careers requiring the passage of a licensing examination—

(I) the passage rate of individuals who attended a proprietary institution of higher education taking such examination to pursue such a career; and

(II) the passage rate of all individuals taking such exam to pursue such a career; and

(ix) the use of private education loans at proprietary institutions of higher education that includes—

(I) an estimate of the total number of such loans;

(II) information on the average debt, default rate, and interest rate of such loans; and

(III) the names of each lender providing private education loans to borrowers with respect to each proprietary institution of higher education in the prior academic year, including—

(aa) the number of borrowers receiving loans from each lender; and

(bb) the volume of dollars provided to borrowers with respect to the proprietary institution of higher education by each lender.

(B) DATA ON PUBLICLY TRADED CORPORATIONS.—

(i) IN GENERAL.—The report shall include data on proprietary institutions of higher education that are publicly traded corporations, consisting of information on—

(I) any pre-tax profit of such proprietary institutions of higher education—

(aa) reported as a total amount and an average percent of revenue for all such proprietary institutions of higher education; and

(bb) reported for each such proprietary institution of higher education;

(II) revenue for such proprietary institutions of higher education spent on recruiting and marketing activities, student instruction, and student support services, reported—

(aa) as a total amount and an average percent of revenue for all such proprietary institutions of higher education; and

(bb) for each such proprietary institution of higher education;

(III) total compensation packages of the executive officers of each such proprietary institution of higher education;

(IV) a list of institutional loan programs offered by each such proprietary institution of higher education that includes information on the default and interest rates of such programs; and

(V) the data described in clauses (ii) and (iii).

(ii) DISAGGREGATED BY OWNERSHIP.—The report shall include data on proprietary institutions of higher education that are publicly traded corporations, disaggregated by corporate or parent entity, brand name, and campus, consisting of—

(I) the average total cost of attendance at each such proprietary institution of higher education, and information comparing such total cost for each such program to—

(aa) the average total cost of attendance—

(AA) at each public institution of higher education; and

(BB) at each public institution of higher education that offers the same level of education degree or certification as the proprietary institution of higher education; and

(bb) the average total cost of attendance—

(AA) at all institutions of higher education, including such institutions that are public and such institutions that are private; and

(BB) at all institutions of higher education that offer the same level of education degree or certification as the proprietary institution of higher education, including such institutions that are public and such institutions that are private;

(II) total enrollment, disaggregated by—

(aa) individuals enrolled in programs taken online;

(bb) individuals enrolled in programs that are not taken online; and

(cc) individuals enrolled in programs taken both online and not online;

(III) the average retention and graduation rates for students pursuing a degree at such proprietary institutions of higher education;

(IV) the percentage of students enrolled in such proprietary institutions of higher education who complete a program of such an institution within—

(aa) the standard period of completion for such program; and

(bb) a period that is 150 percent of such standard period of completion;

(V) the average total cost of attendance for each program at such proprietary institutions of higher education;

(VI) the average cohort default rate, as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)), for such proprietary institutions of higher education, and an annual list of cohort default rates (as so defined) for all proprietary institutions of higher education;

(VII) the median Federal educational debt incurred by students who complete a program at such a proprietary institution of higher education;

(VIII) the median Federal educational debt incurred by students who start but do not complete a program at such a proprietary institution of higher education;

(IX) the job placement rate for students who complete a program at such a proprietary institution of higher education and the type of employment obtained by such students;

(X) for careers requiring the passage of a licensing examination, the rate of individuals who attended such a proprietary institution of higher education and passed such an examination;

(XI) the number of complaints from students enrolled in such proprietary institutions of higher education who have submitted a complaint to any member entity of the Committee; and

(XII) the volume of institutional debt, number of students who owe institutional debts, and average amount of institutional debt owed by each student.

(iii) DEPARTMENT OF DEFENSE AND VETERANS AFFAIRS ASSISTANCE.—

(I) IN GENERAL.—To the extent practicable, the report shall provide information on the data described in clause (ii) for individuals using, to pay for the costs of attending such a proprietary institution of higher education, Federal education assistance provided under—

(aa) chapter 33 of title 38, United States Code;

(bb) section 2007 of title 10, United States Code; and

(cc) section 1784a of title 10, United States Code.

(II) REVENUE.—The report shall provide information on the revenue of proprietary institutions of higher education that are publicly traded corporations that is derived from the Federal education assistance described in subclause (I).

(C) COMPARISON DATA.—To the extent practicable, the report shall provide information comparing the data described in subparagraph (B) for proprietary institutions of higher education that are publicly traded corporations with such data for public institutions of higher education disaggregated by State.

(3) ACCOUNTING OF ANY ACTION.—For the purposes of paragraph (1)(B), the term ''any action'' shall include—

(A) a complaint filed by a Federal or State agency in a local, State, Federal, or tribal court;

(B) an administrative proceeding by a Federal or State agency involving noncompliance of any applicable law or regulation; or

(C) any other review, audit, or administrative process by any Federal or State agency that results in a penalty, suspension, or termination from any Federal or State program.

SEC. 7. FOR-PROFIT COLLEGE WARNING LIST FOR PARENTS AND STUDENTS.

(a) IN GENERAL.—Each academic year, the Secretary of Education on behalf of the Committee shall publish a list to be known as the ''For-Profit College Warning List for Parents and Students'' to be comprised of proprietary institutions of higher education—

(1) that have been sued for financial relief by a Federal or State authority, or through a qui tam action in which the Federal government has intervened;

(2) that are required to pay a debt or incur a liability from a settlement, arbitration proceeding, or final judgment in a judicial proceeding with a Federal or State agency and the case addresses misrepresentation, fraud, liability under sections 3729 through 3733 of title 31, United States Code (commonly known as the ''False Claims Act''), or other borrower defense to repayment claims;

(3) that have pending claims for borrower relief discharge under the borrower defense to repayment regulations from students or former students of the institution and the Secretary of Education has formed a group process to consider the claims;

(4) that have had any eligibility for participation withdrawn or suspended with respect to—

(A) educational assistance in the form of a loan provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(B) educational assistance in the form of a grant provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(C) educational assistance provided under chapter 33 of title 38, United States Code;

(D) assistance for tuition and expenses under section 2007 of title 10, United States Code;

(E) assistance provided under section 1784a of title 10, United States Code; or

(F) Federal education assistance not described in subparagraphs (A) through (E); or

(5) that have been deemed ineligible to receive Federal education assistance for the next year or required to repay Federal education assistance previously received in applicable report year.

(b) SUMMARY.—The For-Profit College Warning List for Parents and Students shall include a summary in plain language of the basis of each proprietary institution of higher education's inclusion on the list.

(c) PROCEDURES.—The Committee shall establish and apply review procedures for the For-Profit College Warning List for Parents and Students, including evaluation and withdrawal proceedings that provide—

(1) for adequate written specification of—

(A) the procedure for identifying proprietary intuitions of higher education for inclusion on the list; and

(B) identified deficiencies at the proprietary institutions of higher education; and

(2) for sufficient opportunity for a written response by a proprietary institution of higher education regarding any deficiencies identified by the Committee—

(A) within a timeframe determined by the Committee; and

(B) prior to the final publication of the For-Profit College Warning List for Parents and Students.

(d) PUBLICATION.—Not later than July 1 of each fiscal year, on behalf of the Committee, the Secretary of Education shall publish the For-Profit College Warning List for Parents and Students prominently and in a manner that is easily accessible to parents, current students, prospective students, and other stakeholders. The Secretary of Education may incorporate the For-Profit College Warning List for Parents and Students into preexisting, widely-used platforms.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 852—RECOGNIZING THE 50TH ANNIVERSARY OF THE ENACTMENT OF THE MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972, WHICH PROVIDED FOR THE ESTABLISHMENT OF NATIONAL MARINE SANCTUARIES

Ms. BALDWIN submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 852

Whereas, on October 23, 1972, the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1401 et seq.) became law and ushered in a new era of ocean conservation;

Whereas, as of October 2022, the National Marine Sanctuary System is a nationwide network that conserves spectacular oceans, coasts, and Great Lakes waters;

Whereas communities across the United States can nominate their most treasured places in marine and Great Lakes waters for consideration as national marine sanctuaries;

Whereas national marine sanctuaries protect biodiversity, safeguard extraordinary seascapes, historic shipwrecks, and sacred cultural places, and provide abundant recreational opportunities;

Whereas national marine sanctuaries provide opportunities for community-Tribal partnerships to preserve the traditional ecological resources and cultural sites of local Indigenous peoples;

Whereas the conservation of marine ecosystems is vital for healthy oceans, coasts, and Great Lakes, addressing climate change, and sustaining productive coastal economies;

Whereas national marine sanctuaries support coastal communities and generate billions of dollars annually in local economies by providing jobs in the United States, supporting commercial, Tribal, and recreational fisheries, bolstering tourism and recreation, engaging businesses in stewardship, and driving the growth of the blue economy;

Whereas national marine sanctuaries connect people and communities through science, education, recreation, and stewardship, inspiring community-based solutions that help individuals understand and protect the most spectacular underwater habitats, wildlife, archaeological resources, and cultural seascapes of the United States;

Whereas national marine sanctuaries are living laboratories to conduct cooperative science and research to improve resource management and advance innovative public-private partnerships;

Whereas national marine sanctuaries can help make the oceans, coasts, and Great Lakes more resilient by protecting ecosystems that sequester carbon, safeguarding coastal communities from flooding and storms, and protecting biodiversity;

Whereas the United States is a maritime nation, and the oceans, coasts, and Great Lakes are central to the way of life of the people of the United States; and

Whereas engaging communities as stewards of the waters protected as natural marine sanctuaries makes natural marine sanctuaries unique and provides a comprehensive, highly participatory approach to conserving marine ecosystems and the Great Lakes for current and future generations: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and celebrates the 50th anniversary of the enactment of the Marine Protection, Research, and Sanctuaries Act of 1972;

(2) acknowledges the importance of national marine sanctuaries to supporting community resilience, protecting biodiversity, and increasing access to nature;

(3) celebrates the ability of the National Marine Sanctuary System to protect nationally significant places in the oceans, coasts, and Great Lakes;

(4) calls on the National Oceanic and Atmospheric Administration to partner with communities and find consensus on designations of new national marine sanctuaries; and

(5) encourages Federal agencies to balance priorities and work together to support the priorities of the Marine Protection, Research, and Sanctuaries Act of 1972.

SENATE RESOLUTION 853—RECOGNIZING NOVEMBER 2022, AS ''NATIONAL HOMELESS CHILDREN AND YOUTH AWARENESS MONTH''

Mr. MANCHIN (for himself, Ms. COLLINS, Ms. CANTWELL, Ms. HIRONO, Mrs. FEINSTEIN, Mr. COONS, Mr. REED, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Ms. HASSAN, Mr. WYDEN, Mr. VAN HOLLEN, Mr. PETERS, and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 853

Whereas, in the United States, public schools identified approximately 1,100,000 homeless children and youth during the 2020–2021 school year;

Whereas an estimated 1,300,000 children younger than 6 years of age in 2018–2019 and approximately 4,200,000 youth and young adults in 2017 experienced homelessness, with many such children, youth, and young adults staying on couches, in motels, in shelters, or outside;

Whereas infants experiencing homelessness are at a higher risk for certain illnesses and health conditions, and families experiencing homelessness are more likely to experience involvement in the child welfare system and difficulty with school attendance;

Whereas more than 1 in 3 high school students experiencing homelessness had attempted suicide, and nearly 1 in 4 high school students experiencing homelessness had experienced dating violence;

Whereas individuals without a high school degree or general educational development certificate (GED) are more than 3 times more likely to report homelessness than their peers, making lack of education the leading risk factor for homelessness;

Whereas, in 2018, the high school graduation rate for students experiencing homelessness was 67.8 percent, compared to 80 percent for low-income students and 85.5 percent for all students;

Whereas the rate of youth homelessness is the same in rural, suburban, and urban areas;

Whereas 29 percent of unaccompanied homeless youth between 13 and 25 years of age have spent time in foster care, compared to approximately 6 percent of all children;

Whereas homelessness among children and youth is a complex issue that often co-occurs with deep poverty, low education and employment levels, substance misuse and abuse, mental illness, lack of affordable housing, and family conflict;

Whereas COVID–19 in the United States, which was declared a national emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.), has had a disproportionate effect on children, youth, and families experiencing homelessness; and

Whereas awareness of child and youth homelessness must be heightened to encourage greater support for effective programs to help children and youth overcome homelessness: Now, therefore, be it

Resolved, That the Senate—

(1) supports the efforts of businesses, State and local governments, organizations, educators, and volunteers dedicated to meeting the needs of homeless children and youth;

(2) applauds the initiatives of businesses, State and local governments, organizations, educators, and volunteers that—

(A) use time and resources to raise awareness of child and youth homelessness, the causes of such homelessness, and potential solutions; and

(B) work to prevent homelessness among children and youth;

(3) recognizes November 2022 as ''National Homeless Children and Youth Awareness Month''; and

(4) encourages those businesses, State and local governments, organizations, educators, and volunteers to continue to intensify their efforts to address homelessness among children and youth during November 2022.

SENATE RESOLUTION 854—HONORING THE INDIVIDUALS FIGHTING AND THE INDIVIDUALS WHO HAVE FALLEN RESPONDING TO WILDLAND FIRES DURING THE ONGOING 2022 WILDFIRE SEASON

Mr. DAINES (for himself, Mrs. FEINSTEIN, Mr. HICKENLOOPER, Mr. BARRASSO, Mr. PADILLA, Mr. CRAPO, Mr. RISCH, Mr. BOOZMAN, Ms. LUMMIS, and Mr. SULLIVAN) submitted the following resolution; which was considered and agreed to:

S. RES. 854

Whereas more than 7,200,000 acres have burned in wildfire in 2022;

Whereas changing climates, resulting in long-term trends of warmer and drier weather, and mismanagement of the forests of the United States are exacerbating the threat of wildfires and contributing to the greater than normal fire activity in western States, resulting in dangerous conditions for wildland firefighters;

Whereas the Coronavirus Disease 2019 pandemic has exacerbated the public health and public safety risks inherent in combating wildfires;

Whereas more than 20,000 personnel have been assigned to contain and combat the fires that threaten the West;

Whereas Federal pay levels for wildland firefighters were established more than 30 years ago and should be re-evaluated based on the current wildfire risk and job market;

Whereas the Job Corps Civilian Conservation Center program established by the Department of Labor and the Department of Agriculture trains the next generation of forestry technicians and wildland firefighters, providing dedicated personnel for conservation and firefighting activities; and

Whereas wildland firefighters, first responders, sheriffs, and community leaders have acted bravely and risked their lives to contain dangerous wildfires across the United States to protect families and critical infrastructure: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the efforts and sacrifices of the wildland firefighters who have risked their lives to fight intense wildfires in 2022;

(2) honors the bravery and heroism of the men and women assisting in responding to and combating wildfires;

(3) expresses appreciation and gratitude to firefighters for protecting lives and property in the United States during the ongoing 2022 wildfire season;

(4) expresses full support for communities throughout the West as those communities focus on recovery and rebuilding areas and communities affected by wildfires; and

(5) extends gratitude and appreciation to the families and loved ones of wildland firefighters for their important role in supporting the wildland firefighter community.

AUTHORITY FOR COMMITTEES TO MEET

Mr. KAINE. Mr. President, I have nine 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 a reauthorized 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 Wednesday, November 30, 2022, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, November 30, 2022, 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 Wednesday, November 30, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, November 30, 2022, at 2:30 p.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 Wednesday, November 30, 2022, at 10:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, November 30, 2022, at 3 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, November 30, 2022, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON INTERNATIONAL TRADE, CUSTOMS, AND GLOBAL COMPETITIVENESS

The Subcommittee on International Trade, Customs, and Global Competitiveness of the Committee on Finance is authorized to meet during the session of the Senate on Wednesday, November 30, 2022, at 3 p.m., to conduct a hearing.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, November 30, 2022, at 9 a.m., to conduct a closed briefing.

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time, and placed on the calendar:

H.J. Res. 100. Joint resolution to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees.

NATIONAL HOMELESS CHILDREN AND YOUTH AWARENESS MONTH

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 853, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 853) recognizing November 2022 as ''National Homeless Children and Youth Awareness Month''.

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

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

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

The resolution (S. Res. 853) was agreed to.

The preamble was agreed to.

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

HONORING THE INDIVIDUALS FIGHTING AND THE INDIVIDUALS WHO HAVE FALLEN RESPONDING TO WILDLAND FIRES DURING THE ONGOING 2022 WILDFIRE SEASON

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 854, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

The resolution (S. Res. 854) honoring the individuals fighting and the individuals who have fallen responding to wildland fires during the ongoing 2022 wildfire season.

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

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

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

The resolution (S. Res. 854) was agreed to.

The preamble was agreed to.

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

MILITARY SPOUSE EMPLOYMENT ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 528, S. 4337.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 4337) to amend title 5, United States Code, to authorize the appointment of spouses of members of the Armed Forces who are on active duty, disabled, or deceased to positions in which the spouses will work remotely.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert the part printed in italic, as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Military Spouse Employment Act''.

SEC. 2. APPOINTMENT OF MILITARY SPOUSES.

Section 3330d of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraph (3) as paragraph (4);

(B) by inserting after paragraph (2) the following:

''(3) The term 'remote work' refers to a particular type of telework under which an employee is not expected to report to an officially established agency location on a regular and recurring basis.''; and

(C) by adding at the end the following:

''(5) The term 'telework' has the meaning given the term in section 6501.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''or'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(3) a spouse of a member of the Armed Forces on active duty, or a spouse of a disabled or deceased member of the Armed Forces, to a position in which the spouse will engage in remote work.''; and

(3) in subsection (c)(1), by striking ''subsection (a)(3)'' and inserting ''subsection (a)(4)''.

Mr. SCHUMER. I ask unanimous consent that the committee-reported substitute amendment be agreed to; the bill, as amended, 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. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 4337), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 118, received earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (H. Con. Res. 118) authorizing the use of the rotunda of the Capitol for a ceremony to present Congressional Gold Medals to the United States Capitol Police and others who protected the Capitol on January 6, 2021.

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

Mr. SCHUMER. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 118) was agreed to.

JAMES D. TODD UNITED STATES COURTHOUSE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 4017 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 4017) to designate the United States courthouse located at 111 South Highland Avenue in Jackson, Tennessee, as the ''James D. Todd United States Courthouse'', and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 4017) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 4017

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

SECTION 1. JAMES D. TODD UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 111 South Highland Avenue in Jackson, Tennessee, shall be known and designated as the ''James D. Todd United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''James D. Todd United States Courthouse''.

PAUL D. WELLSTONE BUILDING ACT OF 2022

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 5060 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 5060) to redesignate the Federal building located at 212 Third Avenue South in Minneapolis, Minnesota, as the ''Paul D. Wellstone Federal Building'', and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 5060) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 5060

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Paul D. Wellstone Building Act of 2022''.

SEC. 2. FINDINGS.

Congress finds that—

(1) Paul David Wellstone was born on July 21, 1944, in Washington, DC, and raised in Arlington, Virginia, as the second child of Ukrainian Jewish immigrants Leon and Minnie Wellstone;

(2) Wellstone graduated from the University of North Carolina at Chapel Hill—

(A) in 1965, with a bachelor's degree in political science; and

(B) in 1969, with a Ph.D. in political science;

(3) after earning his Ph.D., Wellstone moved to Minnesota to teach political science at Carleton College in Northfield, Minnesota, during which he became an advocate for marginalized communities and fought for improved healthcare, education, housing, and labor and human rights;

(4) as an activist, Wellstone helped to bring attention to issues important to the people by protesting in favor of peace, civil rights, and social justice, including by standing by farmers and working families in their struggles;

(5) in 1990, Wellstone extended his community activism during his first run for the Senate;

(6) as an underdog, Wellstone was the only candidate to unseat an incumbent Senator in the 1990 election;

(7) the grassroots campaign that was run by Wellstone became well-known for the green bus that he used to travel across Minnesota;

(8) Senator Wellstone continued his commitment to activism throughout his time in the Senate, including by pushing for legislation that—

(A) expanded support for mental health care coverage;

(B) increased the Federal minimum wage; and

(C) offered greater funding and protections for workers, seniors, schools, and ''atomic'' veterans;

(9) in 1997, Senator Wellstone traveled across the country on ''The Children's Tour'' to hear from disadvantaged communities across the United States;

(10) on October 25, 2002, at the age of 57, Senator Wellstone was killed in a plane crash in Minnesota along with his wife, daughter, and several campaign staff; and

(11) the loss of Senator Wellstone was mourned across the United States, but his legacy of advocacy and candor will always be remembered.

SEC. 3. PAUL D. WELLSTONE FEDERAL BUILDING.

(a) REDESIGNATION.—The Federal building located at 212 Third Avenue South in Minneapolis, Minnesota, shall be known and designated as the ''Paul D. Wellstone Federal Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the ''Paul D. Wellstone Federal Building''.

AMENDING TITLE 40, UNITED STATES CODE, TO MODIFY THE TREATMENT OF CERTAIN BARGAIN-PRICE OPTIONS TO PURCHASE AT LESS THAN FAIR MARKET VALUE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 2220 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2220) to amend title 40, United States Code, to modify the treatment of certain bargain-price options to purchase at less than fair market value, and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 2220) was ordered to a third reading, was read the third time, and passed.

SALINE LAKE ECOSYSTEMS IN THE GREAT BASIN STATES PROGRAM ACT OF 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 1466 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1466) to authorize the Director of the United States Geological Survey to establish a regional program to assess, monitor, and benefit the hydrology of saline lakes in the Great Basin and the migratory birds and other wildlife dependent on those habitats, and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 1466) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1466

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Saline Lake Ecosystems in the Great Basin States Program Act of 2021''.

SEC. 2. SALINE LAKE ECOSYSTEMS IN THE GREAT BASIN STATES ASSESSMENT AND MONITORING PROGRAM.

(a) DEFINITIONS.—In this section:

(1) PROGRAM.—The term ''Program'' means the Saline Lake Ecosystems in the Great Basin States Assessment and Monitoring Program established under subsection (b).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the United States Geological Survey.

(b) ESTABLISHMENT.—The Secretary shall establish a Saline Lake Ecosystems in the Great Basin States Assessment and Monitoring Program to assess and monitor the hydrology of saline lake ecosystems in the Great Basin and the migratory birds and other wildlife that depend on those ecosystems to inform and support coordinated management and conservation actions to benefit those ecosystems, migratory birds, and other wildlife.

(c) WORK AND IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Under the Program, the Secretary, in coordination with the Director of the United States Fish and Wildlife Service and the entities described in paragraph (2), shall establish a multiyear work and implementation plan to assess, monitor, and conserve saline lake ecosystems in the Great Basin and the migratory birds and other wildlife that depend on those ecosystems.

(2) COORDINATING ENTITIES.—The entities referred to in paragraph (1) include—

(A) Federal, State, Tribal, and local agencies;

(B) institutions of higher education;

(C) nonprofit organizations; and

(D) other local stakeholders.

(3) INCLUSIONS.—The work and implementation plan established under paragraph (1) shall include—

(A) a synthesis of available information, literature, and data, and an assessment of scientific and informational needs, relating to—

(i) water quantity, water quality, water use, and water demand;

(ii) migratory bird and other wildlife populations, habitats, and ecology;

(iii) annual lifecycle needs of migratory birds; and

(iv) environmental changes and other stressors, including climatic stressors;

(B) a description of how the plan should be implemented to address the scientific and informational needs described in subparagraph (A), including proposed activities, such as monitoring, data infrastructure needs, and development of tools necessary to implement the Program;

(C) recommendations and a cost assessment for the implementation of the plan; and

(D) such other matters as the Secretary determines to be appropriate.

(4) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the work and implementation plan established under paragraph (1).

(d) IMPLEMENTATION.—The Secretary shall implement the Program based on the information, findings, and recommendations contained in the work and implementation plan established under subsection (c).

(e) COOPERATIVE AGREEMENTS AND GRANTS.—Using such sums as the Secretary considers to be appropriate of amounts made available for each fiscal year under subsection (g), the Secretary may enter into cooperative funding agreements with, or provide grants to, entities described in subsection (c)(2) for the purposes of—

(1) participating in developing, or providing information to inform the development of, the work and implementation plan under subsection (c);

(2) carrying out assessments and monitoring of water quality, quantity, use, and demand under the Program; and

(3) carrying out ecological, biological, and avian assessments and monitoring under the Program.

(f) EFFECT.—The work and implementation plan established under subsection (c)(1) shall not affect—

(1) any interstate water compacts in existence on the date of enactment of this Act, including full development of any apportionment made in accordance with those compacts;

(2) valid and existing water rights in any State located wholly or partially within the Great Basin;

(3) water rights held by the United States in the Great Basin; and

(4) the management and operation of Bear Lake or Stewart Dam, including the storage, management, and release of water.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the Program $5,000,000 for each of fiscal years 2022 through 2027.

MEASURE READ THE FIRST TIME—H.J. RES. 100

Mr. SCHUMER. Mr. President, I understand there is a joint resolution at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the resolution by title for the first time.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 100) to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees.

Mr. SCHUMER. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

MOTION TO ADJOURN

Mr. SCHUMER. Mr. President, I move to adjourn until 7:36 p.m. today.

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

The motion was agreed to.

Thereupon, the Senate, at 7:35 p.m. adjourned until Wednesday, November 30, 2022, at 7:36 p.m.

EXTENSIONS OF REMARKS

RECOGNIZING THE PAUL J. SMITH, JR. MUNICIPAL COMPLEX

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. PALLONE. Madam Speaker, it is my honor to recognize the dedication of the Paul J. Smith, Jr. Municipal Complex in Union Beach, New Jersey. I join with borough officials, employees, and residents in celebrating the completion of this project as well as the life and service of Mayor Paul J. Smith, Jr. Mayor Paul Smith passed away on April 30, 2020 after a life filled with numerous professional and personal accomplishments. Mayor Smith left an indelible mark on the Union Beach community, and the dedication of the municipal complex is a fitting tribute to his contributions.

A dedicated public servant, Mayor Smith served on the Borough Council for nearly 25 years before being elected mayor in 2007. Throughout his tenure, Mayor Smith promoted community-building, townwide improvements, and transparency. In the wake of Superstorm Sandy, Mayor Smith led recovery efforts with determination and collaboration, lending his voice and experience on President Obama's Hurricane Sandy Rebuilding Task Force.

Not only a respected government official, Mayor Smith was also an active member of the greater community. He began the town's recreation basketball program and girls' softball league, coached, and served as commissioner of the Union Beach-Keyport Baseball Little League. He was also a long-time employee of International Flavors and Fragrances of neighboring Hazlet, New Jersey. Mayor Smith was deeply committed to giving back to his community and made an impact on everyone he met.

Begun under Mayor Smith's leadership, the newly renovated and expanded Municipal Complex will improve safety and accessibility for employees and visitors and accommodate the growing needs of the borough. I commend borough leadership for its unwavering commitment to the project and to meeting the needs of the residents.

Madam Speaker, once again, it is my honor to commemorate today's dedication ceremony in memory of Paul J. Smith, Jr.

HONORING WALLACE JOHNSON

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. BARR. Madam Speaker, I rise to honor a special citizen of our great nation, Judge Wallace "Wally" Johnson. Mr. Johnson lives in Montgomery County and he serves the people of that wonderful county as Judge-Executive.

Judge Johnson graduated from Montgomery County High School in 1972 and the KY School of Mortuary Science in 1980. He worked in a funeral home from 1974 to 2008. In 1989 he was elected Coroner for Montgomery County where he served until 2010. In 2010 he was elected to lead the people of Montgomery County as Judge-Executive. Since taking office, he has served on many important boards and commissions. He has worked hard to improve the lives of Montgomery Countians by developing economic opportunities, improving healthcare, improving existing infrastructure, and keeping the community safe. After many years of service, Judge Johnson is retiring. He is to be commended for his strong leadership for the people of Montgomery County.

It is my honor to recognize this amazing public servant and thank him for his many years of service to the citizens of Montgomery County. Judge Wally Johnson's leadership, his dedication, and his love of community are greatly appreciated.

RECOGNIZING JACK MANGURTEN'S 100TH BIRTHDAY

HON. BRADLEY SCOTT SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. SCHNEIDER. Madam Speaker, I rise today to recognize Jack Mangurten, a beloved member of our community on the occasion of his 100th birthday, which he will celebrate on December 10th. Jack is a Holocaust Survivor, surviving four Nazi extermination camps, and, importantly, is the father of three children, seven grandchildren and sixteen great-grandchildren.

Mr. Mangurten, known affectionately as "Papa Jack" by his family, was born to Baruch and Bashah in Lagov, Poland in 1922. He had five siblings: Sarah, Melvin, Mordechai, Samuel and Barrel Tragically, his father was murdered in 1935 and his mother was forced to move the family to Keltz, where they struggled to make ends meet,

In 1939, the Nazi German regime invaded Poland and World War II broke out in Europe. Over the next six years, Jack would live through the greatest crime against humanity—the Shoah, or Holocaust. Hitler's death machine killed more than 11 million people, including 6 million Jews. Jack's brother Melvin had left Poland for America before the war, but tragically, none of his other relatives survived the Shoah.

Young Jack was transited to four different concentration camps throughout the war: Skarzysko, Bukenwald, Schlieben, and ultimately Terezin, or Theresienstadt. On May 9, 1945, Jack and 30,000 surviving prisoners at Terezin were liberated by the Soviet army.

Soon thereafter, Jack found himself at a displaced person's camp after the war. It was at this camp that he met the love of his life, Lily, to whom he was married for 72 years.

Jack was able to move to the United States thanks to a sponsorship by relatives in Chicago, including his brother Melvin. Despite not knowing English and arriving penniless, he and his wife built a wonderful life and raised a lovely family. Jack worked as a tailor, ultimately opening his own shop on Touhy and Ridge in Chicago where he worked for 40 years.

Jack is an active member of Congregation Beth Shalom in Northbrook. As a Kohan, he is honored to be called to the Torah for the first blessing every Rosh Hashanah.

To this day, Jack enjoys keeping up with current events, especially news out of Israel, and spending time with his three children and their spouses (Barbara and Michael Zaransky, Shel and Nancy Mangurten, Irv and Linda Mangurten), grandchildren (Brad married to Jamie, Karen married to Michael, Erin married to Vince, Gayle married to Matt, Lindsay married to Eric, Lisa married to Daniel, and Lauren married to Corey) and great-grandchildren (Livia, Sidney, Maggie, Jude, Eli, Theo, Estee, Bernie, Simon, Owen, Leah, Cameron, Colby, Chance, Lily and Saide).

The Tenth District of Illinois, and the entire Nation are proud to wish Jack a Happy 100th Birthday. And it is my great honor and privilege to celebrate his life and his family, and to recognize his amazing life story.

HONORING CHEF FERNANDO OLEA, RECIPIENT OF THE 2022 JAMES BEARD AWARD FOR BEST SOUTHWEST CHEF

HON. TERESA LEGER FERNANDEZ

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Ms. LEGER FERNANDEZ. Madam Speaker, I rise to honor Chef Fernando Olea of Santa Fe, New Mexico, for his receipt of the James Beard "Best Chef of the Southwest" Award.

Chef Olea first graced Santa Fe with his culinary talents back in 1991. Donning his signature cowboy hat, he infuses his Mexican dishes—particularly his New Mexican moles—at his current restaurant, Sazón, with fresh and local ingredients. He created a New Mexican mole in 2009 in celebration of the 400-year anniversary of the founding of Santa Fe. The recent James Beard recognition is just the latest accolade in his career. He also earned the National Restaurant Association's Faces of Diversity Award and was recognized by former First Lady, Michelle Obama, for his involvement in Cooking with Kids. He even served as President of the Santa Fe Wine and Chile Fiesta a few years back.

Recent recognitions have been 2019 Restaurateur of the Year by the New Mexico Restaurant Association; past three years named in Trip Advisor's Top 10 Best Fine Dining Restaurants in the U.S.; and the AAA 4 Diamond Award to Sazón. He is also quick to say these awards are not for him; they are his gifts to Santa Fe, as he works toward changing the

usual perception of what people think of food in New Mexico. He dreams of seeing Santa Fe become a true culinary destination on the same level where the City is always listed as one of the top ten visitor destinations in the country and top three art destinations with New York and Los Angeles.

Chef Olea's eyes light up the most, though, when he speaks about his experiences beyond his renowned cuisine. Along with the New Mexico Restaurant Association, he helps students obtain scholarships. Through Cooking with Kids, he teaches families to make fun and nutritious meals. He also emphasizes his work with the Children's Cancer Foundation. Simply put, he strives to improve the quality of life for his entire community.

If you ask Chef Olea what he is most proud of, he'll reply that it is how Santa Fe and New Mexico have adopted him. If you ask me, we are the ones who are so lucky he has chosen to make our community home.

CELEBRATING THE LIFE OF BETSY MERRY

HON. SETH MOULTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. MOULTON. Madam Speaker, I rise in celebration of the life of Betsy Merry, who passed away on May 23, 2022.

Born in Salem, Massachusetts and raised in Peabody, Betsy was a lifelong resident of the North Shore and a passionate public citizen. After beginning her career as a special education teacher at Salem High School, Betsy entered residential real estate and established Merry Fox Realty in 2008. Merry Fox, which she ran with her longtime business partner Dan Fox, has since become Salem's preeminent realty office.

As a beloved member of her community, Betsy was devoted to charitable organizations and civic institutions. She served as the president of the Salem YMCA, a trustee of the Essex Institute, and later a member of the Board of Overseers of the Peabody Essex Museum. She sat on the boards of Catholic Charities, Historic Salem, Inc., Hamilton Hall, YMCA of the North Shore, the Salem Partnership, and the Salem Pantry, and was a trustee of the Samaritan Charitable Society of Salem. Betsy was a keen fundraiser and was recognized for Outstanding Fundraising Achievement for Mass General's Caring for a Cure Boston Marathon team.

In recognition of her extraordinary achievements, Betsy received the Distinguished Citizen Award from the Yankee Clipper Council of Boy Scouts of America and the Citizen of the Year from the City of Salem, and was nominated to be the Salem Chamber of Commerce's 2021 Business Woman of the Year. This June, she will posthumously receive the Commonwealth Heroine award, which honors extraordinary women from across Massachusetts who enrich their communities through their acts of service and dedication to civic life.

Most importantly, Betsy was devoted to her family. She leaves behind her husband Peter Merry, son Ian Merry, and daughter Kate Walters, as well as three grandchildren, Peter, Rosemary, and Eve Walters. The North Shore community has lost a remarkable community leader, accomplished businesswoman, and cherished friend. Please join me in honoring her memory.

HONORING LARRY H. FOXWORTHY

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. BARR. Madam Speaker, I rise to honor a special citizen of our great nation, Judge Larry H. Foxworthy. Mr. Foxworthy lives in Fleming County, where he and his wife are lifelong residents. He serves the people of that wonderful county as Judge-Executive.

Judge Foxworthy has served in this important leadership role since 2003. Since taking office, he has served on many important boards and commissions. These include Buffalo Trace Area Development District (Chairman), KCJEA Executive Board Member, Fleming County Board of Health, Fleming-Mason Airport Board of Directors, Fleming County Extension Service Board of Directors, Fleming County Hospital Board of Directors, Fleming County Industrial Authority Board of Directors, and the Kentucky Association of Counties Board of Directors.

After nearly 20 years of service, Judge Foxworthy is retiring. During his time in office, there has been significant growth in business opportunities in Fleming County. The county has made needed updates to their book department and to the county's equipment. Judge Foxworthy found that working together as a team was important in the successful governance of Fleming County.

It is my honor to recognize this amazing public servant and thank him for his many years of service to the citizens of Fleming County. Judge Foxworthy's leadership, his dedication, and his love of community are greatly appreciated.

RECOGNIZING THE 100TH ANNIVERSARY OF TOY FOR JOY

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. NEAL. Madam Speaker, I would like to take this opportunity to extend my warmest congratulations to the Springfield, Massachusetts Citadel of the Salvation Army, Republican Newspaper, El Pueblo Latino, MassLive, Reminders Publishing, and the Westfield News on celebrating the 100th anniversary of their Toy for Joy campaign. This milestone achievement deserves the highest praise for the hard work and dedication of the organization's board, staff, and everyone who has contributed to Toy for Joy's success.

Founded in the early 1920s by the Bowles family, the Toy for Joy program provides toys and books to children in need in throughout Hampden, Hampshire, and Franklin counties. Through their hard work, and through the generosity of the region's residents, school children, civic groups, businesses, and others, they have brought toys, books, and happiness to thousands of children.

Over the past century, Toy for Joy has sought to fulfill its mission of bringing Christmas joy to children who might otherwise miss out on the thrill of receiving gifts for the holidays. Toy for Joy has been sustained by the spirit of giving through periods of war, economic depression, and health crises, benefiting thousands of families when they have needed it most. The past few years, in particular, have highlighted the need for the support and connection gained through outstanding efforts such as Toy for Joy.

Madam Speaker, I would like to congratulate the Salvation Army, Republican Newspaper, El Pueblo Latino, MassLive, Reminders Publishing, and the Westfield News again on celebrating the 100th anniversary of their Toy for Joy program and thank them for continuing to provide support to those in need over the holiday season. Toy for Joy is a cherished initiative in Massachusetts' First District, and I wish it many more years of success and prosperity.

HONORING MAYOR CHRIS CANNING

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. THOMPSON of California. Madam Speaker, I rise today to honor Mayor Chris Canning of Calistoga, California on his retirement from public service.

Mr. Canning is a native of Beacon Falls, Connecticut and a graduate of Stonehill College in Easton, Massachusetts. After receiving a Bachelor of Arts in Criminal Justice and Sociology, he joined Nestlé Waters as a Sales Manager before being promoted to International Customer Development Director.

In 2006, Mr. Canning moved from Paris to Calistoga when Nestlé appointed him Director of Calistoga Mineral Water. Following nearly four years in this position, Mr. Canning left Nestlé to begin a career in public service. In 2010, Mr. Canning became the Executive Director for the Calistoga Chamber of Commerce and Visitor Center. Soon after, he was elected to the City Council and in 2012 was elected as Mayor. During his tenure, Mr. Canning led Calistoga through a recession, the COVID–19 pandemic, four wildfires and multiple evacuations. His decade as mayor is the longest since at least the 1960's.

As Mayor, Mr. Canning brought countless infrastructure improvements to Calistoga including major repairs to the sewer system and sidewalks. He helped create a pedestrian bridge to Pioneer Park, invested in children's programs, developed local parks and enhanced social services. Because of his hard work and determination, county agency representatives are now located in Calistoga to better support children and seniors. Mr. Canning has also led efforts to increase affordable housing, acquire a fairgrounds and reduce the city's impact on the environment.

Madam Speaker, we thank Mayor Canning for his selfless service and commitment to the people of Calistoga. His efforts have made Calistoga a more welcoming, supportive, green and beautiful city. Therefore, it is fitting and proper that we honor him here today.

HONORING COLONEL RICHARD WEAVER

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. PALAZZO. Madam Speaker, I rise today to honor Colonel Richard Weaver, the 36th Commander of Camp Shelby Joint Forces Training Center, November 1, 2021 through December 1, 2022.

Colonel Weaver began his studies at the University of Mississippi, receiving a Bachelor of Public Administration Degree. He additionally completed a Graduate Certificate in Project Management from Columbia Southern University. He also holds a Master of Business Administration from William Carey University and a Master of Strategic Studies from the U.S. Army War College.

As an Army Engineer, he has served at every leadership level and held primary key staff positions, most notably during his two deployments to Iraq, culminating in his current assignment as the Camp Shelby Installation Commander.

Colonel Weaver is the first to command the two Mississippi Army National Guard installations. Before becoming the Commander at Camp Shelby, he served as the Commander of Camp McCain Training Center, located in north Mississippi just outside Grenada.

For his outstanding service, Colonel Weaver received numerous prestigious awards, including the Bronze Star, Meritorious Service Medal, Army Commendation Medal, Army Achievement Medal, Army Reserve Components Achievement Medal, National Defense Service Medal, Humanitarian Service Medal, Iraq Campaign Medal, Combat Action Badge, the De Fleury Medal and many other federal and state awards.

Colonel Weaver resides in Gulfport, MS, and has two beautiful daughters, Kaley and Kameron. I thank his family for their strength and support during his 35 years of service. Colonel Weaver perfectly embodies the official organizational march of the United States National Guard ''Always Ready, Always There!'' He is a true American patriot, and I am honored to call him my friend and fellow Guardsman.

Semper Fidelis.

HONORING SANDY MARTIN, MAYOR OF THE CITY OF SHOREVIEW, MINNESOTA ON THE OCCASION OF HER RETIREMENT

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Ms. McCOLLUM. Madam Speaker, I rise to honor Sandy Martin, as she prepares to retire on December 31st after 26 years of dedicated service as mayor of the City of Shoreview, Minnesota. Over the past two and a half decades, Mayor Martin has committed herself to being a loyal public servant and a strong advocate for all the residents of her city. Although her time serving the City of Shoreview in official capacity is coming to an end, she leaves a lasting impact, and I thank her for her many contributions to state and our region.

A graduate of the University of Minnesota with a Bachelor of Arts in Humanities, Mayor Martin's aptitude for leadership was apparent even before her time as an elected official. From 1975 to 1988, she was a member of the Shoreview planning commission where she also served as chair for three years. Then, in 1989, she was elected to the Shoreview city council and served in this capacity until 1993, helping to oversee many important city projects including the construction of the Shoreview Community Center in 1990. Martin was first elected as Mayor in 1996 and is now serving in her 13th consecutive term. Her background in local government prepared her well to lead the City of Shoreview and is a testament to her commitment to improving the quality of life for residents.

As Mayor, Martin has played an important role supporting residents. She led Shoreview through the hardships of the COVID–19 pandemic and worked tirelessly to improve city services and support small businesses. Additionally, she has led the community through numerous projects that will impact future generations for decades to come. She has been engaged with residents and needs of the community by advocating for affordable housing, overseeing three expansions of the community center, reconstructing city streets and updating parks across the city. Throughout her time working in local government, she has attended more than 1,300 council and planning commission meetings—which is truly impressive. Her unyielding dedication to public service is a major reason that Shoreview is a wonderful place to live and raise a family.

Mayor Martin is also a leader in the community beyond her elected position, earning the respect of her peers around the East Metro region. She has served on various boards such as the Shoreview Community Foundation, the Municipal Legislative Commission, Northeast Youth and Family Services, the St. Paul Urban Tennis Program, the Regional Council of Mayors, and the Ramsey County League of Local Governments. Her work in the community has been recognized through various well-deserved honors throughout the years that celebrate her outstanding public service.

Over the past 26 years, Mayor Martin has exhibited outstanding initiative and vision on behalf of her community; it has been a great pleasure to work with her. She has been a steadfast leader for the City of Shoreview, and her guidance will be missed. Madam Speaker, please join me in honoring the impactful career of Mayor Sandy Martin.

TRIBUTE TO ASSEMBLYMEMBER MARK STONE ON HIS RETIREMENT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Ms. ESHOO. Madam Speaker, I rise today to honor the work of California Assemblyman Mark Stone who is retiring after serving five terms as a state legislator. He is a leader with a strong and well-earned reputation as an environmental defender and as a champion of the rights of California's most vulnerable residents.

Mark Stone has a long and distinguished history of public service. He was twice elected to the Santa Cruz County Board of Supervisors where he held leadership roles on the County Regional Transportation Commission and the First 5 Commission. He led a reorganization of the County's child welfare system and fought discrimination against LGBTQIA+ youth. He led the successful effort to ban single-use plastic bags and served with distinction as Vice Chair of the California Coastal Commission. Mark was also a member of the Board of Trustees of the Scotts Valley Unified School District and served as its President. Prior to his career in public service, he worked as an attorney and as a Professor at the Naval Postgraduate School.

As the representative from the 29th Assembly District, which includes portions of Santa Cruz, Santa Clara, and Monterey Counties, Mark served as Chair of the Judiciary Committee and as a member of the Human Services Committee. He also served as Chair of the Select Committee on Coastal Protection and Access to Natural Resources and is a member of the Banking and Finance Committee.

During the disastrous CZU complex fires of 2020, Mark was an ardent and effective advocate for allocation of state resources for residents and businesses affected by the disaster.

Madam Speaker, I ask the entire House to join me in thanking Mark Stone for his exemplary service and wishing him every blessing in the next chapter of his life. He is a good and great man and we are a better community and a stronger country because of him and his work.

HONORING CALIFORNIA STATE SENATOR JIM NIELSEN

HON. DOUG LaMALFA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. LAMALFA. Madam Speaker, today I rise to recognize and honor the public service career of my good friend, California State Senator Jim Nielsen. Senator Nielsen will be retiring from public service after many decades of dedication to the great people of California, and to the North State. I would not be where I am today, here in the House of Representatives, had it not been for the support and advice of a rancher from Tehama County.

Jim grew up on a small farm in the San Joaquin Valley and then went on to Fresno State where he majored in Agricultural Business. Working on ranches, operating cattle and row crops gave him a perspective of honest hard work that is desperately needed in the State Senate and the Assembly today. Jim was originally elected in the California State Senate in 1979, and then served as Republican Leader from 1983 through 1987. Jim went on to be Chairman of the California Board of Prisons Terms from 1992 to 2007.

Jim has always stood up as an advocate for victims of crime; he is known as one of the strongest voices in California history for justice. Often called the ''Grandfather of Victim's Rights'' he has helped deliver justice, hope, and peace for many impacted by crime. Jim's work through many organizations has helped to give victims a voice.

Jim went on to again serve in the State Assembly and State Senate after his time on the

Board of Prisons, but it's to his character that I wish to speak of here.

I appreciate the friendship I have been given by this good man. He is a model of public service and helping people against the overreaches of government that I have strived to embody myself in my public service. Jim is a man of God, who shows us Christ's example in his own actions. I value the partnership we have had, the challenges we have faced together, and the victories we have shared.

My friend Jim's legacy to the North State will not be forgotten. I wish Jim and Marilyn, his children, and his grandchildren the very best. May God continue to bless him in his retirement and our state and our Nation. It has been an honor to serve the people of the North State alongside you.

RECOGNIZING MAYOR JAMES A. FAILACE MEMORIAL PARK

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. PALLONE. Madam Speaker, it is my honor to recognize the dedication of Mayor James A. Failace Memorial Park in Carteret, New Jersey. I join with borough officials, employees, residents, and the Failace family in paying tribute to the life and service of Mayor Failace as Shorecrest Park is renamed in his honor.

Mayor James A. Failace, a dedicated public official and member of the community, passed away on December 31, 2020. First elected to borough council in 1995, he served as mayor from 1999 to 2003. Throughout his tenure, Mayor Failace was a well-respected leader who served the needs of the residents. He volunteered his time throughout the community as a youth athletics coach, an active member of St. Joseph's Church, and a 4th degree member of the Knights of Columbus Carey Council No. 1280.

The son of Nellie (Bodino) and Fred Failace, Mayor Failace was born in Jersey City and was a graduate of St. Michael's High School in Union City and St. Peter's College. Following high school, Mayor Failace enlisted in the United States Air Force where he bravely served in the Vietnam War.

Madam Speaker, once again, it is my honor to commemorate this dedication ceremony in remembrance of Mayor James A. Failace. Mayor Failace honorably served our nation and the Carteret community, and his selflessness, duty, and civic engagement are truly deserving of this recognition.

HONORING ED BURTNER

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 30, 2022

Mr. BARR. Madam Speaker, I rise to honor a special citizen of our great nation, Mayor Ed Burtner. Mayor Burtner lives in Winchester, Kentucky and serves the people of that wonderful community as mayor.

Mayor Burtner was born in Virginia. He began his service to America in 1969 as a member of the United States Marine Corps. He actively served during the Vietnam War and was honorably discharged as a Platoon Sergeant in 1975. He is the commandant of the Harold G. Epperson Medal of Honor, Detachment No. 1113, Marine Corps League. He is the past commandant for the Kentucky Department Marine Corps League. He is an active participant in the 6th District Veterans' Coalition and is a valued advisor to me on issues of importance to veterans.

Following his service as a Marine, Mayor Burtner earned a Bachelor of Arts and a Master of Arts in Public Administration from the University of Tennessee. In 1981, he was hired to serve as City Manager for the City of Winchester. In 2006, he was first elected Mayor of the City of Winchester. He was reelected in 2010, 2014, and 2018. Mayor Burtner loves his city and refers to Winchester as the ''center of the universe''. He has been awarded many accolades for his service to the community. After a long and distinguished career of public service, Mayor Burtner is retiring.

It is my honor to recognize this amazing public servant and thank him for his many years of service to our country and to Winchester, KY. Mayor Ed Burtner's leadership, his dedication, and his love of community are greatly appreciated.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, December 1, 2022 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 6

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine the 2023 Farm Bill, focusing on research programs.

SR–328A

DECEMBER 7

10 a.m.

Committee on Commerce, Science, and Transportation

Business meeting to consider the nominations of Anthony Rosario Coscia, of New Jersey, David Michael Capozzi, of Maryland, Christopher Koos, of Illinois, Samuel E. Lathem, of Delaware, and Robin Lee Wiessmann, of Pennsylvania, each to be a Director of the Amtrak Board of Directors, Robert E. Primus, of New Jersey, to be a Member of the Surface Transportation Board, Sue Ellen Moore, of Washington, and Andrew J. Read, of North Carolina, both to be a Member of the Marine Mammal Commission, Rubydee Calvert, of Wyoming, and Diane Susan Kaplan, of Alaska, both to be a Member of the Board of Directors of the Corporation for Public Broadcasting, and routine lists in the Coast Guard.

SR–253

2:30 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine the Civil Society Campaign to improve the lethality and survivability of the Ukrainian military.

SD–562

DECEMBER 8

11 a.m.

Commission on Security and Cooperation in Europe

To receive a briefing on demining Ukraine.

WEBEX

Daily Digest

Senate

Chamber Action

(Legislative Days of Tuesday, November 29, 2022 and Wednesday, November 30, 2022)

Routine Proceedings, pages S6867–S6917

Measures Introduced: Ten bills and three resolutions were introduced, as follows: S. 5147–5156, and S. Res. 852–854. **Page S6905**

Measures Passed:

National Homeless Children and Youth Awareness Month: Senate agreed to S. Res. 853, recognizing November 2022 as "National Homeless Children and Youth Awareness Month". **Page S6911**

Honoring individuals fighting and fallen in wildland fires: Senate agreed to S. Res. 854, honoring the individuals fighting and the individuals who have fallen responding to wildland fires during the ongoing 2022 wildfire season. **Page S6911**

Military Spouse Employment Act: Senate passed S. 4337, to amend title 5, United States Code, to authorize the appointment of spouses of members of the Armed Forces who are on active duty, disabled, or deceased to positions in which the spouses will work remotely, after agreeing to the committee amendment in the nature of a substitute. **Pages S6911–12**

Use of the Capitol rotunda: Senate agreed to H. Con. Res. 118, authorizing the use of the rotunda of the Capitol for a ceremony to present Congressional Gold Medals to the United States Capitol Police and others who protected the Capitol on January 6, 2021. **Page S6912**

James D. Todd United States Courthouse: Committee on Environment and Public Works was discharged from further consideration of S. 4017, to designate the United States courthouse located at 111 South Highland Avenue in Jackson, Tennessee, as the "James D. Todd United States Courthouse", and the bill was then passed. **Page S6912**

Paul D. Wellstone Federal Building: Committee on Environment and Public Works was discharged from further consideration of S. 5060, to redesignate the Federal building located at 212 Third Avenue South in Minneapolis, Minnesota, as the "Paul D. Wellstone Federal Building", and the bill was then passed. **Page S6912**

Bargain-price options: Committee on Environment and Public Works was discharged from further consideration of H.R. 2220, to amend title 40, United States Code, to modify the treatment of certain bargain-price options to purchase at less than fair market value, and the bill was then passed. **Page S6912**

Saline Lake Ecosystems in the Great Basin States Program Act: Committee on Environment and Public Works was discharged from further consideration of S. 1466, to authorize the Director of the United States Geological Survey to establish a regional program to assess, monitor, and benefit the hydrology of saline lakes in the Great Basin and the migratory birds and other wildlife dependent on those habitats, and the bill was then passed. **Page S6913**

Blackwell Nomination—Agreement: Senate resumed consideration of the nomination of Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota. **Pages S6880–95**

A unanimous-consent agreement was reached provided that the motions to invoke cloture with respect to the nominations of Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota, and Doris L. Pryor, of Indiana, to be United States Circuit Judge for the Seventh Circuit, ripen at 11:30 a.m., on Thursday, December 1, 2022. **Page S6875**

A unanimous-consent agreement was reached providing that at 11:30 a.m., on Thursday, December 1, 2022, Senate vote on the motions to invoke cloture on the nominations. **Page S6895**

A unanimous-consent agreement was reached providing for further consideration of the nomination of Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota, at approximately 10 a.m., on Thursday, December 1, 2022. **Page S6915**

Nominations Confirmed: Senate confirmed the following nominations:

By 55 yeas to 42 nays (Vote No. EX. 365), Camille L. Velez-Rive, of Puerto Rico, to be United States District Judge for the District of Puerto Rico. **Pages S6867–71, S6879–80**

During consideration of this nomination today, Senate also took the following action:

By 54 yeas to 43 nays (Vote No. EX. 363), Senate agreed to the motion to close further debate on the nomination. **Page S6871**

By 52 yeas to 44 nays (Vote No. EX. 366), Anne M. Nardacci, of New York, to be United States District Judge for the Northern District of New York. **Pages S6871–79, S6880**

During consideration of this nomination today, Senate also took the following action:

By 52 yeas to 45 nays (Vote No. EX. 364), Senate agreed to the motion to close further debate on the nomination. **Pages S6871–72**

By 92 yeas to 3 nays (Vote No. EX. 367), Robert Phillip Storch, of the District of Columbia, to be Inspector General, Department of Defense. **Page S6888**

81 Air Force nominations in the rank of general.

108 Army nominations in the rank of general.

5 Marine Corps nominations in the rank of general.

2 Navy nominations in the rank of admiral.

1 Space Force nomination in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, Navy, and Space Force. **Pages S6895–97, S6915–17**

Messages from the House: **Page S6900**

Measures Referred: **Page S6900**

Measures Placed on the Calendar: **Page S6911**

Measures Read the First Time: **Page S6900**

Executive Communications: **Pages S6900–01**

Petitions and Memorials: **Pages S6901–05**

Additional Cosponsors: **Pages S6905–06**

Statements on Introduced Bills/Resolutions: **Pages S6906–11**

Additional Statements: **Pages S6899–S6900**

Authorities for Committees to Meet: **Page S6911**

Record Votes: Five record votes were taken today. (Total—367) **Pages S6871–72, S6880, S6888**

Motion to Adjourn: Senate agreed to the motion to adjourn until 7:36 p.m., on Wednesday, November 30, 2022. **Page S6913**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:35 p.m., and reconvened at 7:36 p.m., on the same day, and adjourned at 7:38 p.m., until 10 a.m. on Thursday, December 1, 2022. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6915.)

Committee Meetings

(Committees not listed did not meet)

ELECTRONIC WARFARE

Committee on Armed Services: Subcommittee on Strategic Forces received a closed briefing on electronic warfare from Department of Defense officials.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Martin J. Gruenberg, of Maryland, to be Chairperson, who was introduced by Senator Van Hollen, Travis Hill, of Maryland, to be a Member, and to be Vice Chairperson, who was introduced by Senator Crapo, and Jonathan McKernan, of Tennessee, to be a Member, who was introduced by former Senator Corker, all of the Board of Directors of the Federal Deposit Insurance Corporation, and Kimberly Ann McClain, of Maryland, to be an Assistant Secretary of Housing and Urban Development, after the nominees testified and answered questions in their own behalf.

BIPARTISAN INFRASTRUCTURE LAW

Committee on Environment and Public Works: Committee concluded a hearing to examine putting the Bipartisan Infrastructure law to work, focusing on the private sector perspective, after receiving testimony from David Bauer, American Road and Transportation Builders Association, and Jonathan Levy, EVgo, both of Washington, D.C.; Matt Stanberry, Highland Electric Fleets, Beverly, Massachusetts; Ali Mills, Plum Contracting, Greensburg, Pennsylvania, on behalf of the Associated General Contractors of America; and Gary W. Johnson, Land and Quarry Granite Construction Company, Cedar Park, Texas, on behalf of the National Stone, Sand, and Gravel Association.

TRADE POLICY IN THE DIGITAL ECONOMY

Committee on Finance: Subcommittee on International Trade, Customs, and Global Competitiveness concluded a hearing to examine opportunities and challenges for trade policy in the digital economy, after receiving testimony from Christine Bliss, Coalition of Services Industries, David Feith, Center for a New American Security, Joshua P. Meltzer, Brookings Institution, and Patrick Woodall, AFL–CIO Technology Institute, all of Washington, D.C.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Lynne M. Tracy, of Ohio, to be Ambassador to the Russian Federation, who was introduced by Senator Portman,

Julie D. Fisher, of Tennessee, to be Ambassador to the Republic of Cyprus, who was introduced by Senator Shaheen, Kristina A. Kvien, of California, to be Ambassador to the Republic of Armenia, and Cynthia Dyer, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large, all of the Department of State, and Carol Spahn, of Maryland, to be Director of the Peace Corps, who was introduced by Senator Van Hollen, after the nominees testified and answered questions in their own behalf.

TRANSITION FROM HIGH SCHOOL TO COLLEGE

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families concluded a hearing to examine caring for our kids, focusing on supporting mental health in the transition from high school to college, after receiving testimony from Sharon Hoover, University of Maryland School of Medicine, Baltimore; Curtis Wright, Xavier University of Louisiana, and Ashley Weiss, Tulane School of Medicine, both of New Orleans, Louisiana; and Brooklyn Williams, Pittsburgh, Pennsylvania.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine Jonathan James Canada Grey, to be United States District Judge for the Eastern District of Michigan, who was introduced by Senators Stabenow and Peters, Julia E. Kobick, to be United States District Judge for the District of Massachusetts, who was introduced by Senators Warren and Markey, Rita F. Lin, to be United States District Judge for the Northern District of California, and James Edward Simmons, Jr., to be United States District Judge for the Southern District of California, who were both introduced by Senators Feinstein and Padilla, Ramon Ernesto Reyes, Jr., to be United States District Judge for the Eastern District of New York, who was introduced by Senator Schumer, and Amy Lefkowitz Solomon, of the District of Columbia, to be an Assistant Attorney General, Department of Justice, after the nominees testified and answered questions in their own behalf.

NATIVE AMERICAN VETERANS

Committee on Veterans' Affairs: Committee concluded a hearing to examine Native American veterans, focusing on ensuring access to VA health care and benefits, after receiving testimony from Roselyn Tso, Director, and Benjamin Smith, Deputy Director, both of the Indian Health Service, Department of Health and Human Services; Mark Upton, Deputy to the Deputy Under Secretary for Health, Stephanie Birdwell, Director, Office of Tribal Government Relations, and John Bell, Executive Director, Home Loan Guaranty Program, Veterans Benefits Administration, all of the Department of Veterans Affairs; Leo Pollock, Blackfeet Veterans Alliance of the Blackfeet Nation, Browning, Montana; Larry Wright, Jr., National Congress of American Indians, Lincoln, Nebraska; Nickolaus Lewis, National Indian Health Board, Bellingham, Washington; and Sonya Tetnowski, National Council of Urban Indian Health, San Jose, California.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 9364–9371; and 2 resolutions, H. Res. 1500–1501 were introduced. **Pages H8673–74**

Additional Cosponsors: **Page H8674**

Report Filed: A report was filed today as follows:

H. Res. 1499, providing for consideration of the bill (H.R. 3372) to authorize implementation grants to community-based nonprofits to operate one-stop reentry centers; providing for consideration of the bill (H.R. 6878) to address the health needs of incarcerated women related to pregnancy and childbirth, and for other purposes; providing for consideration of the bill (H.R. 8876) to reauthorize the Maternal, Infant, and Early Childhood Home Visiting program, and for other purposes; providing for consideration of the joint resolution (H.J. Res. 100) to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers Conference Committee of the National Railway Labor Conference and certain of their employees; and for other purposes (H. Rept. 117–587). **Pages H8652, H8673**

Speaker: Read a letter from the Speaker wherein she appointed Representative Eshoo to act as Speaker pro tempore for today. **Page H8651**

Recess: The House recessed at 11:40 a.m. and reconvened at 12:15 p.m. **Page H8669**

Providing for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees: The House passed H.J. Res. 100, to provide for a resolution with respect to the unresolved disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and certain of their employees, by a yea-and-nay vote of 290 yeas to 137 nays, Roll No. 490. **Pages H8661–67, H8669–70**

H. Res. 1499, the rule providing for consideration of the bills (H.R. 3372), (H.R. 6878), (H.R. 8876) and the joint resolution (H.J. Res. 100) was agreed to by a yea-and-nay vote of 216 yeas to 202 nays, Roll No. 489, after the previous question was ordered without objection. Pursuant to section 7 of H. Res. 1499, House Resolution 1495 is hereby adopted. Pursuant to section 8 of H. Res. 1499, House Concurrent Resolution 118 is hereby adopted. **Pages H8652–60**

Providing for a correction in the enrollment of H.J. Res. 100: The House agreed to H. Con. Res. 119, providing for a correction in the enrollment of H.J. Res. 100, by a yea-and-nay vote of 221 yeas to 207 nays, Roll No. 491. **Pages H8667–69, H8670**

Senate Message: Message from the Senate today appears on page H8660.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H8659–60, H8669, and H8670.

Adjournment: The House met at 9 a.m. and adjourned at 1:33 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 1, 2022

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine lessons learned from the FTX collapse, focusing on why Congress needs to act, 10 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine fairness in financial services, focusing on racism and discrimination in banking, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Space and Science, to hold hearings to examine Landsat at 50 and the future of U.S. satellite-based earth observation, 10:30 a.m., SR–253.

Committee on Energy and Natural Resources: business meeting to consider the nominations of David Crane, of New Jersey, to be Under Secretary, Jeffrey Matthew Marootian, of the District of Columbia, to be an Assistant Secretary (Energy Efficiency and Renewable Energy), and Gene Rodrigues, of California, to be an Assistant Secretary (Electricity Delivery and Energy Reliability), all of the Department of Energy; to be immediately followed by a hearing to examine S. 3112, to amend the Energy Policy Act of 2005 to establish a Hydrogen Technologies for Heavy Industry Grant Program, S. 3152, to amend the Energy Policy Act of 2005 to disqualify certain borrowers from receiving a guarantee for a project, S. 3915, to require the Secretary of Energy to provide technology grants to strengthen domestic mining education, S. 3957, to amend the Infrastructure Investment and Jobs Act to make certain activities eligible for grants from the Abandoned Mine Reclamation Fund, S. 3978, to require the Secretary of Energy to carry out a program to operate a uranium reserve consisting of uranium produced and converted in the United States and a program to ensure the availability of uranium produced, converted, and enriched in the United States, S. 4420, to provide for advancements in carbon removal research, quantification, and commercialization, including by harnessing natural processes, S. 4424, to amend the Recreation and Public Purposes Act to authorize sales and leases of certain Federal land to federally recognized Indian Tribes, S. 4515, to require the Secretary of Energy to stipulate, as a condition on the sale at auction of any crude oil from the Strategic Petroleum Reserve, that the crude oil not be exported to certain countries, S. 4542, to establish the Dolores River National Conservation Area and the Dolores River Special Management Area in the State of Colorado, to protect private water rights in the State, S. 4579, to amend the Energy and Water Development and Related Agencies Appropriations Act, 2015, to extend certain deadlines applicable to pilot projects to increase Colorado River System water to address effects of historic drought conditions, S. 4651, to amend the Energy Policy and Conservation Act to require the Secretary of Energy to stipulate, as a condition on the sale at auction of any petroleum products from the Strategic Petroleum Reserve, that the petroleum products not be exported to certain countries,

to prohibit such sales to certain state-owned entities, S. 4732, to authorize the Georgetown African American Historic Landmark Project and Tour to establish a commemorative work in the District of Columbia and its environs, S. 4860, to provide for the establishment of a grazing management program on Federal land in Malheur County, Oregon, S. 4995, to require the Secretary of Agriculture and the Secretary of the Interior to prioritize the completion of the Continental Divide National Scenic Trail, S. 5129, to modify the boundary of the Mammoth Cave National Park in the State of Kentucky, S. J.Res. 62, approving the location of a memorial to commemorate the commitment of the United States to a free press by honoring journalists who sacrificed their lives in service to that cause, and an original bill to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear water, 10 a.m., SD–366.

Committee on the Judiciary: business meeting to consider S. 2773, to amend the Leahy-Smith America Invents Act to address satellite offices of the United States Patent and Trademark Office, and the nominations of DeAndrea Gist Benjamin, of South Carolina, to be United States Circuit Judge for the Fourth Circuit, Anthony Devos Johnstone, of Montana, to be United States Circuit Judge for the Ninth Circuit, Maria Araujo Kahn, of Connecticut, to be United States Circuit Judge for the Second Circuit, Julie Rikelman, of Massachusetts, to be United States Circuit Judge for the First Circuit, Robert Stewart Ballou, to be United States District Judge for the Western District of Virginia, Daniel J. Calabretta, to be United States District Judge for the Eastern District of California, Todd E. Edelman, to be United States District Judge for the District of Columbia, Kymberly Kathryn Evanson, and Jamal N. Whitehead, both to be a United States District Judge for the Western District of Washington, Matthew L. Garcia, to be United States District Judge for the District of New Mexico, Margaret R. Guzman, and Myong J. Joun, both to be a United States District Judge for the District of Massachusetts, Jeffery Paul Hopkins, to be United States District Judge for the Southern District of Ohio, Lindsay C. Jenkins, to be United States District Judge for the Northern District of Illinois, Colleen R. Lawless, to be United States District Judge for the Central District of Illinois, Araceli Martinez-Olguin, to be United States District Judge for the Northern District of California, Adrienne C. Nelson, to be United States District Judge for the District of Oregon, Jamar K. Walker, to be United States District Judge for the Eastern District of Virginia, and Jaime E. Esparza, to be United States Attorney for the Western District of Texas, Alamdar S. Hamdani, to be United States Attorney for the Southern District of Texas, Roger B. Handberg, to be United States Attorney for the Middle District of Florida, Markenzy Lapointe, to be United States Attorney for the Southern District of Florida, Terry J. Burgin, to be United States Marshal for the Western District of North Carolina, and Glenn M. McNeill, Jr., to be United States Marshal for the Eastern District of North Carolina, all of the Department of Justice, 9 a.m., SH–216.

House

Committee on Financial Services, Full Committee, hearing entitled ''Boom and Bust: The Need for Bold Investments in Fair and Affordable Housing to Combat Inflation'', 10 a.m., 2128 Rayburn and Webex.

Next Meeting of the SENATE

10 a.m., Thursday, December 1

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota, and vote on the motion to invoke cloture thereon at 11:30 a.m., followed by a vote on the motion to invoke cloture on the nomination of Doris L. Pryor, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

Additional roll call votes are expected.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Thursday, December 1

House Chamber

Program for Thursday: Consideration of H.R. 3372—One Stop Shop Community Reentry Program Act. Consideration of H.R. 6878—Pregnant Women in Custody Act. Consideration of H.R. 8876—Jackie Walorski Maternal and Child Home Visiting Reauthorization Act.

Extensions of Remarks, as inserted in this issue

HOUSE

Barr, Andy, Ky., E1189, E1190, E1192
Eshoo, Anna G., Calif., E1191
LaMalfa, Doug, Calif., E1191
Leger Fernandez, Teresa, N.M., E1189
McCollum, Betty, Minn., E1191
Moulton, Seth, Mass., E1190
Neal, Richard E., Mass., E1190
Palazzo, Steven M., Miss., E1191
Pallone, Frank, Jr., N.J., E1189, E1192
Schneider, Bradley Scott, Ill., E1189
Thompson, Mike, Calif., E1190

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