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No. 87

Senate

The Senate met at 4:07 p.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 19, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

CONCLUSION OF MORNING BUSINESS

Ms. STABENOW. Mr. President, I ask unanimous consent that the morning hour be deemed expired.

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

JOURNAL OF PROCEEDINGS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Journal of proceedings be approved to date.

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

RESERVATION OF LEADER TIME

Ms. STABENOW. I ask unanimous consent that the time for the two lead-

ers be reserved for their use later in the day.

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

MORNING BUSINESS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

ORDER OF PROCEDURE

Ms. STABENOW. As if in executive session, I ask unanimous consent that all postcloture time on the Davis nomination be expired and the Senate vote on confirmation of the nomination at 2:30 p.m. on Tuesday, May 24; further, that the cloture motions filed during yesterday's session of the Senate ripen upon disposition of the Davis nomination, and that if any of the nominations are confirmed during Tuesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 811, 888, 889, and 890; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid

upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Rebecca Eliza Gonzales, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Director of the Office of Foreign Missions, with rank of Ambassador; Flor Romero, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring December 1, 2025; Christine M. Kim, of Colorado, to be a Member of the National Council on the Humanities for a term expiring January 26, 2026; and Karen Ann Stout, of Pennsylvania, to be a Member of the National Council on the Humanities for a term expiring January 26, 2026, en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate will now resume legislative session.

MEASURES PLACED ON THE CALENDAR—H.R. 350, S. 4261, H.R. 7688, and H.R. 7790.

Ms. STABENOW. Mr. President, I understand that there are four bills at the desk due for a second reading en bloc.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for a second time.

The bill clerk read as follows:

A bill (H.R. 350) to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department

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



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of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism.

A bill (S. 4261) to suspend duties and other restrictions on the importation of infant formula to address the shortage of infant formula in the United States, and for other purposes.

A bill (H.R. 7688) to protect consumers from price-gouging of consumer fuels, and for other purposes.

A bill (H.R. 7790) making emergency supplemental appropriations to address the shortage of infant formula in the United States for the fiscal year ending September 30, 2022, and for other purposes.

Ms. STABENOW. In order to place the bills on the calendar under the provisions of rule XIV, I would object to further proceeding en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

SIGNING AUTHORITY

Ms. STABENOW. Mr. President, I ask unanimous consent that the junior Senator from Washington be authorized to sign duly enrolled bills or joint resolutions from May 19, 2022, through May 23, 2022.

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

AUTHORIZING TESTIMONY AND REPRESENTATION IN UNITED STATES V. HALE-CUSANELLI

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed the immediate consideration of S. Res. 645 which was submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 645) to authorize testimony and representation in United States v. Hale-Cusanelli.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, the next criminal trial arising out of the events of January 6, 2021, is scheduled to begin on May 23, 2022, in Federal district court in the District of Columbia. The defendant in this case is charged with five counts: obstructing the counting by Congress of the electoral ballots for President and Vice President; entering and remaining in a restricted area within the U.S. Capitol grounds; unlawful parading, demonstrating, and picketing; and two counts of engaging in disorderly and disruptive conduct.

The prosecution has requested trial testimony from Daniel Schwager, formerly counsel to the Secretary of the Senate, related to the obstruction count, including his knowledge and observations of the process and constitutional and legal bases for Congress's certification of the Electoral College

vote. The prosecution is also seeking testimony at trial, if necessary, from Nate Russell and Diego Torres, custodians of records in the Senate Recording Studio, which operates under the authority of the Sergeant at Arms and Doorkeeper of the Senate, to authenticate Senate video of the proceeding that day. Senate Secretary Berry and Senate Sergeant at Arms Gibson would like to cooperate with these requests by providing relevant testimony in this proceeding from Messrs. Schwager, Russell, and Torres, respectively.

In keeping with the rules and practices of the Senate, this resolution would authorize the production of relevant testimony from Messrs. Schwager, Russell, and Torres, with representation by the Senate legal counsel.

Ms. STABENOW. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 645) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, MAY 23, 2022, THROUGH TUESDAY, MAY 24, 2022

Ms. STABENOW. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for a pro forma session only, with no business being conducted, on the following date and time: Monday, May 23, at 1:45 p.m. I further ask that when the Senate adjourns on Monday, May 23, it next convene at 10 a.m., Tuesday, May 24; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Lindenbaum nomination; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

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

ORDER FOR ADJOURNMENT

Ms. STABENOW. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of Senator SULLIVAN.

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

The Senator from Alaska.

ENERGY

Mr. SULLIVAN. Mr. President, to the fans of the Alaskan of the Week series, I regret to say this is not going to be an Alaskan of the Week speech. Stay tuned. We will have more. Sorry to the pages. I know this is their favorite speech of the week.

Actually, unfortunately, regrettably, Mr. President, this is what I am referring to as an anti-Alaskan of the Week speech, and you are going to understand why here in a minute because I want to talk right now in the Senate about what everybody else in America is talking about when you actually leave the bubble of the beltway and you go home.

I was home last weekend. I try to get home almost every weekend. What are people talking about? They are talking about inflation; they are talking about the high cost of everything; they are talking about formula; and, of course, Mr. President, they are really talking about the high cost of energy that is crushing working families in our Nation—certainly in my State but all over the country.

A few stats on that: We have now had 10 days in a row of record high gas prices. In Alaska, we hit \$5 a gallon for the first time ever at the pump. Remember, at the end of the Trump administration, gas was \$2.39 a gallon. During the Biden years—not even a year and a half—it is up 91 percent—91 percent. The price of natural gas in America doubled last year. This is having a devastating impact on Americans across the board but particularly working families, middle-class families, people on fixed incomes.

Now, the President keeps saying that he is doing all he can to address this problem of high energy costs in America. The Secretary of Energy today testified in front of the Armed Services Committee. She said that the administration is doing all it can to increase supplies of oil and gas in America.

Respectfully, to the President, the Secretary of Energy, the Secretary of the Interior: None of this is true. It is not even close, and I see it on a daily basis back home in Alaska. And here is the thing: The American people know it is not true. The American people know it is not true.

This wasn't last weekend when I was home; this was about 4 weekends ago. I was filling up my truck. Actually, it was three-quarters empty. So my truck was on one-quarter full, an F-150. It cost me almost \$110 to fill that up. Had the truck been empty, it would have been \$142 to fill that up. By the way, now that we have had these increases at the pump since 4 or 5 weeks ago, the estimate—if you own an F-150 and it is 5 bucks a gallon, it is about \$150 to fill up your truck.

Now, Mr. President, this is the meter that I filled my truck up with, and you see this little sticker. That is Joe Biden, and it says, "I did that." I did that, America; I made these prices really high. These stickers are spontaneously showing up everywhere in America. Every State in the country, when you go to gas stations, has that "I did that." For anybody watching on TV, I encourage you to keep doing that because the American people are wise, Mr. President.

The Secretary of Energy, Joe Biden, they keep claiming: We are doing all we can to make sure you don't get crushed by energy increases. And it is not true, and this just shows it. People get it. Joe Biden did that, and we know it. The American people know it. So we all know this.

Day one of the Biden administration, there was a focus on shutting down oil and gas production—certainly in my State but across the country—limiting the ability to actually transport energy—Keystone XL—but oil and gas pipelines; going to financial institutions, strong-arming them not to invest in the American energy sector. All those things happened and have been happening since the beginning of this administration.

So now that you are seeing that the whole country knows that the responsibility of these high energy prices are from this administration and this President—"I did that"; there you go—you might be thinking: All right, people are really hurting. This is driving up inflation. The Biden administration is probably saying: Hey, let's do a course correction. Let's try to really increase the supply of energy, not strong-arm financial institutions to get rid of energy or to make it harder to invest in.

So has there been a course correction? Is the Secretary of Energy, as she testified today—and the President—we are doing all we can to increase production—well, the answer is no. The answer is no.

Let me give you three examples, just in the past few weeks, that demonstrate this 100 percent that their goal continues to be to shut down energy production and still make it hard as heck to produce and build energy infrastructure. Two are very close to home for me, unfortunately.

Last week, the Federal Government, the Biden administration, at the last minute, canceled a lease sale for oil and gas leases in a place we call Cook Inlet in Alaska. I was actually on the Kenai Peninsula, where Cook Inlet is, last weekend.

The people were furious. They were furious. This is a lease sale. We have State leases, Federal leases. And Cook Inlet, this is the original major hydrocarbon basin in Alaska, still producing oil and gas. We had a Federal lease sale canceled. None of this is controversial. We have them all the time. The Biden administration canceled it. So much for wanting to increase production—canceling the lease sales.

Let me give you another one, Mr. President. The National Petroleum Reserve of Alaska, set aside by Congress decades ago, probably the most prolific basin in the world right now for oil and gas—when you explore there, explorers are finding billion-barrel fields. Not controversial—it has been set aside, like I said, for decades for oil and gas production. Three weeks ago, the Biden administration announced in an Executive order they were going to take half of that massive petroleum reserve off the table for any exploration and development—just 3 weeks ago. That is the biggest oil and gas reserve in the country by far, the most prolific producing energy basin, probably in the world, and they took half of it off the table.

And they claim they are trying to increase production, increase supply? Not true.

And the third one, again, just in the last 3 weeks, Mr. President: The Council on Environmental Quality at the White House issued new rules on how to implement NEPA, the permitting that goes into any infrastructure project. By every measure—by every measure, these new rules are meant to delay the building of American infrastructure, especially oil and gas infrastructure.

Mr. President, I have here two editorials from the Wall Street Journal that I ask unanimous consent to have printed in the RECORD. One is called "How to Kill American Infrastructure on the Sly: The White House revises NEPA rules that will scuttle new roads, bridges and oil and gas pipelines." And the other is called "A Bipartisan Energy Deal? Overriding Biden's new NEPA rules blockade is essential for fossil fuels and solar and wind power" development.

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

HOW TO KILL AMERICAN INFRASTRUCTURE ON THE SLY

Americans are going to need a split-screen for the Biden Administration's policy contradictions. Even as the President on Tuesday promoted the bipartisan infrastructure bill he signed last November, the White House moved to make it harder to build roads, bridges and, of course, oil and natural-gas pipelines.

The White House Council on Environmental Quality is revising rules under the National Environmental Policy Act for permitting major construction projects. CEQ Chair Brenda Mallory says the changes will "provide regulatory certainty" and "reduce conflict." Instead, they will cause more litigation and delays that raise construction costs, if they don't kill projects outright.

NEPA requires federal agencies to review the environmental impact of major projects that are funded by the feds or require a federal permit. Reviews can take years and run thousands of pages, covering the smallest potential impact on species, air or water quality. Project developers can be forced to mitigate these effects by, say, relocating species.

While the 1970 law was intended to prevent environmental disasters, it has become a weapon to block development. The Trump Administration sought to fast-track projects by limiting NEPA reviews to environmental

effects that are directly foreseeable—e.g., how a pipeline's construction would affect a stream it crosses.

Some liberal judges, however, have interpreted NEPA broadly to require the study of effects that indirectly result from a project such as CO2 emissions. Now the Biden Administration is mandating this. CEQ's new rule will require agencies to calculate the "indirect" and "cumulative impacts" that "can result from individually minor but collectively significant actions taking place over a period of time." This means death by a thousand regulatory cuts for many projects.

The Transportation Department will likely have to examine how a highway expansion could increase greenhouse-gas emissions in concert with new warehouses. The Federal Energy Regulatory Commission might have to calculate how a new pipeline would affect emissions from upstream production and downstream consumption.

Wait—didn't FERC recently walk back its policy to do exactly this? The White House is thumbing its nose at West Virginia Sen. Joe Manchin, who blasted FERC's now-suspended policy for shutting "down the infrastructure we desperately need as a country."

The rule's obvious intent is to make it harder to build pipelines, roads and other infrastructure that would enable more U.S. oil and gas production, even as the Administration makes phony gestures to reduce energy prices. Last Friday the Administration announced it would comply with a court order to hold oil and gas lease sales on public land. Those leases won't matter if energy companies can't get federal permits for rights-of-way.

While fossil fuels may be the rule's political target, don't be surprised if green energy is snagged in this trip-wire. Environmental groups have used NEPA to block new mineral mines and transmission lines that connect distant renewable energy sources to population centers. In this Administration, the left hand doesn't seem to know what the far left hand is doing.

A BIPARTISAN ENERGY DEAL?

OVERRIDING BIDEN'S NEPA RULES BLOCKADE IS ESSENTIAL FOR FOSSIL FUELS AND SOLAR AND WIND POWER

West Virginia Democrat Joe Manchin wants to cut a bipartisan compromise on energy. It's not a crazy idea, but the risk is that Democrats will lure Republicans into accepting superficial permitting reforms in return for a gusher of green energy spending.

Any worthwhile deal, at a minimum, should make the National Environmental Policy Act (NEPA) a less lethal regulatory weapon. While a large pipeline can be built in a year or two, federal permitting can take two to three times as long. If there are lawsuits—and there always are—you're looking at a decade or more. Add that to the cost in present value of any energy or other project.

The bipartisan infrastructure deal included modest NEPA reforms, such as a two-year shot clock for federal agencies to complete environmental impact statements. The law also requires federal agencies to work on a review at the same time rather than wait in turn.

Alas, the Administration's new NEPA regulations, announced last month, will create more red tape that increases costs and expands litigation risk. Federal agencies going forward will have to consider the "cumulative" and "indirect" project impact.

While the rules don't specify every potential tangential impact, they put an emphasis on climate and "environmental justice." Project developers will have to mitigate these effects—say, by installing electric-vehicle chargers in minority communities.

This is a way to get businesses to pay for the Administration's Build Back Better plan that can't pass Congress.

The Administration's inflated "social cost" of carbon—a speculative estimate of the global harm that could result from climate change, including foreign conflict and migration—will jack up costs even more. The White House pegs the social cost of CO₂ at \$51 per ton—about 50 times higher than the Trump Administration's estimate—and is planning to increase it.

A higher cost of carbon means that companies could have to spend more to compensate for their emissions—and regulators are sure to deem some projects too costly to permit. Any energy deal should override the Administration's NEPA anti-reforms and explicitly prohibit federal agencies from considering climate and social factors.

It should also limit executive discretion to wall off federal land from development under the Antiquities Act and Endangered Species Act. And it should limit states' power under the Clean Water Act to veto pipelines and high-voltage transmission lines. This would help green energy too.

How about setting a shot clock on approving drilling permits? Texas requires regulators to process permits in three days. The Biden Administration on average takes six months. Pipelines planned in existing rights-of-way of other pipelines should be approved automatically.

Another idea reportedly under consideration is to deem liquefied natural gas exports to a NATO country to be in the "public interest," thereby short-circuiting Department of Energy review. Even better: Eliminate DOE's reviews. They're redundant since the Federal Energy Regulatory Commission must permit export terminals.

The model for a deal would be the 2015 compromise between Barack Obama and Paul Ryan that lifted the ban on oil exports while extending green energy tax credits. The model should not be the infrastructure deal that Republican Senators agreed to last summer that included mostly liberal priorities—e.g., a public transit blowout—with small permitting reforms sprinkled in.

Republicans will likely gain leverage after the midterms to negotiate reforms, so there's no urgency to strike a deal now. No deal is better than a bad one.

Mr. SULLIVAN. The Laborers' International, led by a great American, Terry O'Sullivan, they came out—these are the largest building trades—the largest construction union in the country. These are the men and women who build things in our country. They came out fully against these new NEPA rules saying directly that they would delay the building of American infrastructure, particularly energy projects: wind, solar, oil, gas.

The Biden administration issued that 3 weeks ago. So those are just three examples, but it is not just they are still very focused on shutting down the production of energy—and the people of our great country know it; they know Joe Biden did that—but they are doing it in a way that is not transparent and, to be perfectly blunt, is dishonest.

Let me give you two examples—again, unfortunately, directly impacting my State, my constituents. When the Biden administration leaked to the press—by Gina McCarthy, by the way, someone who is really hostile to Alaska and really hostile to energy development. When they leaked to the press

last week that they were going to cancel the Cook Inlet lease sale, they scrambled to come up with a reason. Look, the reason is they hate oil and gas development, especially in my State, but they tried to come up with something.

So they later put out and said, well, there was no industry interest in the lease sale. They were actually basing that on interest almost 2 years ago. But I know—Senator MURKOWSKI mentioned it in a hearing today with Deb Haaland—that we know for a fact there was interest in this lease sale; there was industry interest in the Cook Inlet lease sale. So the administration was spinning a falsehood.

Here is the other thing, Mr. President. I used to be the DNR commissioner in Alaska. We did all kinds of oil and gas lease sales on State land. The fact of the matter is, you almost never know who is interested until you actually have the sale. Companies don't say: Oh, yeah, we are coming. They keep that really closely held for competitive reasons. And it wouldn't cost the Federal Government a dime to hold the lease sale. You find out if there is interest by actually holding the lease sale, but the Biden administration was spinning it that there was no interest. That is a falsehood; we know that.

Let me give you another one, Mr. President. When the administration, 3 weeks ago, took half of the National Petroleum Reserve of Alaska off the table—which, by the way, should disturb every American, as that was set aside by Congress for oil and gas development—the Secretary of the Interior was actually in Alaska. She was holding a listening session with the Native leaders in the North Slope Borough where the NPRA actually is.

And every single one of these leaders, with the exception of one, said to Secretary Haaland: Madam Secretary, please, no more restrictions on the development of our natural resources up here. It undermines economic opportunity. It takes away from development that we need in our Native communities—that most Americans take for granted: roads, bridges, schools, clinics, flush toilets. Please, Madam Secretary, no more restrictions.

The Secretary comes back from Alaska, and 72 hours after her visit to the State, she and her Department issue a 100-page record of decision saying, We are going to take half of the NPRA off the table, the very place she was with the Native leaders who said: Don't do it.

And the real audacity is there is a section in the record of decision which was clearly written before her visit to Alaska, her listening session. It wasn't a listening session at all because she had a predetermined outcome that she did not let the people of Alaska know about or the Native leaders of Alaska know about, and there was a section in that record of decision that said: We are doing this in part because the Native people want it to protect subsist-

ence. The Native leaders just told her the opposite. Like I said, dishonest, nontransparent, not truthful.

I will admit there are few places in the world, if you are lucky enough to live there, that the Biden administration actually is doing all it can to increase the production and supply of energy—two places, as far as I can tell. Let me talk about those two places. The first is New Mexico, the State of New Mexico. Close to half the oil and gas permits issued by the Federal Government last year went to one State. Every State in the country like mine is trying to get permits. Guess which State got 2,286 oil and gas permits in 2021. New Mexico. Alaska is being crushed: no lease sales in Cook Inlet, NPRA, half of it off the table, probably about the size of New Mexico, and New Mexico is getting special treatment.

Hmm. Interesting. A couple of reasons why that is interesting. Let's see. Who is from New Mexico? Oh, my goodness, the Secretary of the Interior is from New Mexico. Isn't that interesting? I think that is interesting. I wish the media thought that was interesting. Could you imagine if that was a Republican Secretary of the Interior favoring his State over every other State in the country for more oil and gas production? The New York Times and the Washington Post would have a field day. If this was Ryan Zinke, there would be a front-page story once a day but not if it is a Democratic Secretary of the Interior.

Almost half the oil and gas permits in America issued by the Federal Government last year went to one State, New Mexico. Hmm. Who else is from New Mexico? Well, the senior Senator from New Mexico is obviously from New Mexico. In December, I gave a speech about all that he is doing—that I am still very riled up about—to shut down oil and gas production in Alaska. The senior Senator from New Mexico spent a lot of his time writing letters to banks, writing letters to insurance companies, writing letters to his fellow New Mexican, Deb Haaland, on how to shut down oil and gas development in Alaska.

Now, why would he care about Alaska? I don't really know. But in his letters, he said we need to shut down, no investment in Alaska banks, insurance companies to "achieve America's climate goals." That is one Senator trying to crush my State to "achieve America's climate goals." Hmm. I am still not sure why that Senator cares so much about crushing my State. But like his New Mexico colleague, the Secretary of the Interior, they are doing a pretty good job of hurting my State, especially the Native communities.

Today in the ENR Committee, the senior Senator from New Mexico, with Secretary Haaland testifying, had the audacity to brag that New Mexico's oil and gas production is up 400 percent in the last decade.

Now, look, I think this is good for the country. I think it is good for New

Mexico's oil and gas workers—400 percent. He was bragging about that while still writing letters to shut down oil and gas production in Alaska. By the way, that is not how the Senate operates. Could you imagine if we all attacked each other's States? It wouldn't work really well here.

Here is the other thing about this. New Mexico's production has gone up more than Alaska's now, and guess what else has gone up. My goodness, their carbon emissions are through the roof—through the roof. Where is the concern about "achieving America's climate goals" in New Mexico, from New Mexico—from the senior Senator from New Mexico or Secretary Haaland?

Here is the bottom line on that. You want to shut down Alaska to "achieve America's climate goals," but you are good to go with cranking it up in your State and not mentioning climate change or climate goals at all. In most parts of America, we just call this rank hypocrisy—but I guess not so in New Mexico. And it is wrong. We all know it is wrong. Heck, even the senior Senator from New Mexico knows it is wrong, and it is harmful to my constituents.

New Mexico is the place that the Biden administration and Secretary Haaland are clearly trying to dramatically increase oil production. I guess they are lucky. They are increasing carbon emissions a lot too. They don't talk about that.

What is the other place that the Biden administration is trying to really help in terms of increasing oil and gas production? It is foreign countries controlled by dictators who don't like us. You heard the story several months ago about the Biden administration reaching out to Iran—the biggest state sponsor of terrorism in the world—trying to lift sanctions so they can produce more oil for the world. Let's shut down oil in Alaska, but let's go to

the Iranian terrorists and get them to produce more oil.

Well, this week—this past week—there was another story that happens to be true that the Biden administration is now loosening sanctions on another one of those wonderful leaders, the dictator in Venezuela so they can produce more oil. Let's help the dictators who hate our country produce more, and then we will go shut down Alaska where great Americans are trying to produce energy.

Oh, by the way, Senator BARRASSO did a great job in the ENR hearing today saying guess who has the most dirty, polluting oil in the world in terms of production and carbon footprint, 18 times more dirty and polluting than oil production in America. Guess. Venezuela. So we are going to get terrorists who don't like us, who are the dirtiest polluters of energy when they produce it and get them to produce more, and we are going to shut down oil and gas production in the great State of Alaska that has the highest environmental standards on the planet.

In conclusion, President Biden is not doing nearly enough to address the energy crisis in our country. To the contrary, he is still undertaking policies meant to limit supply, limit infrastructure, and make it harder to build—that transports energy—and shut down production in America.

I just gave three examples. The American people know these prices are this guy's fault. But there is the Biden exception. There is the Biden exception. If you produce in New Mexico—maybe because the Secretary of the Interior is from there, maybe because the senior Senator from New Mexico is from there or you are a dictator who really hates this country and really pollutes a lot when you produce energy—the Biden administration wants you to produce more. This has to change.

The American people know exactly what is going on. They know exactly what is going on, and these policies are hurting working families. They are making it so energy workers in my State get pink slips. They are doing nothing for the environment, and they are empowering dictators. And that is why the American people know the blame is right there. And until there is a course correction, unfortunately, the suffering that we are seeing all across this great Nation, in terms of high energy prices and inflation everywhere, is going to continue.

I yield the floor.

ADJOURNMENT UNTIL 1:45 P.M.
MONDAY, MAY 23, 2022

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 1:45 p.m., Monday, May 23, 2022.

Thereupon, the Senate, at 4:37 p.m., adjourned until Monday, May 23, 2022, at 1:45 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 19, 2022:

DEPARTMENT OF STATE

REBECCA ELIZA GONZALES, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR OF THE OFFICE OF FOREIGN MISSIONS, WITH RANK OF AMBASSADOR.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

FLOR ROMERO, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING DECEMBER 1, 2025.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

CHRISTINE M. KIM, OF COLORADO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2026.

KAREN ANN STOUT, OF PENNSYLVANIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2026.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 7691, Additional Ukraine Supplemental Appropriations Act.

Senate

Chamber Action

(Legislative Days of Tuesday, May 17, 2022, and Thursday, May 19, 2022)

Routine Proceedings, pages S2599–S2633

Measures Introduced: Thirty-one bills and four resolutions were introduced, as follows: S. 4258–4288, S.J. Res. 47, and S. Res. 644–646. **Pages S2619–21**

Measures Reported:

S. 407, to provide redress to the employees of Air America, with an amendment in the nature of a substitute. (S. Rept. No. 117–113) **Page S2619**

Measures Passed:

Commission To Study the Potential Creation of a National Museum of Asian Pacific American History and Culture Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 3525, to establish the Commission to Study the Potential Creation of a National Museum of Asian Pacific American History and Culture, and the bill was then passed. **Page S2605**

Blackwell School National Historic Site Act: Senate passed S. 2490, to establish the Blackwell School National Historic Site in Marfa, Texas, after agreeing to the following amendment proposed thereto: **Pages S2605–06**

Hirono (for Cornyn) Amendment No. 5042, to modify the map information. **Page S2606**

Additional Ukraine Supplemental Appropriations Act: By 86 yeas to 11 nays (Vote No. 191), Senate passed H.R. 7691, making emergency supplemental appropriations for assistance for the situation in Ukraine for the fiscal year ending September 30, 2022, after taking action on the following motions and amendments proposed thereto: **Pages S2599–S2605, S2607**

Withdrawn:

Schumer Amendment No. 5035, to add an effective date. **Page S2607**

During consideration of this measure today, Senate also took the following action:

By 86 yeas to 11 nays (Vote No. 190), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page S2607**

Schumer Amendment No. 5036 (to Amendment No. 5035), to modify the effective date, fell when Schumer Amendment No. 5035 (listed above) was withdrawn. **Page S2607**

Schumer motion to commit the bill to the Committee on Appropriations, with instructions, Schumer Amendment No. 5037, to add an effective date, fell when cloture was invoked on the bill. **Page S2607**

Schumer Amendment No. 5038 (to (the instructions) Amendment No. 5037), to modify the effective date, fell when Schumer Amendment No. 5037 (listed above) fell. **Page S2607**

Schumer Amendment No. 5039 (to Amendment No. 5038), to modify the effective date, fell when Schumer Amendment No. 5038 (listed above) fell. **Page S2607**

Access to Baby Formula Act: Senate passed H.R. 7791, to amend the Child Nutrition Act of 1966 to establish waiver authority to address certain emergencies, disasters, and supply chain disruptions. **Pages S2626–27**

Testimony and Representation Authorization: Senate agreed to S. Res. 645, to authorize testimony and representation in *United States v. Hale-Cusanelli*. **Page S2630**

Measures Considered:

Small Business COVID Relief Act: Senate resumed consideration of the motion to proceed to consideration of S. 4008, to provide COVID relief for restaurants, gyms, minor league sports teams, border businesses, live venue service providers, exclave businesses, and providers of transportation services. **Pages S2607–14**

During consideration of this measure today, Senate also took the following action:

By 52 yeas to 43 nays (Vote No. 192), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the bill. **Page S2614**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that Senator Cantwell be authorized to sign duly enrolled bills or joint resolutions from Thursday, May 19, 2022 through Monday, May 23, 2022. **Page S2630**

Pro Forma Session—Agreement: A unanimous-consent agreement was reached providing that the Senate adjourn, to then convene for a pro forma session only, with no business being conducted on the following date and time: Monday, May 23, 2022 at 1:45 p.m.; and that when the Senate adjourns on Monday, May 23, 2022, it next convene at 10 a.m., on Tuesday, May 24, 2022. **Page S2630**

Davis Nomination—Agreement: Senate resumed consideration of the nomination of Stephanie Dawkins Davis, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Pages S2614–15**

During consideration of this nomination today, Senate also took the following action:

By 48 yeas to 36 nays (Vote No. EX. 193), Senate agreed to the motion to close further debate on the nomination. **Pages S2614–15**

A unanimous-consent agreement was reached providing that all post-cloture time on the nomination be expired and Senate vote on confirmation of the nomination at 2:30 p.m., on Tuesday, May 24, 2022; and that the cloture motions filed during the session of Wednesday, May 18, 2022 ripen upon disposition of the nomination. **Page S2629**

Lindenbaum Nomination—Agreement: A unanimous-consent agreement was reached providing that at approximately 10 a.m., on Tuesday, May 24, 2022, Senate resume consideration of the nomination of Dara Lindenbaum, of Virginia, to be a Member of the Federal Election Commission. **Page S2630**

Nominations Confirmed: Senate confirmed the following nominations:

Rebecca Eliza Gonzales, of Texas, to be Director of the Office of Foreign Missions, with rank of Ambassador.

Flor Romero, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring December 1, 2025.

Christine M. Kim, of Colorado, to be a Member of the National Council on the Humanities for a term expiring January 26, 2026.

Karen Ann Stout, of Pennsylvania, to be a Member of the National Council on the Humanities for a term expiring January 26, 2026. **Page S2629**

Nominations Received: Senate received the following nominations:

Rubydee Calvert, of Wyoming, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2028.

Kathryn Wheelbarger, of California, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

Michael K. Singh, of Illinois, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

Jonathan Wingate Burks, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

Lara E. Montecalvo, of Rhode Island, to be United States Circuit Judge for the First Circuit.

Sarah A. L. Merriam, of Connecticut, to be United States Circuit Judge for the Second Circuit.

Elizabeth Wilson Hanes, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Anne M. Nardacci, of New York, to be United States District Judge for the Northern District of New York.

Ana C. Reyes, of the District of Columbia, to be United States District Judge for the District of Columbia.

1 Air Force nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Army, Foreign Service, and Navy.

Messages from the House: **Pages S2618–19**

Measures Referred: **Page S2619**

Measures Placed on the Calendar:
Pages S2619, S2629–30

Measures Read the First Time: **Page S2619**

Additional Cosponsors: **Pages S2621–22**

Statements on Introduced Bills/Resolutions:
Pages S2623–25

Additional Statements: **Pages S2617–18**

Amendments Submitted: **Page S2625**

Authorities for Committees to Meet:
Pages S2625–26

Privileges of the Floor: **Page S2626**

Record Votes: Four record votes were taken today. (Total—193) **Pages S2607, S2614–15**

Adjournment: Senate convened at 10 a.m. and adjourned at 4:06 p.m., and reconvened at 4:07 p.m.,

on the same day, and adjourned at 4:37 p.m., until 1:45 p.m. on Monday, May 23, 2022. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2630.)

Committee Meetings

(Committees not listed did not meet)

ATOMIC ENERGY DEFENSE ACTIVITIES

Committee on Armed Services: Committee concluded open and closed hearings to examine Department of Energy and National Nuclear Security Administration testimony on atomic energy defense activities in review of the Defense Authorization Request for fiscal year 2023 and the Future Years Defense Program, after receiving testimony from Jennifer Granholm, Secretary, and Jill Hruby, Under Secretary for Nuclear Security, National Nuclear Security Administration, both of the Department of Energy.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Michael S. Barr, of Michigan, to be a Member and Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System, who was introduced by Senators Stabenow and Peters, and Jaime E. Lizarraga, of Virginia, who was introduced by Representative Pelosi, and Mark Toshiro Uyeda, of California, who was introduced by Senator Toomey, both to be a Member of the Securities and Exchange Commission, after the nominees testified and answered questions in their own behalf.

DEPARTMENT OF THE INTERIOR BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2023 for the Department of the Interior, after receiving testimony from Deb Haaland, Secretary of the Interior.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following bills:

S. 4007, to require the Attorney General to propose a program for making treatment for post-trau-

matic stress disorder and acute stress disorder available to public safety officers, with an amendment in the nature of a substitute;

S. 3860, to establish a grant program to provide assistance to local governments with fewer than 200 law enforcement officers, with an amendment in the nature of a substitute;

S. 2151, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide that COPS grant funds may be used for local law enforcement recruits to attend schools or academies if the recruits agree to serve in precincts of law enforcement agencies in their communities, with an amendment in the nature of a substitute; and

S. 4003, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for training on alternatives to use of force, de-escalation, and mental and behavioral health and suicidal crises, with an amendment in the nature of a substitute.

ELECTIONS

Committee on Rules and Administration: Committee concluded a hearing to examine administration of upcoming elections, after receiving testimony from R. Kyle Ardoin, Louisiana Secretary of State, Baton Rouge; Leigh M. Chapman, Pennsylvania Acting Secretary of State, Harrisburg; Wesley Wilcox, Supervisor of Elections, Marion County, Ocala, Florida; and Tammy Patrick, Democracy Fund, and Damon T. Hewitt, Lawyers' Committee for Civil Rights Under Law, both of Washington, D.C.

MENTAL HEALTH CARE FOR OLDER ADULTS

Special Committee on Aging: Committee concluded a hearing to examine mental health care for older adults, focusing on raising awareness, addressing stigma, and providing support, after receiving testimony from Kenneth M. Rogers, South Carolina Department of Mental Health, Columbia; Erin Emery-Tiburcio, Rush University Center for Excellence in Aging, Chicago, Illinois; Kimberly Williams, Vibrant Emotional Health, New York, New York; and Jim Klasen, Certified Older Adult Peer Specialist Facilitator, Elkins Park, Pennsylvania.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 28 public bills, H.R. 7832–7859; and 4 resolutions, H. Res. 1133–1136, were introduced. **Pages H5206–08**

Additional Cosponsors: **Pages H5208–09**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Quigley to act as Speaker pro tempore for today. **Page H5177**

Consumer Fuel Price Gouging Prevention Act: The House passed H.R. 7688, to protect consumers from price-gouging of consumer fuels, by a yea-and-nay vote of 217 yeas to 207 nays, Roll No. 232. **Pages H5179–95**

Rejected the Westerman motion to recommit the bill to the Committee on Energy and Commerce by a yea-and-nay vote of 201 yeas to 220 nays, Roll No. 231. **Pages H5193–94**

Pursuant to the Rule, the amendment printed in part B of the report of H. Rept. 117–333 shall be considered as adopted. **Pages H5179–81**

Agreed to:

Demings amendment (No. 1 printed in part C of H. Rep. 117–333) that requires the Federal Trade Commission to conduct an investigation to determine if the price of gasoline is being manipulated by reducing refinery capacity or by any other form of market manipulation or artificially increased by price gouging practices (by a yea-and-nay vote of 217 yeas to 205 nays, Roll No. 229); and **Pages H5188–90, H5192**

Pappas amendment (No. 2 printed in part C of H. Rep. 117–333) that establishes a new unit at Federal Trade Commission devoted to protecting public interest by monitoring fuel markets to facilitate transparent and competitive market practices (by a yea-and-nay vote of 214 yeas to 207 nays, Roll No. 230). **Pages H5190–91, H5192–93**

H. Res. 1124, the rule providing for consideration of the bills (H.R. 350), (H.R. 7688), and (H.R. 7790) was agreed to was agreed to yesterday, May 18th.

National Security Commission on Emerging Biotechnology—Appointment: Read a letter from Representative McCarthy, Minority Leader, in which he appointed the following member to the National Security Commission on Emerging Biotechnology: Dr. Angela M. Belcher of Lexington, Massachusetts. **Page H5197**

Senate Referral: S. 2490 was held at the desk.

Page H5203

Senate Message: Message received from the Senate today appears on page H5203.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H5192, H5192–93, H5193–94, and H5194–95.

Adjournment: The House met at 9 a.m. and adjourned at 2:05 p.m.

Committee Meetings

FISCAL YEAR 2023 MEMBER DAY HEARING

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing entitled “Fiscal Year 2023 Member Day Hearing”. Testimony was heard from Representatives Escobar, Hudson, and Sherrill.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, CENTRAL INTELLIGENCE AGENCY AND OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND SECURITY OVERVIEW

Committee on Appropriations: Subcommittee on Defense held a hearing entitled “Office of the Director of National Intelligence, Central Intelligence Agency and Office of the Under Secretary of Defense for Intelligence and Security Overview”. Testimony was heard from William J. Burns, Director of the Central Intelligence Agency; Avril Haines, Director of National Intelligence; and Ronald S. Moultrie, Under Secretary of Defense for Intelligence and Security, Department of Defense. This hearing was closed.

APPROPRIATIONS—U.S. FOOD AND DRUG ADMINISTRATION

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a budget hearing on the U.S. Food and Drug Administration. Testimony was heard from Robert M. Califf, Commissioner of Food and Drugs, Food and Drug Administration, Department of Health and Human Services.

**AIR FORCE PROJECTION FORCES
AVIATION PROGRAMS AND CAPABILITIES
RELATED TO THE FY2023 PRESIDENT'S
BUDGET REQUEST**

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a hearing entitled “Air Force Projection Forces Aviation Programs and Capabilities related to the FY2023 President’s Budget Request”. Testimony was heard from Andrew Hunter, Assistant Secretary of the Air Force for Acquisition, Technology and Logistics; and Lieutenant General David S. Nahom, U.S. Air Force, Deputy Chief of Staff for Plans and Programs, Department of the Air Force.

**THE UKRAINE CRISIS: IMPLICATIONS FOR
U.S. POLICY IN THE INDO-PACIFIC**

Committee on Foreign Affairs: Subcommittee on Asia, the Pacific, Central Asia, and Nonproliferation held a hearing entitled “The Ukraine Crisis: Implications for U.S. Policy in the Indo-Pacific”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Homeland Security: Full Committee held a markup on H.R. 5274, the “Prevent Exposure to Narcotics and Toxics Act of 2021”; H.R. 7174, the “National Computer Forensics Institute Reauthorization Act of 2022”; H.R. 7777, the “Industrial Control Systems Cybersecurity Training Act”; H.R. 7778, the “Department of Homeland Security Seal Protection Act”; and H.R. 7779, the “DHS Restrictions on Confucius Institutes and Chinese Entities of Concern Act”. H.R. 5274 and H.R. 7777 were ordered reported, without amendment. H.R. 7174,

H.R. 7778, and H.R. 7779 were ordered reported, as amended.

**OVERSIGHT HEARING ON CLEMENCY AND
THE OFFICE OF THE PARDON ATTORNEY**

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing entitled “Oversight Hearing on Clemency and the Office of the Pardon Attorney”. Testimony was heard from Representative Pressley and public witnesses.

**FREE SPEECH UNDER ATTACK (PART II):
CURRICULUM SABOTAGE AND
CLASSROOM CENSORSHIP**

Committee on Oversight and Reform: Subcommittee on Civil Rights and Civil Liberties held a hearing entitled “Free Speech Under Attack (Part II): Curriculum Sabotage and Classroom Censorship”. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

**COMMITTEE MEETINGS FOR FRIDAY,
MAY 20, 2022**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

1:45 p.m., Monday, May 23

Next Meeting of the HOUSE OF REPRESENTATIVES

9:30 a.m., Friday, May 20

Senate Chamber

Program for Monday: Senate will meet in a pro forma session.

House Chamber

Program for Friday: House will meet in Pro Forma session at 9:30 a.m.

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