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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, October 19, 2021, at 2 p.m.

## Senate

MONDAY, OCTOBER 18, 2021

The Senate met at 3 p.m. and was called to order by the Honorable MAZIE K. HIRONO, a Senator from the State of Hawaii.

### PRAYER

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

Let us pray.

Eternal God, the center of our joy, give our lawmakers this day the creativity and wisdom to solve problems and facilitate faith. As they seek to keep our Nation strong, provide them with the long view of their work. Lord, remind them that it is better to fail in a cause that will ultimately succeed than to succeed in a cause that will ultimately fail. Bless them with humility, integrity, and compassion for the living of these days.

And, Lord, thank You for the exemplary and courageous life and legacy of former Secretary of State Colin Powell. Bless his family and loved ones and all those who grieve his death.

We pray in Your sovereign 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 bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 18, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MAZIE K. HIRONO, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Christine P. O'Hearn, of New Jersey, to

be United States District Judge for the District of New Jersey.

### RECOGNITION OF THE MINORITY LEADER

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

### REMEMBERING COLIN POWELL

Mr. McCONNELL. Madam President, today, we learned that America has lost a trailblazing leader with the passing of Colin Powell.

It is hard to imagine a more quintessentially American story: A son of Jamaican immigrants who learned Yiddish from his boyhood neighbors in the Bronx becomes a four-star general in the U.S. Army and serves four Presidential administrations, including as National Security Advisor, the youngest ever Chairman of the Joint Chiefs of Staff, and the first Black Secretary of State.

As a young officer, General Powell rendered brave and distinguished service on the frontlines. As a senior leader, he helped four Presidents protect our Nation, represent us on the world stage, and chart our course through uncertain and turbulent times that included the dawn of a new century and the beginning of our global war on terrorists, who will not leave America alone even if we leave them alone.

Today, we remember and honor a man who truly dedicated his entire life to serving his country.

### THE ECONOMY

Madam President, now on an entirely different matter, there is a famous saying: If you find yourself in a hole, the first thing to do is to stop digging. Well, my Democratic colleagues' policy

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



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decisions have dug our economy into a deep hole, and American families desperately need them to stop digging.

Families of this country are currently battling the worst inflation in well over a decade. Over the last 12 months, consumer prices have shot up by 5.4 percent. Gasoline prices and food prices each increased by a full 1.2 percent just last month alone. That is just in 1 month. Year on year, groceries are about 4.5 percent more expensive than they were at this time in 2020. Let's look at housing. Rent jumped a full half a percentage point just in September alone. That was the biggest monthly jump in two decades.

On paper, American workers have been getting raises. The average worker's paychecks have gotten bigger over the last year, but the Democrats' inflation has cannibalized all those gains and then some. Any man or woman in the country who hasn't gotten a pay raise of 5.5 percent this year has effectively had their pay cut by the Democrats' inflation.

Let me say it again: Unless you have recently gotten a 5.5-percent raise, you have gotten a pay cut. And even the households that have enjoyed pay raises are contending with major shortages of the things they want to buy and rapid and unpredictable price changes.

Of course, none of the families we represent need to hear these figures from experts on the news; they are living this reality every time they need to swing by the store, fill up their tank, or grab some essentials.

What is especially remarkable and especially sad is that our Nation's inflation nightmare was not unavoidable. These conditions are the product of intentional policy decisions made by Democrats over the objection of experts who warned exactly—exactly—what would happen.

Larry Summers, a leading economist and top adviser to each of the last two Democratic Presidents, said a few days ago—just a few days ago—“We're in more danger than we've been during my career of losing control of inflation in the U.S.” That is Larry Summers, just a couple of days ago. The worst inflation risk he has ever seen? Mr. Summers was one of the many mainstream economists who warned the Biden administration what their policies would unleash. From the start, they tried to persuade Democrats not to ram through their historic glut of borrowing, printing, and spending. Ah, but alas, Democrats didn't listen. Back in the springtime, they used the pandemic as an excuse to pass a massive spending bill that the White House boasted was the most leftwing legislation in American history. Now families are paying the painful price.

The country is deep in this hole that Democrats dug, but they are showing no indication—none—that they want to stop digging. Led by our socialist colleague, the distinguished Senator from Vermont, Chairman SANDERS, Washington Democrats are plowing forward

with yet another reckless taxing-and-spending spree that would make their huge inflationary package from the springtime look like child's play by comparison. They want the government to borrow and print multiple trillions more dollars and dump all that spending onto the heads of families who are already struggling—struggling—to stay afloat.

Meanwhile, Democrats want to saddle a sputtering economy with the biggest peacetime tax hikes on record, obliterating President Biden's promise not to raise taxes for the vast majority of American families and leaving American job creators with tougher tax rates than businesses pay in communist China.

Look at energy prices. Americans are already paying more at the pump than they have in 7 years, but now our colleagues want to go beyond their war on gasoline and slap new taxes and new regulations on other domestic energy sources such as natural gas. But winter is fast approaching. The whole world is steeling for huge price increases in natural gas. Our friends in Europe are frantically trying to secure their gas supply lines, and Russia is threatening to turn the continent's winter heating into a political hostage. But, inexplicably, Democrats' response is essentially to have America stand down as an energy superpower—new taxes and new regulations on top of the inflation that is already wreaking havoc.

Here was one headline last week:

Winter heating bills set to jump as inflation hits home.

The story went on:

With prices surging worldwide for heating oil, natural gas and other fuels, the U.S. government said Wednesday it expects households to see their heating bills jump as much as 54% compared to last winter.

This is the moment that President Biden is choosing to let the farthest-left people in Washington, DC, rewrite America's energy and environmental policy. Reckless liberal policies have dug America into a hole. Americans need Democrats to stop digging deeper, but the response from my colleagues across the aisle is to trade in their shovels for an excavator. Democrats want to keep digging deeper. They want to try to inflate their way out of inflation.

It makes no sense whatsoever. It sounds as crazy as it is. No wonder this expensive socialist experiment is proving so very painful. It is not what American voters elected, and it is not what American families want.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. DURBIN. Madam 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.

#### REMEMBERING COLIN POWELL

Mr. DURBIN. Madam President, like so many others in the Senate across America, I was saddened to learn this morning of the passing of Colin Powell.

In his lifetime, he broke down so many barriers, and he held some of the most important titles in this great Nation: General of the U.S. Army, National Security Adviser, America's first Black Joint Chiefs of Staff, and our first Black Secretary of State.

But before he held any of those positions, and after he stepped away from them, Colin Powell was always a patriot and a public servant. He was the son of immigrants—Jamaican immigrants—who raised their children to make the most of every opportunity that America offered and to show their gratitude to this Nation by giving—giving back however they could.

That story of opportunity and obligation is a story told by every immigrant parent to their children. It is the same story my mother taught to me and my brothers.

Much has been said and written about Colin Powell's historic and distinguished career as a soldier and a statesman. He was respected in a way that transcended partisan labels.

He wasn't perfect. His speech in 2003 to the U.N. General Assembly claimed incorrectly that Iraq likely possessed weapons of mass destruction. It was based on information he was given and later learned to be false. It helped make a case for a war about which he had misgivings, and he would come to regret those remarks the rest of his life.

But he never stopped trying to serve, even after leaving public office. In 2010, Colin Powell spoke out publicly about a cause that is deeply personal to many people, including myself. He and other military leaders urged this Senate to pass the Dream Act—legislation that would give young immigrants who grew up in the United States a chance to earn their citizenship.

Who better could speak to that issue than Colin Powell, the son of immigrants who served this Nation with distinction and combat and in public service? Regrettably, at the time, while a majority of Senators supported the Dream Act, it was filibustered and did not pass. Still, tens of thousands of immigrants are risking their lives today defending our Nation in uniform. Among them may very well be another Colin Powell.

It would be a fitting tribute to Secretary Powell for us to pass immigration reform now—this year—and recognize what a great patriot and son of immigrants like Colin Powell brought to this Nation.

One last point. Colin Powell survived one form of cancer nearly 20 years ago. He was being treated for another when he passed away. Multiple myeloma, a form of blood cancer, weakens the immune system. So despite the fact that he was fully vaccinated, General Powell died of complications of COVID.

It is sad and ironic that a man who spent so much of his life defending others from danger, in the end, died from a common enemy that too many of our fellow citizens continue to deny, thus giving the virus an opportunity to replicate and wreak havoc. We are not each other's enemies; the virus is the enemy.

Today, it claimed the life of an American statesman. By this time tomorrow, it will have taken another 1,500 family members, neighbors, heroes to many.

Especially for young children who can't be vaccinated yet and for the millions of Americans with compromised immune systems, we really have to increase our vaccine rates.

#### CONGRATULATING THE CHICAGO SKY

Madam President, last night, the world discovered that in Chicago, the sky is the limit. Our city of Chicago is home to a new team of champions.

During the Women's National Basketball Association finals at Wintrust Arena, the Chicago Sky mounted a comeback for the ages. In the fourth quarter, the team overcame an 11-point deficit to claim their first-ever championship title. The victory was the culmination of a historic season. Their record in the regular season was a mediocre 16 and 16, but in the runup for the playoffs, the Chicago Sky won 8 postseason games, an alltime record for the WNBA. And from start to finish, last night's victory was truly a team effort.

Hometown hero Candace Parker scored 16 points—she is nothing short of amazing—including a three-pointer that tied the game with less than 2 minutes left, sending the arena into an uproar. Kahleah Copper was named the WNBA finals MVP. Allie Quigley, a Joliet native, scored 26 points, and her wife and fellow teammate, Courtney Vandersloot, finished the game with 15 assists.

All-around, last night's victory was a legendary feat for the Chicago Sky. Tomorrow, our city will celebrate our new hometown champs in Millennium Park.

I want to thank every member of the Chicago Sky for making Skytown proud, especially Michael Alter and John Rogers, two personal friends who brought the franchise to Chicago and have worked diligently to make it the best every step of the way. Last night, they did. It is an inspiration to our city and to all the young players everywhere who want to look to a team that proves you should never quit.

#### NOMINATION OF GUSTAVO A. GELPI

Finally, Madam President, today the Senate will vote to confirm Gustavo Gelpi to serve on the U.S. Court of Appeals for the First Circuit.

Judge Gelpi is a highly qualified jurist who has two decades of experience on the bench. When confirmed, he will be only the second judge of Hispanic origin and the second judge from Puerto Rico to serve on the First Circuit.

I would like to take just a moment to discuss his extensive qualifications and

experience. Throughout his career, Judge Gelpi has dedicated himself to public service. Prior to his appointment to the bench, he gained a keen understanding of the need for fairness and impartiality in our system of justice. He worked as a public defender as well as prosecutor. He served in the Puerto Rican Department of Justice, where he handled criminal matters on behalf of the attorney general of Puerto Rico.

In 2001, Judge Gelpi was selected to serve as magistrate judge for the District of Puerto Rico. Five years later, his impressive judicial record caught the attention of President George W. Bush, who nominated him to serve as district judge for the District of Puerto Rico. With Senate Republicans in the majority, Judge Gelpi's nomination received unanimous support in both the Senate Judiciary Committee and on the floor of the Senate.

Having served as a Federal judge for 20 years, Judge Gelpi is eminently qualified to sit on the First Circuit. He has already presided over 3,400 cases, 62 jury trials, and issued almost 900 written opinions.

He is a real judge. He is well versed in both complex and civil criminal matters and was rated unanimously "well qualified" by the American Bar Association.

Judge Gelpi's nomination is yet another example of the Biden administration and Senate Democrats working to advance judicial nominees to bring professional and demographic diversity to the Federal bench. The fact that Judge Gelpi has been nominated by both Republican and Democratic Presidents is almost historic and is certainly a testament to his evenhandedness and fidelity to the rule of law. Leaders on both sides of the aisle trust that he will rule impartially and without regard for partisanship.

Once he is confirmed as only the second judge of Hispanic origin to serve on the First Circuit, Judge Gelpi will help build a Federal bench that truly reflects the diversity of America. I urge my colleagues to join me in supporting Judge Gelpi's nomination.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

#### DEPARTMENT OF JUSTICE

Mr. GRASSLEY. Madam President, earlier this month, Attorney General Garland released a memo instructing Department of Justice employees to respond to increasingly passionate school board meetings across the country. That memo talks about working to stop the violence and the threats of violence. That part of it is very fine, but

unfortunately the memo makes it sound like the Department of Justice might want to go after much more than just violence.

Over the last year, school board meetings have turned from relatively calm, local affairs to often boisterous meetings that are seen across the country. This began with parents who were upset after schools were being closed last year well after we learned that they could safely reopen in spite of COVID-19. Then these meetings grew to include pushback against mask mandates for students and against school districts adopting a curriculum known as critical race theory.

There are many parents across the country who are upset about these things, and that is their right, to be upset about them and to talk about them all they want to—after all, freedom of speech, freedom of assembly.

So here is the issue. The Attorney General's memo spoke of violence and threats of violence. Make no mistake about it—violence should never be used to get what you want in politics. It is illegal for a good reason, and making real, true threats is illegal as well. They scare people, and that is not right. No one should ever threaten someone with violence just because they are angry about some school policy.

Unfortunately, however, the Department of Justice memo goes further than that. A person reading it might think that a parent can't speak—really speak his or her mind at a school board meeting; that spirited debate is not welcome; that very pointed and direct questions from educators to school board members aren't welcome; that deep disagreements are not welcome. Parents coming and speaking to their local school boards is what our democracy is all about—the essence of our representative system of government. Whether it is Congress, State legislatures, city hall, or school boards, we ought to be able to have civil discussion, and nobody ought to question that civil discussion.

Of course, democracy also includes very passionate disagreements. If an elected official can't handle a passionate disagreement, then he or she shouldn't go into politics in the first place. That goes for the President; that goes for this Senator; and that goes for every member on every school board in the country.

Elected officials don't go crying to the FBI when constituents tell them something—how they are really feeling on an issue—regardless of how strong that feeling might be.

If a parent is passionately advocating for her child at a school board meeting and school officials tell her she is out of line, the parent should not have to worry that the FBI is going to pay her a visit in her home after that meeting.

She should not have to wonder whether the PATRIOT Act is going to be used to investigate her. It should never even cross that person's mind. If

it does, then she might just stop talking altogether at a meeting, and there would be a chilling effect on democracy.

That chilling effect is a very bad thing for democracies. In other words, it should never happen in the first place. So it is critically important for the Attorney General to make very clear to everybody that, short of violence and making true threats of violence, the Federal Government will have nothing to do with the crowds and the comments that people make at a school board meeting.

All of my Republican colleagues on the Senate Judiciary Committee and I sent a letter to the Attorney General telling him just that. He should make clear to all Americans that, unless there is physical violence or a threat of physical violence, Federal law enforcement has nothing to do with local school board meetings; and he ought to take into consideration the capability of local law enforcement to take care of it in the first place.

#### BIOFUELS

Madam President, on another subject, I would like to speak to an issue that is hurting the pocketbooks of hard-working Americans, particularly in the State of Iowa.

The media has reported that the White House has been in discussions with Big Oil regarding rising fuel prices. This is quite a surprise to some of us who have heard nothing from the administration all year; that we have got to stop fossil fuels and we have got to worry more about global warming. We shouldn't stop Big Oil, but you still have got to worry about global warming.

President Biden has called on OPEC cartels to drill for additional crude oil and discussed potentially opening up our domestic Strategic Petroleum Reserve. With rising energy prices, it is commonsense to promote additional development of energy; but with the Biden administration's sole focus seemingly being on climate change, I would think more attention would be paid to promoting an emphasis upon clean energy.

Throughout my tenure in the Senate, I have promoted alternative energy sources as a way of protecting our environment and increasing our energy independence. As the No. 1 producer of corn, ethanol, and biodiesel, Iowa leads the Nation's renewable fuels industry.

But if the President doesn't care about Iowa—my State of Iowa—the President should remember the States of Illinois and Minnesota, just as an example. Historically, blue States are also major producers of corn and soybeans, as well as ethanol and biodiesel.

A recent study has shown the expanded use of ethanol under the renewable fuel standard has lowered gasoline prices by an average of 22 cents per gallon. This saves the typical American household \$250 annually. In recent weeks, E-10, which is a 10-percent mixture of ethanol and gasoline, has sold

for 35 cents to 50 cents per gallon less than gasoline with no ethanol.

Not only is ethanol-blended gas cheaper than non-ethanol gasoline, but a recent study has also shown that ethanol reduces greenhouse gas emissions by 43 percent compared to conventional gasoline.

Considering President Biden's sudden interest in high gasoline prices, a commonsense solution would be to turn to the biofuel industry for assistance in this time of high gasoline prices.

Enhancing energy security while lowering emissions was the exact reason why Congress created the renewable fuel standard in 2005 and 2007. The Midwest has the potential to provide a solution to the multifaceted problems that this administration faces.

Instead, President Biden and his White House continue—it seems to me—to turn to Big Oil to solve the energy crisis instead of looking at the renewable fuels opportunities. Big Oil seems to then have a friendly relationship with the White House, which is completely contrary to what you would think of when they want to do away with fossil fuels.

Recent rumors in the press are saying that the administration is considering gutting the renewable fuel standard with massive cuts to the required volume obligations. This is strange considering President Biden campaigned on supporting the renewable fuel standard. He campaigned in Iowa as a friend of ethanol—yes, in Iowa.

President Biden said that “the Renewable Fuel Standard marks our bond with our farmers and our commitment to a thriving rural economy.”

Increased drilling for crude oil and increasing our dependence on OPEC is not a solution to higher prices at the pumps.

Why ask OPEC to pump more oil? Why ask Big Oil to pump more oil?

Americans need relief, and that relief can come from having a partnership with the biofuels industry, and it is past time for the administration to look to the heartland instead of Texas and OPEC for an answer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

#### REMEMBERING COLIN POWELL

Mr. SCHUMER. Madam President, I begin today with the news that General Colin Powell, who served our Nation as the first African-American Chairman of the Joint Chiefs of Staff and the first African-American Secretary of State, passed away this morning at 84.

General Powell leaves behind a distinguished trailblazing legacy. Born in

Harlem to Jamaican parents, he grew up with a sister and his parents in South Bronx. He graduated from Melrose High School in the Bronx in 1954. At City College, his life changed forever when he joined the school's ROTC program, quickly becoming a standout member and earning his commission as Second Lieutenant in the Army after graduation.

From humble beginnings, General Powell's career broke one glass ceiling after another. His life was a manifestation of the American dream, a true American success story.

I join all Americans in remembering General Powell's life and his dedication to the country we love.

My thoughts are with his wife Alma, his three children, and his entire family.

#### SENATE AGENDA

Madam President, we begin a consequential work period for the U.S. Senate. Later today, we are going to move forward on the nomination of Gustavo Gelpi to serve on the U.S. Court of Appeals for the First Circuit.

If confirmed today, I believe Judge Gelpi will be only the second American citizen from Puerto Rico to be appointed to that court in its history. I cannot think of a better individual to succeed the late Judge Torruella.

Judge Gelpi is a proven champion of civil rights and a defender of the rule of law. He began his career in Puerto Rico's office as a Federal defender. In 2006, he was unanimously confirmed as a district judge for Puerto Rico.

He brings both personal and professional diversity to the bench at a time when we desperately need both. I am proud to have championed his nomination, and look forward to his confirmation today.

#### VOTING RIGHTS

Madam President, on voting rights, this week, the Senate will have an opportunity to engage in a momentous and urgent debate protecting the right to vote in free and fair elections.

Later this evening, I will begin the process for the Senate to consider the Freedom to Vote Act, a powerful new bill designed to fortify our democracy, protect the vote, and renew the American people's trust in our elections. After I file cloture tonight on the motion to proceed, Members can expect the vote to take place on Wednesday.

The Freedom to Vote Act is a balanced, effective, and commonsense bill. It sets basic standards for all Americans to vote safely and securely, while protecting elections from subversion. It fights back against the power of Big Money and ends partisan gerrymandering, while respecting the role of States in carrying out elections.

The bill represents the first time every single Senate Democrat has united on voting rights legislation. It is a strong bill. It advances election reforms proven to work in red, blue, and purple States across the country.

I thank my colleagues—all of my colleagues—for the work in putting this

bill together. I thank them for their dedication in advancing the simple idea that all Americans, no matter what ZIP Code they live in, should have the freedom to vote safely and securely. I want to particularly thank Senator MANCHIN, who has led the way in finding common ground with our Republican colleagues on this proposal.

It is now time for us to move forward on this legislation as promised.

Now, just so we are all clear, the vote that will happen on Wednesday is a procedural vote to begin debate on the bill. Voting yes does not mean signing on any policy or bill text; it is, rather, an invitation for Senators to come to the table to debate, to deliberate, and to compromise, just as the Senate was meant to do.

If there is anything worthy of debate in this Chamber, it should be protecting and strengthening our democracy. With everything we are seeing at the State level, the Senate must take action, and we must take action now. The right to vote is the beating heart of any democracy.

I know we can vote to protect our elections and empower all Americans to have their voices heard. I hope we can do so together across the aisle. I implore my Republican colleagues to come to the table and work with us on this issue. I implore them to turn away from spurious claims of the Big Lie that are degrading faith in our democracy.

I know many of my colleagues agree in their heart of hearts that we cannot allow our democracy to fall victim to conspiracy theories, subversion, and disinformation, but they must join us in working towards solutions. To be sure, Senate Democrats don't expect that our Republican colleagues will agree with every idea we have on voting rights. We know the disagreements run deep. But in this Chamber, Senators should not run away from debating the things we disagree about. If our Republican colleagues have good ideas, we are ready to work in good faith to listen to them, to consider them, and if they are aligned with the goals of this bill, to include them in the final text. But for any of that to happen, our Republican colleagues must agree to come to the table first. They should agree to let the Senate begin debate. That is all this first vote is. It says: Are we willing to debate voting rights, sacred and important in our democracy?

It is not acceptable to simply turn away from debating voting rights, to act as if the Congress has no role to play in the defense of free and fair elections and simply pretend like there is nothing malicious afoot at the State level. No, inaction is not an option. The clock is ticking—the clock is ticking—for this Chamber to do something to protect our democracy before these dangerous laws take root for the next election. The Senate can rise to the task if given the chance, but it must be allowed to begin its work first.

Republicans, later this week, will have a chance to go on record and show if they believe that protecting our democracy is worthy of this Chamber's attention.

#### BUILD BACK BETTER AGENDA

Madam President, finally, a quick BBB update. This week, Senate Democrats continue our work on finalizing our Build Back Better agenda. Congress, right now, has the best chance in years to make meaningful investments to help American families climb up to the middle class and stay in the middle class.

By passing both the Build Back Better Act and the infrastructure bill, we can improve our Nation's crumbling infrastructure, create good-paying jobs for this century, and lower costs and cut taxes for American families, while taking overdue steps to meaningfully address the climate crisis. It is a difficult task, but we are committed to getting it done.

Over the last week and weekend, I held many productive conversations with my colleagues here in the Senate, with Speaker PELOSI, and with the White House. We still have work to do. We all know that in order to pass meaningful legislation, we must put aside our differences and find common ground within our party. As with any bill of such historic proportions, not every Member will get everything he or she wants, but at the end of the day, we will pass legislation that dramatically improves the lives of the American people. We will continue to make progress and keep working until the job is done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, less than a month ago, President Biden made a surprising statement—or maybe I should say, another surprising statement. He said: My Build Back Better agenda costs zero dollars—zero dollars. That is a big, you might even say unbelievable claim.

For starters, half of his agenda is a trillion-dollar infrastructure bill that will increase the deficit by more than \$250 billion over 10 years. The other part is a multitrillion-dollar tax-and-spending spree, which leans on damaging tax hikes to cover a long list of social welfare programs to make the United States of America look more like, say, a European social welfare state. Now, how could that possibly cost zero dollars? Well, the answer is pretty simple: It can't. Even the Washington Post fact checkers gave this claim two Pinocchios.

This strategy of misleading, misstating, and—I hate to say it, but there is no other word for it—downright lying to the American people is a tried-and-true strategy of the Biden administration. Whether it is advancing legislation or dodging a crisis, there is no promise that is too big to make, even if it is patently false.

Another example. Dating back to the campaign trail, President Biden has re-

peatedly promised the American people: If you make over \$400,000 a year—excuse me—if you make under \$400,000 a year, you will not pay more income tax. Well, we have heard the same talking points from the Treasury Secretary, Secretary Yellen, and the White House Press Secretary dutifully comes out and parrots the same position again and again and again. It is almost as if, if you say something often enough, people will begin to believe it even if it is not true.

Considering the enormous amounts of spending that the Biden administration has promised, I understand why they are a little worried about the truth. All of us like free stuff, whether it is a free T-shirt at a football game or free samples at a grocery store. What folks don't like, though, is learning that they are being played and that they are still paying but maybe by different means. So when it comes to free college, free childcare, and other free programs under President Biden's agenda, most people realize there is no such thing as a free lunch. Somebody somewhere is going to have to pay for it, even if it is borrowed money. The next generation, like our pages here, when they enter the workforce, they are going to be the ones who have to pay that money back. Somebody is going to have to pay it back. There is no such thing as free.

Contrary to the promises made by President Biden and his administration, the middle class will help to foot the bill for this spending bonanza. An analysis by the nonpartisan Joint Committee on Taxation found that many families will see their taxes increase under President Biden's Build Back Better agenda.

In 2023, 2 years from now, 18 percent of those earning between \$75,000 and \$100,000 will pay more in taxes, not \$400,000 or more. More than a third of the folks earning between \$100,000 and \$200,000 a year will see a tax increase, not people making \$400,000 or more. If this trend continues into 2027, well over half of taxpayers earning between \$75,000 and \$100,000 will pay more in taxes. And a whopping 86 percent of folks earning between \$100,000 and \$200,000 will see a tax increase.

Now, you might wonder, how can the President have it so wrong? This is not news to President Biden. He knows better. He is surrounded by world-class economic advisers, analysts, and tax experts who scrutinize and scrub every single policy before it comes to see the light of day. Yet, you might wonder, why does the President persist in claiming that his tax hikes won't impact the middle class even as he is trying to slip them a massive tax bill? I hate to state the obvious, but it is just dishonest.

Of course, all of this comes at a time when many family budgets are already underwater, struggling to recover from the fiscal impact of COVID-19. Now, from gas stations, to grocery stores, to electricity bills and restaurant checks,

the American people are being pummeled by inflation, paying more for the things they used to pay less for.

What is the Biden administration's response? Well, the President's Chief of Staff, Ron Klain, dismissed inflation as something he called a high-class problem, which I guess means that only rich people are suffering or experience that inflation. Again, this is clearly not true. My constituents in Texas don't see it that way. They see inflation outpacing their wage increases and essentially giving them a pay cut. They are paying 10 percent more at the butcher counter than they were a year ago and 42 percent more on gasoline. If you are a senior operating on a fixed income, you have to spend more of that fixed income to end up with less.

So, no, this isn't just a problem for the high class. Unfortunately, it is not going away soon either. You remember when concerns were raised with the Federal Reserve Chairman, Jay Powell, about inflation, and he said: Well, it is probably only transitory—meaning it is a passing moment. Well, now we see that economists expect inflation rates to remain steady through the end of next year, which would mark the longest period of inflation above 5 percent in three decades. So if inflation is at 5 percent, that means you are having to pay \$1.05 to get what you used to pay \$1 for, and it is compounded each year.

While inflation is expected to ease some—or at least we are hoping and praying that is the effect—by the middle of next year, rates are still likely to be higher than they were before the pandemic.

Folks who can't afford to fill up their gas tanks to get back and forth to work or buy what they need at the grocery store don't need to be told that things are just fine when they know they are not. The American people need to see real leadership here that addresses the root causes of inflation, not pouring gas on that inflation as the \$3½ trillion reckless tax-and-spending spree would do. It would just create more money chasing the same goods and services, driving prices up. And the American people certainly deserve better than false statements that ignore the magnitude of their pain.

#### AFGHANISTAN

Madam President, as I have said before, we have seen this playbook again and again. Following an objectively chaotic exit from Afghanistan because of the President's arbitrary decision date, President Biden called the mission an extraordinary success. Well, we know that is not true. We can see that with our own eyes. We know that 13 brave servicemembers lost their lives in a terrorist attack, including a young marine named David Espinoza, whose funeral my wife and I attended in Laredo, TX.

Countless Americans and Afghan allies were left behind. We heard from the State Department today that they can't even tell us how many Afghans, who qualify for the special immigrant

visa, remain in Afghanistan, and we know now, with the Taliban in control, that they are hunting down people who worked with the United States during the last 20 years in order to prevent another terrorist attack like we experienced on 9/11/2001. And, no, the new Taliban is not better or a kinder, gentler version of the old Taliban.

So in no way could this be considered a success, let alone an extraordinary one.

And then there is the border. Ever since President Biden became President, his administration has either ignored, downplayed, or denied the humanitarian crisis at our border. For months, the administration wouldn't even talk about it; and when it did, there were very peculiar rules that applied, apparently, to how it should be discussed.

The administration refused to use the term "crisis" and came up with a range of euphemisms to downplay what was actually happening. They called it a challenge, a situation, a mess—all to, apparently, deceive the American people into thinking that what you are seeing with your own eyes is not really a problem.

The Secretary of Homeland Security took this deception to a whole new level recently. When testifying before a House committee last week, Secretary Mayorkas said the border is "no less secure than it was previously."

That is demonstrably false. The data tells a very clearly different story.

In the first 7 months of the Biden administration, more than 1.2 million migrants have crossed our southern border. That is an astronomical number, 1.2 million. To provide some context, in 7 months, Customs and Border Protection encountered 2½ times as many people as they did in all of fiscal year 2020.

So it is not getting any better if the Secretary of Homeland Security, whose responsibility it is to secure the border, says things are no worse off than they used to be. At the same time, he tells us that the numbers are unrivaled in the last 20 years. Both can't be true.

So whatever you want to call this—lying, misleading, or gaslighting—we have all had to learn a little bit of a new vocabulary. "Gaslighting" basically means creating your own alternative reality and trying to sell that as true.

None of this changes the fact that the Biden administration has consistently tried to deceive the American people about each of these matters. And the list actually goes on and on. The President and his administration won't even admit there is a humanitarian crisis along our southern border, let alone take the pretty obvious and necessary steps to address it.

Senator SINEMA from Arizona, a Democrat, and I, a Republican from Texas, working with HENRY CUELLAR, a Democrat from Laredo, and TONY GONZALES, a Republican who represents

the largest border district in the country, we presented the bipartisan border security plan, but the administration just looks the other way.

They won't acknowledge their massive failures in Afghanistan either, which resulted in the death of 13 servicemembers and left our allies, our friends, and their families in a lurch.

And they refuse to admit that their reckless tax-and-spending-spree bill is designed to fundamentally transform America and will drive up taxes not just for the wealthy, but for the middle class, and hurt our already wobbly postpandemic economy.

This is not what leadership should look like. The American people deserve better than getting scammed by their own President, no less.

If the administration put half as much energy in trying to solve problems as it does in trying to disassemble them or to cover them up, our Nation would be far better off.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

#### BORDER SECURITY

Mrs. BLACKBURN. Madam President, for the past several months, the Biden administration and their officials have devoted their time to one of two things: They have blamed Republicans for problems that they, the Democrats, created, or denying those problems exist at all.

As my colleague from Texas said: Don't believe what you are seeing.

That seems to be a common refrain.

Just last week, White House Chief of Staff Ron Klain retweeted the former Chairman of President Obama's Council of Economic Advisers when he dismissed rising inflation and collapsing supply chains as "high class problems."

Apparently, he thinks those sky-high prices at the grocery store only affect the rich. How wrong they are.

On this same day Ron was scrolling through Twitter, White House Press Secretary Jen Psaki insisted that the American people just started paying attention to their finances this year. Never before this year have they looked at their finances. She stood in front of the entire press pool, dismissed serious economic pain as a passing concern, and tried to spin the memory of the prepandemic, pre-Biden economy out of everyone's memory.

Last week, I saw firsthand the consequences of this policy of deflection. Let me tell you, if you want to see what it looks like when our government undermines and abandons entire communities, you need look no further than our Nation's southern border.

What I saw during my recent trip to south Texas was a humanitarian crisis, a healthcare crisis, and a national security crisis. And make no mistake, nothing that is happening down there is the result of some unfortunate accident.

This is no everyday failure of leadership. If our so-called border czar cared

at all about doing her job, she would know that every single Border Patrol agent needs to hear from her. Law enforcement officers, they want to hear from her. And property owners in the area believe with absolute certainty that this issue on the southern border—this is a fixable issue. It is fixable.

Our Border Patrol agents want to do their job, but they are undermined every step of the way by the official policies of an administration that has spent billions of dollars canceling construction of the border wall.

That is correct. They are spending your money—your taxpayer dollars, your hard-earned money—canceling contracts, canceling contracts, canceling construction of the border wall.

And they have stripped resources that the Border Patrol needs, pulling back resources like surveillance technology, pulling back funding that could help pay overtime for Border Patrol officers.

They have pulled all of that back from the Department of Homeland Security, doing it even as the number of migrants who are surging the border is increasing, even as the apprehensions at the border are increasing. They are reducing the resources that the Border Patrol agents have.

During conversations with these agents, we all came to the conclusion that most Americans have no idea how truly serious this problem is, which is the logical conclusion of another Biden administration policy of blocking press access to key areas of the border.

They do not want you to see or hear about what is going on. They don't want you to see the chaos they have created. And they surely don't want us to see the trail of destruction left by this flood of illegal immigration. So they don't the press down there. They don't want them to get the message out about what is happening, how our southern border is being overrun and our Border Patrol overworked.

At this point, not only me, but many of my colleagues—and there are some on both sides of this aisle—have documented for the record the horrific journey migrants undertake from Central America to the United States. And, yes, migrants are coming from 150 different countries through Central America and Mexico to our southern border. We know that the cartels are in complete control of that border on the Mexico side.

And do you know what? The cartels, you have to pay them—got to pay them—in order for them to get you here. You get to the river, you got to pay the river tax to a coyote who works for the cartel in order to cross the river. The cartel controls who gets into the United States of America. Yes, it is illegal entry, but think about this: The cartels are in control.

In South Texas, there are three cartels that are working that border—different parts of that border. It is big business for these cartels. And, yes, we know about drugs and weapons and sex

trafficking and gangs and human trafficking. In South Texas, they have caught members from 88 different gangs—88—who are moving their people into this country. They are not coming here for a better life and a job. They are coming here because, gangs, they carry out crimes.

But what many Americans haven't seen and witnessed is the impact all this has on your average border community. When I was in Texas, I had the privilege of speaking to ranchers and other property owners dealing with the nightmare of regularly discovering the remains of dead adult migrants, sometimes discovering children.

Traffickers abandon these individuals while they are crossing some of the ranchers' and the property owners' property, just abandoned, abandoning these people right there on the property.

These property owners are also forced to spend time and energy repairing damage that is inflicted to their property by the trespassers who are trying to avoid the checkpoints that are north of the border.

We are talking about an emotional and a practical toll that has crept outward from the border, away from those remote ranches and outposts, and into communities all across this country.

Administration officials started all this with their open border rhetoric, but they could also put a stop to it.

How? By holding themselves accountable to the people who are stuck trying to control this chaos—people like Hector and Chris and their fellow Border Patrol agents, who risk their lives every day to keep us safe.

They said: You know, it is like doing your job with one hand tied behind your back.

And then they say: OK. We are going to try to strap down the other hand a little bit.

That is right. That is what it means when you talk about removing resources, removing surveillance, pulling back money so they can't go do the job that they want to do, that they signed up to do, to keep this country safe.

Everybody in this administration should spend a few minutes talking with property owners like Susan and like Richard and think about what it must feel like to constantly wonder if somebody has died of exposure in your backyard. This is what they are dealing with every day.

The Federal Government is not out there repairing fences that have been torn down. The Federal Government is not out there cleaning up trash. The Federal Government is not there replanting a sugarcane field. No. Ranchers, property owners, they are paying for this out of their pocket because this is happening on their property.

The status quo that this administration has created on this border can't last much longer because it is running people ragged, whether they are working the river, working the border; whether they are trying to work their

ranch, their cattle, their crops. This is out of control.

The other thing that I have noticed as I was on the border and then talking to a lot of Tennesseans, hearing from people: The American people are afraid. The spin doctors in the White House and in the mainstream media would have us believe that fear is due to racism or xenophobia, but those accusations are misstatements. They are inaccurate.

Americans are not afraid of those who seek refuge in our country. Americans are afraid of the documented rise in drug trafficking and gunrunning and sex trafficking. They are infuriated to see their own fellow citizens throwing in their lot with the drug cartels and participating in these trafficking rings. People in their communities are choosing blood money over gainful employment, and they hold these cartels responsible. And they fear the hold the cartels have over some of their neighbors. It terrifies them.

But what terrifies them most of all is the knowledge that President Biden, his Cabinet, and his allies in Congress know this, and they refuse to help. We know the problem is fixable, as the Border Patrol agents told me. This is fixable. There are solutions. We know the administration has the power to do it. It is pretty simple.

And this is what they have said: Enforce the rule of law. There are laws on the books. Enforce them. Illegal entry is illegal. They say: Start by building the wall. Build it; finish it; get it finished. They need it. They have been saying it for 30 years: We need a wall. We need a wall. Border Patrol and other law enforcement agencies have been asking for this barrier for a long time. And if you were to go down south, you would see for yourself. Everything you need to build that border is there: the equipment, the panels. It is all there. Build the wall.

Part of it is up, but we need to fill it in so that we secure that border—and additional funding for security and infrastructure and manpower. Build that wall. Get back to work on it.

Next, the administration must stop waging war against President Trump's successful "Remain in Mexico" policy. The Border Patrol, law enforcement, the Texas Department of Public Safety, the National Guard—they will all tell you: Yes, get back to building that wall, and while you are at it, go back to "Remain in Mexico."

You know what? They want this because it works. It works. Isn't that amazing? It works. So go back to it. We cannot afford to allow the operatives at the helm of the Democratic Party to dictate security policy. We know "Remain in Mexico" works, so embrace it. Say: We are doing this because Federal employees, the Border Patrol, are asking us to do this.

We must also eliminate catch-and-release and embrace the removal authority granted under title 42. Those are things that we know work. Those are



the things at the top of the list with our local law enforcement, with Texas DPS, with our Border Patrol. Those are the things that they say: These could be done right now. Go back to building that wall; go back to “Remain in Mexico”; stop this catch-and-release; and abide by title 42.

Today, President Biden, who hasn’t been to the border, should go and say: You know what? This Nation is a sovereign nation; we are going to protect this Nation; we are going to protect our citizens; and, therefore, we are going to take these measures because the Border Patrol says this is what works.

The time for treating these policies like political footballs has come to an end. The border crisis doesn’t exist in a bubble, and it doesn’t just exist at the southern border. What we are seeing along that border is loss of life and loss of livelihoods, and it is happening on a daily basis.

How would you feel? How would you feel if they were running across your crops? How would you feel if they were on your ranch? Think about that one.

It is clear by now that the White House values their “woke” talking points, but there is nothing “woke” about the death and destruction we are seeing tear through this border. There is nothing “woke” about allowing the cartels to overwhelm law enforcement and leave innocent people entrapped by those cartels to die in the desert. There is nothing “woke” about allowing a crisis to fester to make the political case for open borders.

Until President Biden and the Democrats prioritize safety and secure the border they abandoned on the day that they took power and control, every town—every town in this country will be a border town, and every State will be a border State; every community will exist under the threat of cartel violence, and every person in America will bear witness to the desperation and loss of life that their President has seen fit to ignore.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

#### REMEMBERING EARL OLD PERSON

Mr. TESTER. Madam President, thank you for the recognition.

I want to share a few words this afternoon to honor an incredible leader, somebody who is well known to the State of Montana and certainly well known to Indian Country, throughout this country, a personal friend of mine who passed away last week.

The person’s name is Chief Earl Old Person of the Blackfeet Nation. He served 56 years as a Tribal councilman. He passed away last Wednesday, October 13, at the age of 92. He was the longest serving elected Tribal official in the United States when he passed. He was a keeper of Tribal history, a tireless advocate, and, for many, he was a national voice for the challenges in Indian Country.

Chief Old Person was born in 1929. He grew up on the Blackfeet Reservation,

where he embraced Tribal culture and, at a young age, performed traditional Blackfeet song and dance across the State and the Nation as an ambassador for the Blackfeet. He even traveled to Paris to represent Indian Country as the only Indian Boy Scout at the World Boy Scout Jamboree in 1947.

It was clear that leadership was in his bones, and in 1954 he was elected to his first term as a Tribal council member, and he became the Tribal council chairman only 10 years later.

Chief Old Person went on to serve as President of the National Congress of American Indians. He played an integral part in creating the Nation’s first tribally owned bank, helping to earn him the honor of being named Outstanding Indian of the Year by the Chicago Indian Council.

In 1978, Earl Old Person became Chief Earl Old Person, a title that he would hold with honor until his passing last Wednesday. In his role as chief, he would not only represent the Blackfeet Tribe but all Tribal nations in Montana and on the Governor’s task force on Indian affairs and as the chairman of the Affiliated Tribes of Northwest Indians.

He met with every U.S. President from Truman to Obama and had joined the British royal family and Canadian Prime Minister Pierre Trudeau for the Commonwealth Games in 1978. Wherever he went, he was pushing for progress.

There are too many honors and awards for me to name, but Chief Old Person’s impact goes far beyond his accolades. He was a wise leader, a world-class orator, and I have heard stories of his words that brought folks to tears.

His shoes will never be filled, but the fact that we had the opportunity to see his leadership in action gives us the roadmap for a brighter future. He will sorely be missed by the Blackfeet Nation, by the State of Montana, by Indian Country across this country, and by my wife Sharla and I as well as countless others who knew him.

This world is a better place because of Chief Old Person and the work that he did. He will never be replaced.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Gustavo A. Gelpi, of Puerto Rico, to be United States Circuit Judge for the First Circuit.

#### VOTE ON GELPI NOMINATION

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

Mr. TESTER. 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 Arizona (Ms. SINEMA) and the Senator from New Mexico (Mr. LUJÁN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. RUBIO), the Senator from Nebraska (Mr. SASSE), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted “aye.”

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 414 Ex.]

#### YEAS—52

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

#### NAYS—41

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

#### NOT VOTING—7

Blunt	Rubio	Tillis
Lujan	Sasse	
Rounds	Sinema	

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Florida.

#### CHANGE OF VOTE

Mr. SCOTT of Florida. Madam President, on rollcall vote No. 414, I voted no. It was my intention to vote yea; therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

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

(The foregoing tally has been changed to reflect the above order.)

The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order,



the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. The Senator from Alaska.

#### VACCINES

Mr. SULLIVAN. Mr. President, I want to address a topic this afternoon here in the U.S. Senate that I believe not enough people are talking about. It is something that I certainly heard a lot about when I was back home in Alaska, and I think it is something that millions of Americans are talking about.

But nobody here on the Senate floor is talking about, but we should be because this goes to constitutional authority, and it goes to what I believe means to be an American—freedom, liberty, and it is this: the Executive order that the President—President Biden issued mandating vaccinations for both Federal contractors and private employers.

In essence, what he has said in this Executive order—we are still waiting on the rule—is that employers need to have people who are vaccinated—all their employees by a certain date or they are going to be fired.

That is the President of the United States saying he has that power to force employers to make their employees decide between a vaccination or putting food on the table for their families. Vaccination or you are fired.

We are not talking about that, and this is unprecedented—unprecedented. Never before has a President claimed the authority to actually do this. The military is a different exception. Private employers who have some connection to the Federal Government or otherwise, tell your employees: Get vaccinated or you are fired.

And the President of the United States is claiming the constitutional authority to do that.

I don't even think it is a close call. I don't even think it is a close call. Never been done before, and I don't even think it is a close call whether the President has the constitutional authority to do this.

Think about, if he did, what this could mean for power in other realms that the executive branch or President would have.

Now, I will stipulate right here, I am vaccinated. I have encouraged others to get a vaccine in consultation with their doctors. We all want to put this pandemic behind us, no doubt about it. The vaccinations help with that. But that doesn't mean there should be an excuse to look the other way when the President is acting in an unconstitutional manner.

And there are many reasons, certainly with regard to my constituents, that people might be hesitating with regard to a vaccine. Some of them have health conditions that preclude them from taking a vaccine. Some of them may have serious religious objections to the vaccine. Some of them have his-

tories of abuse and don't trust the Federal Government or the medical establishment. Some of them have dug in their heels and believe the government simply doesn't have the right to tell them what substance to put in their bodies.

The President of the United States is taking this unprecedented—and it is unprecedented—action: Get a vaccine or the Federal Government will mandate you get fired.

It is not just in my view unconstitutional, but it shows contempt for hard-working Americans; contempt that I see percolating again and again among some in the far left.

Think about it. You don't say what you think we should say, you are fired. You work for an industry that used to power America but now is out of favor with some on the left—oil, gas, coal, especially in Alaska, as the Presiding Officer knows—we will shut down your business and we will make sure your employees are fired. You speak your mind about an issue, you are fired. You don't take a vaccine, you are fired.

Oh, by the way, I think the Federal deadline on the vaccination put out by the President is December 8. So you are going to be fired right before the holidays.

Now, as you know, this is a 180-degree turn—180 about-face—with regard to what this body did last year.

What do I mean?

So we worked in a bipartisan way during 2020, when the pandemic hit, particularly the CARES Act. I think every U.S. Senator voted for that. But the other relief that we worked hard on, Democrats and Republicans—when the historians look back at 2020, there are going to be a lot of things, but I think one good thing is they are going to say the Congress of the United States came together, no playbook—we certainly had never seen this before—came together to help the American people; Democrats, Republicans, the President—that was President Trump—on relief.

And here is the thing. This is why I mean it is a 180-degree turn. One of the core principles of all the relief packages that we passed last year—the aviation relief packages that helped our airlines, the PPP—throughout all the relief bills that passed this body in a bipartisan way, one critical component was we need to make sure employers and employees stay connected.

Almost all the relief said: All right. Airline industry, we can't let you go under. You have got to stay safe in terms of the ability to fly for the American people. You are going to get billions and billions and billions in relief, but you can't fire your employees. You have to keep them connected.

The PPP, the estimates are tens of millions of Americans kept their jobs because of that program. You got relief, small business in America, but you can't fire your employees. That was the agreement. That is what we worked on. That was the core principle that

helped us get through the pandemic economically.

Joe Biden is taking a sledge hammer to that connection. It is actually the exact opposite. We are still challenged by the pandemic. Our economy is still challenged.

But what is he doing?

If you don't listen to Joe Biden, private employers in America, you have to fire your employees.

That is exactly the opposite of how this body worked across the aisle, Democrats and Republicans, and the previous President. The approach was this: We are going to help you, but you have to keep your employees. That is the right approach. That is the right approach, and yet no one is talking about this new approach from the new President: Do what I say, even though I don't have the constitutional authority. You have to get a mandate, even though I don't have the constitutional authority. And if you don't, I am going to make sure private employers fire their employees—oh, right before Christmas.

Doesn't anyone have a problem with this?

Well, I have a problem with this. And, again, I think people should get vaccinated. I just don't think the President of the United States has the constitutional authority to tell Americans: Do it or you are going to get fired.

So here is what I hope. I have been reaching out to some of our business leaders to make a respectful request, and it is this: You don't want to fire your employees. Heck, this country doesn't have enough people who are working right now.

You have the Biden economy, which is long lines, superhigh energy prices, people who aren't working, and empty shelves. We need more workers. We certainly don't need the President of the United States telling employers: Fire your people prior to Christmas, but that is what he is doing.

So here is what I think, respectfully, our business leaders should be doing. They should be looking and remembering what we did last year. For example, if you are an airline executive, we all worked really hard to make sure we continued to have air service for America and it was safe and that you kept your employees.

So what our business leaders should be doing is saying respectfully: Mr. President, it is highly unlikely you have this authority, and I don't want to fire my employees.

The best business leaders I know are very loyal to their employees.

So hold off. Don't fire them because Joe Biden says you have to. In the litigation that is going to play out in this country, he almost certainly is going to lose—almost certainly. I don't think there is a court in America that says that the President of the United States, without Congress's permission or passing a law—that the President of the United States on his own—has the

power to go to private sector employees and say: Your employees have to get vaccinated or you, Mr. Employer, have to fire them.

I think the President is going to lose that case in every court in America. So if you are a business leader, here is my respectful request: Hold off. Wait for the litigation to play out, and don't fire your employees because the President has told you to because they haven't gotten vaccinated before Christmas.

You know, we are already starting to see this. Some business leaders are taking a different approach, not this "Do what I said or you are fired." They are offering financial incentives, hiring medical advisers to talk to their employees. They are allowing medical and religious exemptions. They are offering testing as an alternative to forcing the vaccine on their workers. And I read about one today. I have had discussions with others who are saying: Look, it is not our intention to fire employees right before Christmas.

These are the leaders who are saying they value and trust their employees, like what we did last year. Here is significant relief, businesses in America, but don't fire your employees. As a matter of fact, you can't if you accept this aid—which they didn't.

So these are the leaders who value their employees. And, at the end of the day, this is the approach that is going to work. It is going to work better for all of us—for these businesses, their workers, their communities, and our country.

I wish the President would take note of this, but right now he seems hell-bent on doing a 180 from what we did last year, and that was encouraging businesses to work through the pandemic while keeping their employees, not ordering in an unconstitutional manner the firing of employees because Joe Biden said so.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 414.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The senior assistant legislative clerk read the nomination of Catherine Elizabeth Lhamon, of California, to be Assistant Secretary for Civil Rights, Department of Education.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 414, Catherine Elizabeth Lhamon, of California, to be Assistant Secretary for Civil Rights, Department of Education.

Charles E. Schumer, Mazie Hirono, Tammy Duckworth, Martin Heinrich, Christopher A. Coons, Jack Reed, Benjamin L. Cardin, Angus S. King, Jr., Alex Padilla, Jeff Merkley, Christopher Murphy, Sheldon Whitehouse, Tina Smith, Jeanne Shaheen, Richard J. Durbin, Richard Blumenthal, Robert P. Casey, Jr.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### FREEDOM TO VOTE ACT—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 125, S. 2747.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 125, S. 2747, a bill to expand Americans' access to the ballot box and reduce the influence of big money in politics, and for other purposes.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 125, S. 2747, a bill to expand Americans' access to the ballot box and reduce the influence of big money in politics, and for other purpose.

Charles E. Schumer, Amy Klobuchar, Alex Padilla, Margaret Wood Hassan, Raphael G. Warnock, Ben Ray Lujan, Gary C. Peters, Elizabeth Warren, Christopher Murphy, Tammy Duckworth, Patrick J. Leahy, Sheldon Whitehouse, Michael F. Bennet, Tim Kaine, Tammy Baldwin, Cory A. Booker, Sherrod Brown.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, October 18, be waived.

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

#### RELATING TO THE DEATH OF THE HONORABLE ADLAI EWING STEVENSON III, FORMER SENATOR FOR THE STATE OF ILLINOIS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 420, 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. 420) relating to the death of the Honorable Adlai Ewing Stevenson III, former Senator for the State of Illinois.

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

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to; that the preamble be agreed to; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 420) was agreed to.

The preamble was agreed to.

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

#### RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF LATINOS IN THE UNITED STATES AND THE IMMENSE CONTRIBUTIONS OF LATINOS TO THE UNITED STATES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 417.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 417) recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States.

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

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

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

The resolution (S. Res. 417) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 7, 2021, under "Submitted Resolutions.")

# SUPPORTING THE GOALS AND IDEALS OF NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 421, 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. 421) supporting the goals and ideals of National Domestic Violence Awareness Month.

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

Mr. SCHUMER. I further ask 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. 421) was agreed to.

The preamble was agreed to.

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

## MORNING BUSINESS

### 125TH ANNIVERSARY OF THE CHICAGO FEDERATION OF LABOR

Mr. DURBIN. Mr. President, growing up in East St. Louis, both my mom and dad worked for the railroads. We weren't wealthy, but we had a comfortable life. I have come to learn how connected that was to our being a union family. I believe that more than any other force in American history, the American labor movement has created middle-class opportunity in America. Unions have won victories that have allowed American workers to buy homes, send their kids to college, and save for retirement. I know firsthand that none of this would be possible if workers did not have the freedom to advocate for fair working conditions for themselves and their families.

That is why I am proud to say that Chicago is the hometown of the American Labor Movement, the site of the Haymarket Affair, the Pullman railroad strike, and the Republic Steel Strike. Today, Chicago's union members continue to be students of history and recognize the struggles of those who fought for fairness, justice, and equality at work. Throughout its 125-year history, the Chicago Federation of Labor—CFL—has consistently fought for fair treatment of workers in Chicago, Cook County, and beyond. Though the people, challenges, and times may have changed, the CFL's mission has remained firm. Throughout its history, the CFL has organized workers across industries regardless of race, ethnicity, or nationality. Today,

we celebrate the great work of the Chicago Federation of Labor and congratulate its staff and supporters on its 125th anniversary.

The Chicago Federation of Labor was chartered in 1896 by the American Federation of Labor. Formed, in part, as an attempt to end corruption in Chicago's labor unions, the CFL focused its early efforts on strengthening a unified voice for the city's labor movements, upholding the labor rights of its union members, and mediating contract disputes on behalf of local unions. In 1906, Irish immigrant John Fitzpatrick was elected president of the CFL. An organizer and committed unionist, his innovation ushered in an era of stability and reform to the union community. During his 40-year tenure as president, Fitzpatrick created accessible news publications and established the labor party.

Upon Fitzpatrick's death, William Lee, president of Bakery Drivers Union Local 734 and vice president of the CFL, was elected president and would go on to serve for nearly 40 years. Lee continued Fitzpatrick's commitment to racial and social justice, as the CFL and other labor organizations supported Dr. Martin Luther King, Jr., in organizing his visits to and rallies in Chicago. In 1964, then-CFL President Lee celebrated the signing of the 1964 Civil Rights Act on the front page of the Federation News, writing, "[W]e have come closer to the ideal of the Declaration of independence with the Civil Rights Law."

In its fight for justice for all workers, the CFL has welcomed freedom fighters and labor leaders from around the world to Chicago, including Cesar Chavez, Lech Walesa, and Nelson Mandela. In 1994, under the leadership of President Don Turner, the CFL launched its Workers' Assistance Committee, now the CFL Workforce and Community Initiative, which provides job seekers, including veterans and low-income workers, with training and job search resources. In recent years, the CFL has worked to pass increases to the minimum wage, paid sick leave, protections to retirement security, and a host of other policies to protect workers.

While in Congress, I have had the pleasure of working with the CFL on a variety of issues. Just this year, I was honored to work with current CFL President Bob Reiter on the inclusion of a 100 percent coverage for COBRA health insurance premiums as part of the American Rescue Plan Act, helping millions of struggling workers to remain on their employer health plans.

The blueprint created 125 years ago has evolved, but the mission of the CFL has remained constant. Today, with nearly 300 affiliates and 500,000 union members in Chicago and Cook County, the CFL continues to embody the ethos of practical idealism and unrelenting determination for working people.

Congratulations to the Chicago Federation of Labor on 125 years of great

work, giving workers a support network to advocate for their rights.

(At the request of Mr. THUNE, the following statement was ordered to be printed in the RECORD.)

### MISSED VOTE EXPLANATION

• Mr. RUBIO. Mr. President, due to a mechanical issue on my scheduled flight, I will miss today's vote.●

### 51ST ANNIVERSARY OF THE EMERGENCY NURSES ASSOCIATION

Mr. MERKLEY. Mr. President, on behalf of myself and Mr. WICKER, I rise today to recognize and celebrate the 51st anniversary of the Emergency Nurses Association. Made up of 51,000 members from all across the globe, the Emergency Nurses Association, or ENA, is the only professional organization dedicated to advancing excellence in emergency nursing and is the world's premier organization for emergency nurses.

Founded in 1970, ENA has worked successfully to raise awareness and improve outcomes for the Nation's trauma patients. Traumatic injuries, including car crashes, falls, head injuries, burns, and firearm injuries, are currently the leading cause of death for Americans aged 44 or younger. Working to improve outcomes for those who have suffered a traumatic injury, ENA offers courses for emergency nurses that provide them with the knowledge, skills, and hands-on training needed to deliver high-quality trauma care. Since 1986, ENA's trauma nursing core course has been taken by more than 2 million emergency nurses and is now considered the gold standard for the education of nurses in lifesaving trauma care techniques. Alongside their outstanding educational courses, ENA has been a fearless advocate at all levels of government for safer work environments in medical facilities and has pushed for stronger criminal laws that hold those accountable for violence against medical employees.

Especially in times of crisis, ENA has been on the frontlines of our medical profession. During the COVID-19 pandemic, when emergency rooms have been turned into battle zones against this virus, ENA has worked time and time again to ensure that nurses across this country were prepared and equipped to deal with this unprecedented crisis. Their tireless dedication to protecting and saving lives, while risking their own, should be recognized and commended by this body.

On the occasion of the Emergency Nurses Association's 51st anniversary, we ask our colleagues to join us in extending our deepest gratitude to the ENA and all its members for their commitment to improving the quality of emergency care that has continued to save the lives of millions of Americans across our country.

# TRIBUTE TO BERNARD A. BARTON, JR.

Mrs. KLOBUCHAR. Mr. President, I rise today to congratulate Bernard A. "Bud" Barton, Jr. on his retirement from the Library of Congress and to thank him for nearly three decades of dedicated public service.

Since 2015, Bud has served as chief information officer for the Library of Congress. As the senior information technology official for the Library, Bud established and enforced standards for IT resources and oversaw IT design, development, and service operations to ensure that the needs of the Library and those it serves were met. Bud oversaw the development of a Library-wide digital strategy, worked to improve IT security at the Library, and led efforts to optimize and modernize the Library's IT infrastructure. Under his leadership, the Library successfully addressed more than 100 technology recommendations identified by Congress and the nonpartisan Government Accountability Office, GAO.

Prior to joining the Library, Bud served as a U.S. Air Force officer, as deputy chief information officer for the North Carolina National Guard, and then as chief information officer for the Defense Technical Information Center. In these latter roles, Bud managed the design, planning, implementation, and testing of disaster recovery and continuity of operations capabilities for these agencies.

Mr. Barton leaves the Library a stronger institution that is better prepared than ever to serve the needs of Congress, researchers, and all Americans.

Bud, thank you for your public service. We owe you a debt of gratitude and wish you a well-deserved retirement.

# TRIBUTE TO KOBYE NOEL

Mr. WARNOCK. Mr. President, today I have the distinct privilege and honor to recognize Kobye Noel for over two decades of faithful and unwavering service to the U.S. Senate.

Koby, a native of the Old Line State, has held the line during 23 years of service to the Senate, always striving for equity, transparency, and diligence in all she does. From her time on the Democratic Policy Committee supporting the work of Leader Harry Reid that would lead to our country's most recent budget surplus, to her work as a staffer on the Senate Budget Committee supporting the committee's work to pass the Affordable Health Care Act, ushering in a new era of healthcare in our country, Kobye has never wavered in her commitment to this body or to helping the American people.

When not working on committee, Kobye has served a host of Senators including Senator Doug Jones of Alabama, Senator Heidi Heitkamp of North Dakota, and Senator OSOFF of Georgia. I am especially grateful

Koby and her wealth of experience has been able to serve on my staff as mail manager for the past 10 months. In her time overseeing our office's correspondence, we have sent over 200,000 correspondence messages to Georgians, updating them on the issues and legislation critically important to their lives.

It is written that the harvest is plentiful, but the laborers are few. I congratulate Kobye on retirement with such distinguished service and wish her a bountiful harvest for all of her labor on behalf of the U.S. Senate and the people of Georgia.

# ADDITIONAL STATEMENTS

## REMEMBERING ALAN KALTER

• Mr. BLUMENTHAL. Mr. President, I rise today with a heavy heart to pay tribute to Alan Kalter, a warm, generous man and friend to many. Alan passed away on October 4, 2021, at the age of 78.

Alan was born in 1943 in Brooklyn, NY. He graduated from what was then Hobart College in 1964, after which he attended the New York University School of Law. His radio work began while he was still an undergraduate, when he served as an announcer for WGVA in Geneva, NY.

While working as a high school English teacher, Alan furthered his passion for the radio through weekend gigs. Three years later, he was hired at WHN Radio in New York, where he was a newsman for 4 years. Following this, Alan transitioned into commercials and then game shows. His work as an announcer earned him acclaim, and his voice was recognizable to people across the country.

In 1995, Alan joined the Late Show with David Letterman, following the retirement of Bill Wendell. A dynamic addition who was known for his open-minded willingness to try any stunt or suggestion, Alan quickly became beloved by staff and audience members alike. He was known for his calming, affable presence and the enthusiasm with which he approached every task before him.

When not on air, Alan lived quietly in Stamford, CT, where he resided for over four decades. I had the distinct privilege of having Alan as a friend, and I can attest firsthand to his caring and compassion.

Alan's great humor and thoughtful spirit touched countless lives. He brightened the days of both friends and strangers without a second thought. Alan was also guided by his deeply rooted values and dedicated himself to giving back to his community.

My wife, Cynthia, and I extend our deepest sympathies to Alan's family during this difficult time, especially his wife, Peggy, his two daughters, and his five grandchildren. May their many wonderful memories of Alan provide them solace and comfort in the days ahead.●

## REMEMBERING MARISSA MCCALL

• Mr. OSSOFF. Mr. President, Marissa McCall's positive impact on Georgians' lives will be felt for generations.

Marissa was a tireless and effective advocate for those who otherwise had none. She poured her heart and her work into the defense of those who faced brutality at the hands of the justice system; into advocacy for those who lacked the resources and connections to defend themselves; and into urgent reform of a justice system in which class and race bias are endemic and the rights and dignity of individuals are daily violated. Marissa made a huge difference for so many.

Born in Santa Ana, CA, Marissa earned her degree in political science from Georgia's Spelman College and her law degree from Louisiana State University in 2008.

Marissa developed a first-of-its-kind program at the Georgia Justice Project to help address the systemic barriers facing formerly incarcerated people.

She joined the Southern Center for Human Rights in 2016, cementing her role as one of Georgia's foremost champions for civil and human rights.

Marissa's keen legal mind and deep empathy powered her work for reform. She fought persistently and effectively to end the broken cash bail system at Atlanta's Municipal Court, to reform the criminal record system, and to ban the shackling of incarcerated women during pregnancy.

In 2020 and 2021, after the murder of Ahmaud Arbery, Marissa was instrumental in the repeal of Georgia's citizen's arrest law. As a result, Georgia the first State in the Nation to pass such a reform.

Marissa is remembered by her family as a loving mother, a devoted sister, a cherished daughter, and a loyal friend.

Georgia and the United States are fairer and more just for Marissa's service.

I thank my colleagues in the U.S. Senate for joining me in honoring the work and life of Marissa McCall.●

## MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on October 12, 2021, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had agreed to the amendment of the Senate to the amendment of the House to the bill (S. 1301) to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.

### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on October 12, 2021, during the adjournment of the Senate, received a message from the House of Representatives announcing

that the Speaker had signed the following enrolled bill:

H.R. 4981. An act to amend the Fentanyl Sanctions Act, to modify certain deadlines relating to the Commission on Combating Synthetic Opioid Trafficking.

Under the authority of the order of the Senate of January 3, 2021, the enrolled bill was signed on October 14, 2021, during the adjournment of the Senate, by the Acting President pro tempore (Mr. BOOKER).

#### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on October 12, 2021, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. CONNOLLY) had signed the following enrolled bill:

S. 1301. An act to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.

Under the authority of the order of the Senate of January 3, 2021, the enrolled bill was signed on October 14, 2021, during the adjournment of the Senate, by the Acting President pro tempore (Mr. BOOKER).

#### MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

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

The message also announced that the Speaker and Minority Leader announced their joint appointment, pursuant to section 203(c) of the Law Enforcement Congressional Badge of Bravery Act of 2008 (34 U.S.C. 50323), and the order of the House of January 4, 2021, of the following individual on the part of the House of Representatives to the State and Local Law Enforcement Congressional Badge of Bravery Board: Mr. Donny H. Youngblood of Bakersfield, California.

The message further announced that the Speaker and Minority Leader announced their joint appointment, pursuant to section 103 (c) of the Law Enforcement Congressional Badge of Bravery Act (34 U.S.C. 50313), and the order of the House of January 4, 2021, of the following individual on the part of the House of Representatives to the Federal Law Enforcement Congressional Badge of Bravery Board: Mrs. Val Butler Demings of Orlando, Florida.

The message also announced that pursuant to section 4 of the United States Semiquincentennial Commission Act of 2016 (Public Law 114-196),

and as previously agreed, because of the change in Congress and the presumed statutory intent of the Commission, the Minority Leader appoints the following Member for appointment to the United States Semiquincentennial Commission on behalf of the Speaker: Mr. Joseph F. Crowley of Arlington, Virginia.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

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

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on October 14, 2021, she had presented to the President of the United States the following enrolled bill:

S. 1301. An act to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.

#### 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. DAINES:

S. 2987. A bill to amend title 5, United States Code, to deny Federal retirement benefits to individuals convicted of child sex abuse; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE:

S. 2988. A bill to require any COVID-19 vaccine mandate issued by Congress or an Executive agency to include informed parental consent for the administration of a COVID-19 vaccine to a minor, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Mr. PORTMAN):

S. 2989. A bill to amend the Homeland Security Act of 2002 to enhance the Blue Campaign of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCOTT of Florida (for himself, Mr. BRAUN, Mr. TUBERVILLE, Mr. RUBIO, and Mr. MARSHALL):

S. 2990. A bill to impose sanctions with respect to foreign persons that engage in certain transactions relating to Cuba and to impose sanctions with respect to human rights abuse and corruption in Cuba, and for other purposes; to the Committee on Foreign Relations.

By Mr. PETERS (for himself and Mr. PORTMAN):

S. 2991. A bill to establish a Department of Homeland Security Center for Countering Human Trafficking, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, Mr. DURBIN, Mr. GRAHAM,

Mr. BLUMENTHAL, Mr. KENNEDY, Mr. BOOKER, Ms. LUMMIS, Ms. HIRONO, Mr. WARNER, Mr. HAWLEY, and Mr. DAINES):

S. 2992. A bill to provide that certain discriminatory conduct by covered platforms shall be unlawful, and for other purposes; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. Res. 420. A resolution relating to the death of the Honorable Adlai Ewing Stevenson III, former Senator for the State of Illinois; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Ms. MURKOWSKI, Mr. DURBIN, Ms. ERNST, Mr. LEAHY, and Mr. GRASSLEY):

S. Res. 421. A resolution supporting the goals and ideals of National Domestic Violence Awareness Month; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 127

At the request of Mr. REED, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 127, a bill to support library infrastructure.

S. 535

At the request of Ms. ERNST, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Florida (Mr. SCOTT) were added as cosponsors of S. 535, a bill to authorize the location of a memorial on the National Mall to commemorate and honor the members of the Armed Forces that served on active duty in support of the Global War on Terrorism, and for other purposes.

S. 697

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

S. 870

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 870, a bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program.

S. 934

At the request of Mr. WARNER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 934, a bill to amend title XVIII of the Social Security Act to improve rural health clinic payments.

S. 1061

At the request of Mr. PORTMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1061, a bill to encourage

the normalization of relations with Israel, and for other purposes.

S. 1106

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1106, a bill to prohibit the sale of shark fins, and for other purposes.

S. 1302

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

S. 1487

At the request of Mr. PETERS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1487, a bill to ensure that certain incidents involving a covered employee that are reported to the title IX coordinator at an eligible institution of higher education have been reviewed by the president of the institution and not less than 1 additional member of the institution's board of trustees, and for other purposes.

S. 1574

At the request of Mr. WARNER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1574, a bill to codify a statutory definition for long-term care pharmacies.

S. 1679

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1679, a bill to amend title VII of the Public Health Service Act to authorize assistance for increasing workforce diversity in the professions of physical therapy, occupational therapy, respiratory therapy, audiology, and speech-language pathology, and for other purposes.

S. 1748

At the request of Mr. MENENDEZ, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 1748, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 1780

At the request of Mr. BOOKER, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1780, a bill to remove college cost as a barrier to every student having access to a well-prepared and diverse educator workforce, and for other purposes.

S. 1813

At the request of Mr. COONS, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational

drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1872

At the request of Ms. ERNST, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1872, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1964

At the request of Mr. BENNET, the names of the Senator from Wyoming (Ms. LUMMIS) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 1964, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account, and for other purposes.

S. 2011

At the request of Mr. COONS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2011, a bill to award a Congressional Gold Medal to honor the contributions of all those whose efforts led to the successful development of life saving vaccines to combat the novel coronavirus.

S. 2023

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2023, a bill to provide loan forgiveness for certain borrowers of Department of Agriculture direct farm loans, and for other purposes.

S. 2125

At the request of Mr. MURPHY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2125, a bill to divert Federal funding away from supporting the presence of police in schools and toward evidence-based and trauma informed services that address the needs of marginalized students and improve academic outcomes, and for other purposes.

S. 2130

At the request of Mr. WHITEHOUSE, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2130, a bill to modify the disposition of certain outer Continental Shelf revenues and to open Federal financial sharing to heighten opportunities for renewable energy, and for other purposes.

S. 2305

At the request of Mr. OSSOFF, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 2305, a bill to enhance cybersecurity education.

S. 2376

At the request of Mr. CRUZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2376, a bill to ensure the parental guardianship rights of cadets and midshipmen consistent with individual and academic responsibilities, and for other purposes.

S. 2455

At the request of Mr. WHITEHOUSE, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2455, a bill to amend the Internal Revenue Code of 1986 to expand the exclusion of Pell Grants from gross income, and for other purposes.

S. 2562

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

S. 2580

At the request of Mr. BOOZMAN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2580, a bill to direct the Secretary of the Interior and the Secretary of Agriculture to make free National Parks and Federal Recreational Lands Passes available to members of the Armed Forces, and for other purposes.

S. 2607

At the request of Mr. PADILLA, the names of the Senator from Tennessee (Mr. HAGERTY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2607, a bill to award a Congressional Gold Medal to the former hostages of the Iran Hostage Crisis of 1979-1981, highlighting their resilience throughout the unprecedented ordeal that they lived through and the national unity it produced, marking 4 decades since their 444 days in captivity, and recognizing their sacrifice to the United States.

S. 2674

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2674, a bill to reauthorize funding for programs to prevent, investigate, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 2730

At the request of Mr. PADILLA, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2730, a bill to direct the Secretary of Education to establish a pilot grant program to develop, implement, and evaluate comprehensive mental health services programs in elementary schools and secondary schools, and for other purposes.

S. 2740

At the request of Mr. BROWN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 2740, a bill to establish a strategic active pharmaceutical ingredient reserve to maintain a domestic supply of active pharmaceutical ingredients and key starting



materials needed for the manufacturing of essential generic medicines, and to build a pipeline for domestic active pharmaceutical ingredient production.

S. 2752

At the request of Mr. BOOKER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2752, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 2798

At the request of Mr. CRAPO, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2798, a bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes.

S. 2843

At the request of Mr. LEE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2843, a bill to prohibit the imposition of a fine, fee, or taxation on any person for violation of a COVID-19 vaccine mandate issued by the Occupational Safety and Health Administration or any other executive agency, and for other purposes.

S. 2849

At the request of Mr. LEE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2849, a bill to stipulate that nothing in Federal law provides a Federal agency with the authority to mandate that an individual be inoculated by a COVID-19 vaccine.

S. 2891

At the request of Mr. LEAHY, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2891, a bill to amend title 35, United States Code, to address matters relating to the Patent Trial and Appeal Board of the United States Patent and Trademark Office, and for other purposes.

S. 2941

At the request of Mr. CASSIDY, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2941, a bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster.

S. 2945

At the request of Ms. ERNST, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 2945, a bill to include sexual assault and aggravated sexual violence in the definition of aggravated felonies under the Immigration and Nationality Act in order to expedite the removal of aliens convicted of such crimes.

S. 2952

At the request of Mr. PAUL, the name of the Senator from Maine (Ms. COL-

LINS) was added as a cosponsor of S. 2952, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow manufacturers and sponsors of a drug to use alternative testing methods to animal testing to investigate the safety and effectiveness of a drug, and for other purposes.

S. CON. RES. 9

At the request of Mr. BARRASSO, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. Con. Res. 9, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 338

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Res. 338, a resolution designating September 2021 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

S. RES. 377

At the request of Mrs. BLACKBURN, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. Res. 377, a resolution urging the European Union to designate Hizballah in its entirety as a terrorist organization.

S. RES. 380

At the request of Mr. RISCH, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. Res. 380, a resolution reiterating United States support for the people of the Republic of South Sudan in their quest for lasting peace, stability, and democracy after 10 years of independence and calling for a review of United States policy toward South Sudan.

S. RES. 390

At the request of Mr. GRAHAM, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 390, a resolution expressing appreciation for the State of Qatar's efforts to assist the United States during Operation Allies Refuge.

AMENDMENT NO. 3853

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 3853 intended to be proposed to S. 2792, an original bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 420—RELATING TO THE DEATH OF THE HONORABLE ADLAI EWING STEVENSON III, FORMER SENATOR FOR THE STATE OF ILLINOIS

Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted the following

resolution; which was considered and agreed to:

S. RES. 420

Whereas Adlai Stevenson III was born on October 10, 1930, in Chicago, Illinois, and attended Milton Academy in Massachusetts;

Whereas, in 1952, Adlai Stevenson III was commissioned as a lieutenant in the Marine Corps, served in Korea, and was discharged from active duty in 1954;

Whereas Adlai Stevenson III continued to serve in the Marine Reserves until 1961 and was discharged as a captain;

Whereas, in 1953, Adlai Stevenson III married Nancy Anderson and they raised 4 children together: Adlai IV, Lucy, Katherine, and Warwick;

Whereas Adlai Stevenson III was the proud grandfather of 9 grandchildren;

Whereas, in 1965, Adlai Stevenson III began his several decades in public service as a tireless advocate for the people of Illinois, including serving as—

(1) a Member of the Illinois House of Representatives from 1965 to 1967;

(2) Illinois State Treasurer from 1967 to 1970; and

(3) a Senator from Illinois from 1970 to 1981;

Whereas Adlai Stevenson III, as Senator, served on—

(1) the Committee on Commerce, Science, and Transportation;

(2) the Committee on Banking, Housing, and Urban Affairs; and

(3) the Select Committee on Intelligence of the Senate;

Whereas Adlai Stevenson III was chairman of—

(1) the Subcommittee on Science, Technology, and Space;

(2) the Subcommittee on Oil and Gas Production;

(3) the Subcommittee on International Finance;

(4) the Subcommittee on the Collection and Production of Intelligence; and

(5) a Special Committee, leading to the first major reorganization of the Senate;

Whereas Adlai Stevenson III was the first chairman of the Select Committee on Ethics of the Senate;

Whereas Adlai Stevenson III—

(1) introduced 84 bills in 2 years as a Member of the Illinois House of Representatives, including measures to control lobbying and conflicts of interest in government, a graduated State income tax, and credit reforms;

(2) as Illinois State Treasurer—

(A) eliminated staff patronage;

(B) withdrew State funds from banks that practiced racial or religious discrimination; and

(C) put money in Black-owned banks to finance small business, low-income housing, and urban development;

(3) as Senator, co-authored energy legislation, including the establishment of the Department of Energy, fuel efficiency standards, emergency natural gas pricing, and projects for the development of alternative energy sources; and

(4) conducted the first in-depth congressional studies of terrorism and introduced the Comprehensive Anti-Terrorism Act of 1979;

Whereas the family of Adlai Stevenson III is one that is devoted to public service, including—

(1) his great-great grandfather Jesse W. Fell helped convince Abraham Lincoln to run for president;

(2) his great-grandfather Adlai Stevenson I was a Member of the House of Representatives from 1875 to 1877 and 1879 to 1881 and was President Grover Cleveland's Vice President in his second term from 1893 to 1897;

(3) his grandfather Lewis Stevenson was the 23rd Secretary of State of Illinois from 1914 to 1917; and

(4) his father Adlai Stevenson II was the 31st Governor of Illinois, 2-time Democratic Party presidential nominee, and the 5th Ambassador to the United Nations;

Whereas Adlai Stevenson III was a 2-time nominee for Governor of Illinois;

Whereas, following his retirement from the Senate, Adlai Stevenson III returned to private practice in Illinois and was Chairman of the SC&M Investment Management Company and the Adlai Stevenson Center on Democracy;

Whereas, throughout his career, Adlai Stevenson III focused on international issues, especially in finance and East Asia as he held many positions in non-profits in this area;

Whereas Adlai Stevenson III was co-chairman of the HuaMei Capital Company, the first Chinese-American investment bank; and

Whereas Adlai Stevenson III will be remembered as an honorable and honest public servant, with an intellect that made his family's legacy proud and placed an emphasis on policies for the future; Now, therefore, be it

*Resolved*, That the Senate—

(1) has heard with profound sorrow and deep regret the announcement of the death of the Honorable Adlai Stevenson III, former Senator for the State of Illinois;

(2) extends heartfelt condolences to his wonderful spouse, Nancy, and the entire family of the Honorable Adlai Stevenson III and all those who knew and loved him;

(3) respectfully requests that the Secretary of the Senate—

(A) communicate this resolution to the House of Representatives; and

(B) transmit an enrolled copy of this resolution to the family of the Honorable Adlai Stevenson III; and

(4) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Adlai Stevenson III.

#### SENATE RESOLUTION 421—SUPPORTING THE GOALS AND IDEALS OF NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

Mrs. FEINSTEIN (for herself, Ms. MURKOWSKI, Mr. DURBIN, Ms. ERNST, Mr. LEAHY, and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 421

Whereas, according to the National Intimate Partner and Sexual Violence Survey—

(1) up to 12,000,000 individuals in the United States report experiencing intimate partner violence annually, including physical violence, rape, or stalking; and

(2) approximately 1 in 5 women in the United States and up to 1 in 7 men in the United States have experienced severe physical violence by an intimate partner at some point in their lifetimes;

Whereas, on average, 3 women in the United States are killed each day by a current or former intimate partner, according to the Bureau of Justice Statistics;

Whereas domestic violence can affect anyone, but women who are 18 to 34 years of age typically experience the highest rates of domestic violence;

Whereas survivors of domestic violence are strong, courageous, and resilient;

Whereas most female victims of intimate partner violence have been victimized by the same offender previously;

Whereas domestic violence is cited as a significant factor in homelessness among families;

Whereas millions of children are exposed to domestic violence each year;

Whereas research shows that boys who are exposed to domestic violence in their households are more likely to become perpetrators of intimate partner violence;

Whereas victims of domestic violence experience immediate and long-term negative outcomes, including detrimental effects on mental and physical health;

Whereas research consistently shows that being abused by an intimate partner increases an individual's likelihood of substance use as well as associated harmful consequences;

Whereas victims of domestic violence may lose several days of paid work each year and may lose their jobs due to reasons stemming from domestic violence;

Whereas crisis hotlines serving domestic violence victims operate 24 hours per day, 365 days per year, and offer important crisis intervention services, support services, information, and referrals for victims;

Whereas staff and volunteers of domestic violence shelters and programs in the United States, in cooperation with 56 State and territorial coalitions against domestic violence, provide essential services to—

(1) thousands of adults and children each day; and

(2) 1,000,000 adults and children each year;

Whereas more than 160 States, counties, and cities have experienced an increase in reports of domestic violence during the COVID-19 pandemic;

Whereas domestic violence programs and hotlines have seen a substantial increase in contacts since the beginning of the COVID-19 pandemic and continue to experience a surge in requests for services;

Whereas local YWCAs shared that between March 31, 2020, and late summer 2020, as a result of the impact from the COVID-19 pandemic—

(1) 69 percent of respondent YWCAs that operate domestic violence hotlines reported an increase in demand for services; and

(2) 64 percent of nearly 100 local YWCAs who provide domestic violence services (either emergency shelter or transitional housing) reported an increase in demand for domestic violence shelter;

Whereas while violence as a lived experience of American Indian and Alaska Native women exists in less pressing times, the COVID-19 pandemic has increased the challenges and barriers to accessing safety by exacerbating already existing issues including—

(1) lack of safe housing for victims;

(2) lack of space in shelters for victims to maintain safe social distancing;

(3) lack of personal protective equipment for staff of tribal shelters and victim services programs;

(4) limited transportation for victims; and

(5) lack of access to adequate health care;

Whereas respondents to a survey of domestic violence programs reported that survivors of domestic violence are facing financial challenges related to COVID-19 and ¾ of those respondents reported that survivors are having trouble accessing food, and more than half of those respondents have reported that survivors cannot pay their bills;

Whereas medical professionals have reported that survivors of domestic violence are presenting with more severe injuries during the pandemic;

Whereas domestic violence programs are having to change the way they provide services in response to the COVID-19 pandemic;

Whereas advocates for survivors of domestic violence and survivors face the same

challenges with child care and facilitating online learning that others do;

Whereas, according to a 2020 survey conducted by the National Network to End Domestic Violence, 76,525 domestic violence victims were served by domestic violence shelters and programs around the United States in a single day;

Whereas some victims of domestic violence face additional challenges in accessing law enforcement and services due to conditions specific to the communities in which they live;

Whereas law enforcement officers in the United States put their lives at risk each day by responding to incidents of domestic violence, which can be among the most volatile and deadly calls;

Whereas Congress first demonstrated a significant commitment to supporting victims of domestic violence with the enactment of the landmark Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

Whereas Congress has remained committed to protecting survivors of all forms of domestic violence and sexual abuse by making Federal funding available to support the activities that are authorized under—

(1) the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

(2) the Violence Against Women Act of 1994 (34 U.S.C. 12291 et seq.); and

(3) the VOCA Fix to Sustain the Crime Victims Fund Act of 2021 (Public Law 117-27; 135 Stat. 301);

Whereas there is a need to continue to support programs and activities aimed at domestic violence intervention and domestic violence prevention in the United States;

Whereas domestic violence programs provide trauma-informed services to protect the safety, privacy, and confidentiality of survivors of domestic violence; and

Whereas individuals and organizations that are dedicated to preventing and ending domestic violence should be recognized: Now, therefore, be it

*Resolved*, That—

(1) the Senate—

(A) supports the goals and ideals of “National Domestic Violence Awareness Month”;;

(B) commends domestic violence victim advocates, domestic violence victim service providers, crisis hotline staff, and first responders serving victims of domestic violence, for their compassionate support of survivors of domestic violence; and

(C) recognizes the strength and courage of survivors of domestic violence; and

(2) it is the sense of the Senate that Congress should—

(A) continue to raise awareness of—

(i) domestic violence in the United States; and

(ii) the corresponding devastating effects of domestic violence on survivors, families, and communities; and

(B) pledge continued support for programs designed to—

(i) assist survivors of domestic violence;

(ii) hold perpetrators of domestic violence accountable; and

(iii) bring an end to domestic violence.

#### ORDERS FOR TUESDAY, OCTOBER 19, 2021

Mr. SCHUMER. Mr. President, finally, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, October 19; 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 approved 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 O'Hearn nomination; further, that the Senate recess following the cloture vote on the O'Hearn nomination until 2:15 p.m. to allow for the weekly caucus meetings; that if cloture is invoked on the nomination, all postcloture time expire at 2:20 p.m.; finally, that if the nomination is confirmed, the motion to reconsider is considered made and laid upon

the table and the President be immediately notified of the Senate's action.

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

Mr. SCHUMER. For the information of the Senators, the first roll call of the day will be at 11:30 a.m.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the provisions of S. Res. 420.

There being no objection, as a further mark of respect to the late Adlai Ewing Stevenson III, former Senator for the State of Illinois, the Senate, at 6:57 p.m., adjourned until Tuesday, October 19, 2021, at 10 a.m.

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CONFIRMATION

Executive nomination confirmed by the Senate October 18, 2021:

THE JUDICIARY

GUSTAVO A. GELPI, OF PUERTO RICO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT.