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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Strong Deliverer, You have crafted our lives for service. Guide our law-makers to walk with integrity. May they examine their hearts, comprehending the motives behind their thoughts, words, and deeds.

Lord, grant that their gratitude for Your loving kindness will compel them to walk in Your truth and abide by Your precepts.

O Lord, we trust You with our tomorrows, as we feel Your presence each hour. We know You will carry us through the darkest night.

We pray in Your glorious 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, February 1, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK,

a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

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 Bridget Meehan Brennan, of Ohio, to be United States District Judge for the Northern District of Ohio.

RECOGNITION OF THE MAJORITY LEADER

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

SUPREME COURT NOMINATIONS

Mr. SCHUMER. Mr. President, since the time John Jay was inaugurated as the first Chief Justice, only 115 individuals have been chosen to sit on the U.S. Supreme Court. Out of these 115 Justices, only 5—only 5—have been women. Only two—only two—have been African Americans. Only one—just one—has been Hispanic. And to date, never—never—has an African-American woman sat on the highest Court in the land.

Soon, President Biden will have an opportunity to make the Supreme Court look more like America by nominating the first Black woman in U.S. history to serve as a Justice. Every single Member of this Chamber, regardless of party, should embrace the President's commitment to make sure that our courts—and especially the Supreme Court—better reflect our country's diversity, and nominating a Black woman as Justice is a long overdue step toward achieving that goal.

Past Presidents, from Eisenhower to Johnson to Reagan, were clear about their intentions of nominating historic and barrier-breaking individuals to the Supreme Court. President Biden's commitment to nominate a Black woman is a continuation of that important effort.

And once President Biden announces his nominee, I intend to have the Senate move quickly so we can fulfill our constitutional duty to advise and consent and, ultimately, confirm the President's pick. We will have a fair process but also a quick process so that the work of the Supreme Court continues uninterrupted.

If our democracy is to prosper in the 21st century, the American people must have confidence that our Federal courts will faithfully adhere to the solemn principle of "equal justice under law." The more our judges reflect our Nation's vibrancy and rich diversity, the more effectively they will be able to administer equal justice.

And make no mistake, a more balanced, more diverse judiciary has been one of the Senate Democrats' top priority in our work with the Biden administration. Over the past year, we have worked at a record pace to confirm the most judicial nominees in the President's first year since the time of Ronald Reagan, and we have done it with nominees who bring diversity in their backgrounds, their life experiences, and professional expertise—something that didn't happen, really, in a large way until this year.

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



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One day, I hope the barrier-breakers of today will be closer to the norm of tomorrow. We want more women to sit on our courts, especially the Supreme Court. We need more people of color, more public defenders, more civil rights lawyers, more children of immigrants to sit on our courts to reflect the broad diversity that America is and will continue to be. In fact, it will continue to grow.

The more Americans look at our courts and see people who look like them and come from the same backgrounds and share similar experiences, the better off our justice system and our democracy shall be. And nowhere else is this more important than the Supreme Court.

So I applaud the President's commitment to choosing a qualified and historic nominee, and the Senate stands ready to work quickly to confirm President Biden's pick when we get it.

ECONOMIC GROWTH

Mr. President, on economics and economic wins, at the beginning of last year, the CBO projected that the U.S. economy would reach a growth rate of about 3.5 percent by the end of 2021. The International Monetary Fund had a rosier outlook. They said economic growth could be closer to 4 percent. The Federal Open Market Committee was perhaps the most optimistic, forecasting a growth rate of about 4.3 percent.

They were all wrong. The U.S. economy shattered most expectations and grew at the amazing rate of 5.7 percent, the strongest rate since the time of Ronald Reagan. This was no accident, far from it. Last year's historic turnaround is a reminder that the right leadership in government matters. Democrats promised in 2020 to fix Donald Trump's utter mismanagement of the COVID crisis and get our country back on track. And, a year later, after securing the strongest growth rate in decades, Democrats are delivering on that promise.

After Congress passed the American Rescue Plan, I said: "Help is on the way." And that help is getting America back on a path to normal. Though we are still learning to live with the virus, our economy, our communities, and our schools are better off because of vaccines, because of testing, and because of targeted legislation we passed last year, like the RESTAURANTS Act and Save Our Stages.

I want to stress an important point that is forgotten too often. We are finally seeing wages go up at a significant rate. That is dollars in the working people's pockets.

For decades, economists have decried the lack of wage growth in America. It has been reported that from 2000 to 2020, if you were in the bottom 75 percent of Americans—the majority—your wage growth was not real at all. In other words, costs ate up all of the wage growth, and the wage growth was paltry, in many years: 0 percent, 1 percent, declining in some. Lack of wage

growth has been the scourge of our economy for so long, as it affects average working folks, closing off opportunities for millions of hard-working people who have worked harder and harder only to see their lives deteriorate.

Now we are finally seeing signs that wages are going up, and that is going to stay for years to come. This is real progress for working families. As we keep fighting to lower costs, we Democrats are going to do everything we can to see that this large wage growth remains and continues, and that will mean better lives for the American people.

We know the work is not done. We know we must keep working to help Americans lower costs so they can better afford the basics, from healthcare and prescription drugs to daily essentials like groceries, to the costs of higher education. Addressing these issues remains our focus.

We also must address strained and broken supply chains. Later this week, the House will take up the long-awaited USICA bill by passing a companion, the America COMPETES Act. I have been working very hard to make sure that this happens. Once conferenced, this legislation would bring manufacturing back to America instead of sending jobs overseas. This bill will say: "Buy America"; keep the jobs here.

We saw what just happened in Ohio in the advent: thousands and thousands of new jobs in manufacturing. So this legislation is going to bring manufacturing back to America, bring jobs over here, good-paying jobs back here.

It would strengthen domestic supply chains and, thus, reduce our costs and, in particular, help our country address its semiconductor shortage, a driver of rising costs in so many different things, from cars to cell phones to everything.

Finally, all this is a reminder of what Democrats at our core stand for: building ladders of opportunity for working Americans to get to the middle class and provide stability to those already in the middle class so they can stay there and thrive. And wages going up is a large part of that. And this administration's record on wage increases, we haven't seen in decades.

We still have more work to do to bring our country out of the rubble of COVID so that we can look confidently into the future. But the growth of last year showed we are well on our way, and Democrats will keep working to help working people—working families, middle-class families, poorer families trying to get to the middle class—have the kind of prosperity and help they need and deserve.

BUSINESS BEFORE THE SENATE

Mr. President, Senate business: approps and on nominations. On a separate matter, we Senate Democrats will continue to work with our Republican and House counterparts on the vital task of passing an omnibus package to fund the Federal Government, avoid a

shutdown, and ensure government effectively serves the American people.

This morning, I will meet with Democratic appropriators to discuss the state of negotiations as we work toward the omnibus. I will be meeting with Speaker PELOSI in that meeting, as well. Later today, the four-corners appropriators—Chairman LEAHY, Ranking Member SHELBY, Chairwoman DELAUNO, and Ranking Member GRANGER—will also meet to continue their talks. We need to have an omnibus to fund the government. That is the goal we are working toward, and I want to thank my colleagues for their diligence and their leadership.

Separately, of course, today the Senate will continue confirming the President's highly qualified nominees. Because of a growing backlog of non-controversial nominees, which a small handful of Republicans continue to obstruct, I filed cloture 2 weeks ago to move forward on 20 individuals. Today, we will have votes on three of these nominees. We are prepared to work late into the evenings this week to get these nominees confirmed without further delay.

Confirming these nominees is a top priority for the Senate this week. They will serve on our Federal judiciary, advance America's diplomatic and economic interests, and work to strengthen our national security. The vast majority of these men and women were reported out of committee with strong bipartisan support and normally would pass through this Chamber with consent, without a lengthy process. Instead, because of a handle of obstructionist Republicans, the Senate will take the necessary votes to confirm these nominees.

Every President deserves to staff their team with the individuals that the President sees fit, and we in the Senate will keep working to make sure President Biden has his nominees confirmed so they can carry out their mission serving the American people.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

THE ECONOMY

Mr. MCCONNELL. Working Americans and their families are being hammered by the worst inflation in 40 years, and Washington Democrats own it. Sometimes it can be difficult to directly connect Washington policies to the downstream effects on our families. Sometimes it can be tricky to identify cause and effect. But not this time—not in this case.

The pain that families are feeling today was not just foreseeable, it was

actually foreseen by experts all across the political spectrum.

Economists said this inflation is exactly—exactly—what would happen if Democrats pushed ahead with their reckless spending sprees that the economy simply did not need.

Larry Summers, who was Treasury Secretary for President Clinton and ran the National Economic Council for President Obama, warned Democrats a year ago this week that Democrats far-left plans could trigger “inflationary pressures of a kind we have not seen in a generation.”

Jason Furman, who chaired President Obama’s Council of Economic Advisers, said the very same thing. He said the Democrat’s spending binge was “definitely too big for the moment. I don’t know any economist that was recommending something the size of what was done.” That is Jason Furman, President Obama’s Council of Economic Advisers.

But our Democratic colleagues did not let families’ actual needs restrain their radical daydreaming. They had already made up their minds. This temporary pandemic was to serve as a Trojan horse for permanent socialism.

Remember, right from the start, in March of 2020, with Americans dying from this new, mysterious virus, a top House Democrat called it “a tremendous opportunity to restructure things to fit our vision.”

So the new Democratic Party government’s first major act was to start printing, borrowing, and spending money like there was no tomorrow. They managed to blow through roughly \$2 trillion on a so-called COVID bill that utterly failed to crush the virus. Less than 9 percent of the money went to the healthcare fight at all. Even the liberal expert, Steve Rattner, a former Obama official, said the spending spree was Democrats’ “original sin” when it comes to inflation.

And working Americans are paying dearly for it every single day. Just look at the headlines:

2021 went down as the worst year for inflation since 1982.

Higher prices seeped into just about every thing households and businesses buy.

There’s no telling when prices will fall to more sustainable levels.

Further quotes:

[R]ising costs for food . . . rent and other necessities are heightening the financial pressures on America’s households.

Rising prices have wiped out the healthy pay increases that many Americans have been receiving, making it harder for households, especially lower-income families, to afford basic expenses.

Yes, it is true that inflation is up all around the world. This is partially a global phenomenon. But the United States has it worse—worse—than almost everyone else.

Data from Pew show that America’s inflationary spike has been the third worst among all countries they measure. We have it worse than any other country in the G12—much worse inflation than the UK or France or Aus-

tralia or Japan. That is what this agency has bought us.

And Americans are afraid this may still just be the beginning. Seventy-nine percent of Americans now expect inflation will get even worse over the next 6 months. Now the Democratic-caused inflation has the Federal Reserve signaling they may need to raise interest rates higher and faster than they had expected.

This brings its own set of risks upon the American people, and, again, it is exactly—exactly—what experts predicted.

A full year ago this week, the economist, Michael Strain, testified that Democrats’ spending could corner the Fed and force them to clamp down on the recovery sooner than necessary. Democrats had mainstream economic experts warning against their reckless spending plans and still decided to drive right over the cliff.

Working families are paying the price every day—at the checkout counter, at the gas pump, at the used car lot, when they pay their bills, when they look for housing. And now Washington Democrats are trying again to revive talk of yet another—another—reckless bout of spending this year.

American families are already hurting enough. They need that bad idea to stay buried.

BURMA

Mr. President, on an entirely different matter, today marks 1 year since the people of Burma yet again had their future hijacked by a military coup. Since this time last year, the Tatmadaw—which is what they call the Burmese military—has tried to achieve, through open repression and violence, what it long sought to achieve from the shadows. They want to derail Burma’s democracy.

The ruling generals now have the blood of thousands of protesters and innocent civilians on their hands. Thousands more are languishing in prison on political charges.

Those detained include my friend Aung San Suu Kyi. They have also included a number of foreigners like the American journalists Nathan Maung and Danny Fenster. The Australian economist Sean Turnell remains unjustly imprisoned for now. Even one political prisoner would be one too many.

The Tatmadaw’s violence in the streets and its desecration of justice in sham courts have been a sad step backward for Burma. Unfortunately, it is a step that many of us who pay close attention to this country have feared.

But 1 year ago—1 year on—it is encouraging to see the people of Burma rejecting one of the oppressors’ favorite cynical tactics, and that cynical tactic is to try to stoke resentment and violence between diverse ethnic groups.

Well, Burma’s ethnic groups are no longer buying that. They see the common enemy that denies them their freedom. Millions of people across

Burma are rallying together behind the representative National Unity Government.

They are swelling the ranks of the National Unity Consultative Council in what can rightly be described as a revolution. But their bravery and unity may yield little without greater international assistance.

A year ago, I called on the Biden administration to impose costs on those who stand in the way of the people of Burma and urged our partners to do the same. Along with many in the Burmese diaspora communities that call Kentucky home, I was encouraged by President Biden’s quick condemnation of the coup, the sanctions against two of the junta’s main funding sources, and efforts to target individual coup leaders.

But, regrettably, these well-intentioned efforts have not been enough. There is more the Biden administration must do, and there is more that must be done by our democratic partners out in the region. The administration should be prioritizing Burma in its diplomacy throughout Asia, especially India.

Along with our partners, the United States should expand sanctions to further isolate the military and security forces. We should move to expose countries like Russia and China that aid and abet the repression of the people of Burma.

We must push back on Cambodia, which chairs the Association of Southeast Asian Nations, and indicates they may welcome—actually welcome—the illegitimate regime to international summits.

The United States and our partners should also provide more direct help to the representative institutions that are trying to protect the people of that country. This should include direct, cross-border, humanitarian assistance that bypasses the Tatmadaw, institutional support, and capacity building for the NUG and the NUCC.

Look, the international stakes go beyond Burma itself. The Tatmadaw aren’t the only ones who benefit from chaos and injustice reigning in Burma.

The Chinese Communist Party loathes—literally loathes—the idea of a functioning democracy in its own backyard. They have been working for years to keep Burma weak and subservient to Beijing. And Russia has found a happy customer in the Tatmadaw for surplus arms.

So, 1 year on, the people of Burma are paying close attention. From prison, from exile, from the streets of its cities, they are watching to see which friends of democracy have their backs. They are watching which champions of human rights remember the political prisoners whom the junta has jailed and the innocent men, women, and children it has murdered.

I have been proud to support the people of Burma on their long journey toward self-government. I have been proud to help ensure their struggles are not forgotten.

America and our partners need to pass this crucial test. We must leave no room for doubt about our commitment to democracy in Burma.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

BIDEN ADMINISTRATION

Mr. THUNE. Mr. President, we recently passed the 1-year anniversary of President Biden's inauguration. It is a natural time for taking stock of the first year of his Presidency.

In President Biden, we were supposed to get a leader—a leader at home and on the world stage. The grownups, we were told, were back in the room. But the truth of the matter is that President Biden's first year in office has been marked by a lack of leadership more than anything else.

Again and again, President Biden has simply abdicated his responsibilities. Take perhaps the two defining domestic crises of the Biden Presidency: our inflation crisis and our border crisis. In both cases, the response of the President and his administration has by and large been to stick their fingers in their ears and pretend the crises don't exist. Sure, the President or his people make a gesture toward the problem every now and then, but mostly, you would be forgiven for thinking that neither the border crisis nor the inflation crisis was even on the President's radar.

Migrants continue to pour across our southern border in massive numbers, creating a humanitarian, enforcement, and security nightmare. And the President? Well, he appears to believe that if he ignores the problem long enough, it will go away. When he does talk about immigration, it amounts to a green light to the cartels and traffickers to keep leading migrants to our borders. That is why I recently joined more than 100 lawmakers in requesting that the Department of Homeland Security's inspector general investigate the Biden administration's border failures.

Between the President's rhetoric and his failure to take any meaningful action to address the influx of illegal immigration, it is no surprise that we saw more than half a million attempts to cross our southern border illegally in the current fiscal year's first 3 months alone—half a million.

Meanwhile, American families are struggling with the worst inflation in 40 years—40 years. The last time inflation was this bad, “E.T.” was just premiering, and “Return of the Jedi” hadn't even come out yet. American families are struggling with huge increases in the price of the most basic necessities, from food to fuel. And the administration's response? Mostly crickets.

Of course, President Biden hasn't just been largely ignoring this crisis; he actually helped create it. The so-called American Rescue Plan Act the Democrats passed and the President signed into law in March of last year helped produce the sky-high inflation we are experiencing. But instead of addressing the resulting crisis, the President has been focused on passing another massive government spending bill that would almost undoubtedly worsen our inflation problem. Yes, his solution to our inflation crisis is to double down on the strategy that helped produce so much inflation in the first place.

Meanwhile, Americans are wondering if their paychecks will stretch to afford the sharp increases at the grocery store and in gas prices, utility bills, household commodities, and the list goes on.

On the world stage, of course, the defining moment of President Biden's first year was his disastrous withdrawal from Afghanistan. The President's arbitrary, chaotic withdrawal was a real low point for our country. Thirteen of our military men and women died in a terrorist attack during the evacuation from Kabul. We abandoned thousands of individuals who had worked with us in Afghanistan and whom we had promised to protect and left behind hundreds of American citizens. The President, who was supposed to restore our standing on the world stage, left our allies wondering if our word could be relied on, not to mention the fact that the disastrous withdrawal left our country in a more precarious national security position.

Meanwhile, the President's recent press conference left serious questions as to how well he is likely to handle another pressing national security, and that is the issue in Ukraine. Casually dismissing a possible “minor incursion” into Ukraine's sovereign territory did not inspire confidence in the President's ability to stand up to Russia.

We can't afford missteps and walk backs. Putin is looking to test America and NATO's resolve, looking for any hesitation or division. I hope the President and the majority party will take seriously the threat to Ukraine, utilize any remaining levers of American influence to deter a renewed attack, and, if Putin proceeds, make him immediately realize it was a miscalculation.

Perhaps the biggest thing the President was going to do—the most important way he was going to be a leader—was to pull our country together. That was the defining theme of President Biden's inaugural address.

I quote:

Today, on this January day, my whole soul is in this: Bringing America together. Uniting our people. And uniting our nation.

Contrast that speech with the speech that book-ended the other end of his first year, his speech in Georgia on election legislation. We went from a President who wanted to unite our Na-

tion to a President who refers to his political opponents as enemies.

“We can see each other not as adversaries but as neighbors,” the President said in his inaugural address. “We can treat each other with dignity and respect.” In his Georgia speech, by contrast, the President's political opponents became not only adversaries but enemies and racists, all for the crime of disagreeing with the President's vision of election reform.

The President's complete condemnation of half the country was striking. I lost track of the number of people he implied were racist. The President assumed bad faith on the part of those who disagree with him. Missing from his speech was any shred of recognition that perhaps Americans of good will can disagree on election legislation. No, if you disagree with the President, you are a racist. Like Hillary Clinton before him, it is clear that President Biden conceives of a large portion of the American people as deplorables. The President repeatedly referred to justice in his Georgia speech. Perhaps he should consider the profound injustice of baselessly suggesting half the country is racist.

In his inaugural address, the President said, “We must reject a culture in which facts themselves are manipulated and even manufactured.” I have been profoundly disappointed to see the President and many of my Democrat colleagues manipulate the facts about State election bills to support their desire for a Federal takeover of elections.

Manipulated facts were a hallmark of the President's speech in Georgia, as he tried to twist a mainstream election law into Jim Crow 2.0. His attempts were particularly ironic given that the State he was complaining about offers greater opportunities to vote than are offered by the President's home State of Delaware.

Days later, at a press conference marking his first year in office, the President laid the groundwork for future division and disunity by suggesting that the 2022 elections could be illegitimate if Democrats' election legislation doesn't get passed; that is, I assume, if Democrats don't win. It was yet another profoundly disappointing remark from a President who was supposed to take the lead in bringing this country together.

One year into the Biden Presidency, it has become clear that the President of the inaugural address—the President whose whole soul was committed to uniting our Nation—has long ago disappeared. The President has not only failed to unite the country, but, as his ugly and divisive speech in Georgia made clear, he has come to regard anyone who opposes his policies with active hostility and contempt.

Just 1 year—1 year—after dedicating himself to uniting our country, the President is dividing Americans into supporters and enemies. “We must end this uncivil war that pits red against blue, rural versus urban, conservative

versus liberal," the President said in his inaugural address. It is too bad the President's actions have not matched his words.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

UKRAINE DEMOCRACY DEFENSE LEND-LEASE ACT
OF 2022

Mr. CORNYN. Mr. President, the former leader of the Soviet Union, Vladimir Lenin, once said:

You probe with bayonets: If you find mush, you push. If you find steel, you withdraw.

Well, apparently, the current Russian President subscribes to this same point of view. President Putin has made no secret of his desire to restore the former Soviet Union. In 2005, he declared:

The [demise] of the Soviet Union was the greatest geopolitical catastrophe of the century.

"The [demise] of the Soviet Union was the greatest geopolitical catastrophe of the century," he said in 2005. He went on to say:

As for the Russian people, it became a genuine tragedy. Tens of millions of our fellow citizens and countrymen found themselves beyond the fringes of Russian territory.

So perhaps we should not have been surprised when, in 2008, Russia invaded Georgia—that is, the country of Georgia. Then, when it came to a global response, the Russian President found mush, so he pushed. In 2014, Russia invaded Ukraine for the first time since the end of the Cold War, taking its Crimea region. Once again, President Putin found mush, so he pushed.

Today, more than 100,000 Russian troops are massed along the Ukrainian border. An invasion could happen at any moment. This impending crisis raises a fundamental question for the freedom-loving countries of the world: Will President Putin be met with mush or steel? Will the anticipated cost of an invasion in terms of blood, treasure, and reputation become so high that he backs down or will a muted global response encourage his lust for empire?

In times like these, the civilized world looks to the United States for leadership. Ours may no longer be a unipolar world, with the rise of China and the dreams of empire of the Russian Federation, but our country remains a beacon of freedom, strength, and democracy that serves as an example for the rest of the world.

So the question the world is asking is, Will America still lead? Will we accept our responsibilities under treaties like that of the North Atlantic Treaty, which formed NATO, the North Atlantic Treaty Organization? To be sure, Ukraine is not yet a member of NATO,

but will we and the other members allow Putin to dictate membership in the multilateral, rules-based order represented by NATO by threats and force? Will we aid a democracy like Ukraine in its self-defense? These are questions that lie before us, and so far, the Biden administration's response has been less than reassuring.

Last year, the administration waived sanctions on the Nord Stream 2 Pipeline, giving Russia the green light to continue its monopoly on the energy supply to Europe along with its ability, because of that monopoly, to weaponize energy to an even greater extent.

The administration's response led to a poorly planned and even more poorly executed exodus from Afghanistan, leaving Afghans vulnerable and at the mercy of the Taliban and leaving our friends and allies around the world aghast at the manner in which that exit occurred.

Then, a couple of weeks ago, President Biden suggested that minor incursions—minor incursions—by Russia into Ukraine may be tolerated—a line that he would later, thankfully, walk back.

President Biden has given our allies multiple reasons to doubt the resolve and credibility of the United States as that leader of the free world. Whether out of naivete or idealism or just error of judgment, it doesn't change the fact that President Biden has repeatedly projected a lack of decisiveness and weakness, and Putin, you had better believe, has taken notice.

As it stands today, the international response to Russian aggression is disjointed and disorganized at best. France is all in on diplomacy. The United Kingdom is offering clear but limited military assistance. Germany, unfortunately, seems to support appeasement. The United States and the rest of the world are waiting for President Biden to step up to the challenge.

I believe we have a responsibility to stand with Ukraine and help its people defend its sovereignty and its democracy. Now, that doesn't mean having American troops on the ground, but there are other ways we can help Ukraine defend itself and raise the costs of a threatened Russian invasion into their country. Forceful language and threats of sanctions may be important, but they are clearly not enough. We need to take concrete steps to minimize the likelihood of a Russian attack and ensure that Ukraine, as I said, has the resources they need in order to defend themselves in the event of an invasion.

There is a historical parallel. During World War II, President Roosevelt recognized how critical it was for the United States to support Great Britain even at a time when the American people were isolationists and when America's official policy was neutrality toward the war in Europe. President Roosevelt recognized it was important to do what we could to support Great

Britain during its hour of need, when it was literally hanging on by a thread, because it lacked the resources it needed to protect its people and fend off German forces. So President Roosevelt vowed to transform the United States into what he called the arsenal of democracy and worked with Congress to devise a creative solution that later became known as the Lend-Lease Act. This legislation, signed into law in March of 1941, allowed the United States to supply our allies with weapons, ships, aircraft—any materiel they needed in order to mount their defense at a critical time in the war in Europe.

Later that year, Winston Churchill, the Prime Minister, said the bill "must be regarded without question as the most unsordid act in the whole of recorded history." Now, Winston Churchill certainly had a way with words, and when he calls it an unsordid act, I guess today we would say it was the most selfless and unselfish act in the whole of recorded history by the United States of America.

The circumstances today are not those of March of 1941. There is no mistake about that. Yet, if you look back at the historical parallels—at the circumstances in 1939, when Hitler invaded Czechoslovakia for similar reasons for which Putin is claiming he has a right to invade Ukraine—they are chilling. If we had stood up to Germany then, we might have avoided a global calamity and prevented the loss of millions of innocent lives.

So what best to inform our actions today but the experience of the past, to correct our mistakes, and to duplicate the successful efforts in World War II or at other times in our history. The lessons of the past must inform the present, and I believe we still have a duty to lead when it comes to protecting democracies and freedom-loving countries around the world.

Once again, America can now become that arsenal of democracy for Ukraine. To that end, I have introduced bipartisan legislation called the Ukraine Democracy Defense Lend-Lease Act to ensure that Ukrainian forces have the resources they need to deter and defend against Russian aggression.

I am proud to have worked with senior members of the Armed Services Committee and Senate Foreign Relations Committee—people like Senators CARDIN, WICKER, SHAHEEN, GRAHAM, BLUMENTHAL, SULLIVAN, and HASSAN—on this legislation, which will give the administration and give President Biden more flexibility and more efficiency when it comes to being that arsenal of democracy for Ukraine.

As it stands today, the President of the United States has a menu of options to support our friends and allies in times of conflict. In some cases, like the loan of equipment, the United States could eventually retain end use. In others, this would make clear we would support grants or emergency aid where we would not recover the funding or assets sent to our allies. This

bill provides an additional option on the menu, allowing the United States to provide assistance that may otherwise be unfeasible unless we could retain end use. This legislation authorizes the President to enter into lend-lease agreements directly with Ukraine and provide the military equipment necessary to protect the Ukrainian people.

My hope is that this will send another message to Vladimir Putin that not only do you need to consider the statements and actions of the executive branch but that you also need to look at the bipartisan support that Ukraine is getting in the U.S. Congress—tangible support—in terms of weapons they can use to deter and, if not to deter, to defeat Russian aggression. Russia must know that an invasion would be met with steel and not mush. If Russian troops make the decision to move forward, Ukrainian forces would have the lethal weapons needed to defend their sovereignty. I am proud of the fact that this effort does have such strong bipartisan support, and I hope more of our colleagues will join us in this legislation.

This is one important way we can send a message to our friends and allies around the world that you are not alone, that America can be trusted, that our commitments are credible and they will be met not just with words but with action.

Thanks to the leadership of Chairman MENENDEZ of the Foreign Relations Committee and Ranking Member RISCH, I have been proud to work with this bipartisan group of colleagues to discuss not just this lend-lease legislation but a more comprehensive approach to counter Russian aggression. We have discussed the lend-lease bill, as well as additional security assistance and lethal aid for Ukraine.

The group is currently crafting a package of targeted sanctions, as well, meant to deter Russia from invading. It includes limited but immediate sanctions in response to ongoing aggression and, in particular, cyber attacks, which were a new domain unknown in World War II but which are very real in 2022.

Russia cannot operate under the illusion that it will only receive a slap on the hand for invading Ukraine. I will leave it to the chairman and ranking member to make announcements about this legislation, but suffice it to say that I am encouraged that bipartisan progress is being made.

We agree on the outlines of what is being discussed, and we are committed to striking a deal as quickly as possible because time is of the essence. Nobody knows, except Vladimir Putin, when he will order the invasion of Ukraine. But make no mistake, America stands with Ukraine, and we will do everything we can to help them defend themselves against an invasion by the Russian Federation.

This is not just a Ukraine problem. This is not just a Europe problem or a

NATO problem. The potential for escalation makes this a global security problem. Russia didn't stop after Georgia or Crimea, and it likely will not stop after Ukraine.

We are confronting the scope of Russia's power and influence on the global stage, and America's leadership, as always, is absolutely crucial.

The United States has a responsibility to promote peace and security around the world. If Russia invades Ukraine and America does nothing, we show the world that our position can't be trusted, that our promises to our allies are not credible, and we also show that we will sacrifice the lives and the treasure of freedom-loving countries like Ukraine to the biggest bully on the continent.

A shifting global order would send a signal to other countries, as well—not just in Europe but around the world, in places like China and Iran—that all bets are off. They may be incentivized to mount similar pressure campaigns and not fear retaliation by the United States and our allies. If that were to happen, America would no longer be the global superpower. We would suddenly become a regional power with mere aspirations and no global reach.

Make no mistake, an attack on Ukraine is also an attack on America's global security interests and on world peace and could have cascading consequences that right now are too horrible to contemplate.

This is an existential threat to our leadership in the world and to the global order we underwrite and to our way of life and the way of life for freedom-loving democracies around the world. A Russian invasion of Ukraine is far more existential than a mere isolated and faraway quarrel.

I appreciate the hard work of Senators on both sides of the aisle to develop this response—this strong response—to Russia's threatened aggression. We need to do our part to ensure that, when Russia probes with bayonets, it shall be met with steel.

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

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

TRIBUTE TO CHRISTOPHER AUSTEN JOYNER

Mr. BURR. Mr. President, occasionally, Members are given the opportunity for a point of personal privilege. This is mine today. Today, I rise to speak in tribute to Christopher Austen Joyner, my most trusted adviser for the last 24 years.

This week, Chris will retire from a 22-year career working in public service, most of them supporting me in some capacity.

Twenty-two years is a long time. In Hill terminology, that translates to

three terms in the House, followed by almost three terms in the U.S. Senate. And in Chris's case, it includes participation in almost every one of my campaigns since 1998. To say that I will miss our partnership is an understatement.

Joyner's love of country, his dedication to serve, his ability to bring out the best in staff and in me have been a true gift for the last two decades.

Chris, I hope you will enjoy a well-earned retirement; that you can head out to the coast; that you can have a few laughs with your wife, Amanda, your kids, Liz and Andrew; that you can enjoy some more baseball games, whether that is coaching Andrew's Little League team or sitting at Nats Park; and that you can properly reflect on your poor decision to get a pandemic puppy. From now on, I hope that there will only be one Monday per week, and, in addition to lunch, you occasionally get dinner. I expect to see you here, though, for the occasional breakfast burrito.

Like so many young staffers, Chris started his Hill career as an intern at the Senate Foreign Relations Committee in 1996. In the spring of 1998, Alicia Clark, my then-chief of staff, brought Chris to my House office as a legislative assistant. Chris worked in my House office from 1998 to 2005, involved in almost every issue that came through our doors: foreign policy, defense, oversight, trade, tax, ag. In my House office, I could always count on Chris to be committed, prepared, and willing to work within the conference and across the aisle to get things done for the American people.

One of Chris's proudest accomplishments during those years was his work with a bipartisan group of House staffers to draft legislation that ultimately became the tobacco quota buyout. Of course, I think his most noticeable accomplishment there in those years was to meet and marry the love of his life, Amanda, who has been patient over the years with long nights, nonexistent weekends, and staffdels that produced laundry smelling like jet fuel and explosives.

Chris rose through the office ranks to become policy director, and he joined my Senate office in 2005. In the spring of 2006, after 8 years on Team Burr, Chris went looking for new challenges and briefly worked as a Washington rep for the American Petroleum Institute.

Thankfully, he wasn't gone too long, and, in 2008, Chris agreed to come back to my Senate office as chief of staff. As my chief, Chris hired and mentored my staff both here and in North Carolina and provided me invaluable counsel on a host of issues facing the American people. Whatever the problem, Chris always brought the best options to the table, occasionally with some good bourbon, and provided the best advice, even if I didn't always agree.

When I took over as chairman of the Senate Select Committee on Intelligence in January 2015, I knew that

Chris would bring his keen intellect, good judgment, and steady leadership to the staff director role. Although Chris had never worked in the intelligence community, I knew that he had the right balance of respect for the intelligence community's mission and commitment to the Senate's important oversight role.

Chris dove into this role head first, learning everything he could about the intelligence community, becoming a champion of its missions and of its workforce. He traveled the world in pursuit of ground truth, joining me on trips to war zones, crisis hotspots, and training locations to show the intelligence community our support; traveling via trains, planes, armored cars, helicopters, and, occasionally, souped-up golf carts. Chris knew the value of an in-person thank-you to our people in harm's way and the importance of a surprise stop to ensure that the reality on the ground was described back in Washington in the same way.

Chris's bipartisanship and his supportive leadership style served him well during his time on the Intel Committee. Thankfully, he also kept his sense of humor and his penchant for movie quotes and exactly the right GIF.

As staff director during the SSCI's Russia investigation, Chris led a bipartisan team of staffers on an almost 4-year-long effort to uncover foreign interference in the 2016 election. Although we had some heated moments and a lot of drama, Chris never wavered from the mission that Senator WARNER and I had given the staff: to follow the facts wherever they led.

Chris's leadership style is not flashy, and his quiet support for the SSCI staff and his devotion to the IC mission kept the committee focused on its essential oversight mission throughout a high-profile investigation in the beginning of the pandemic.

Clearly, Chris could not get enough of this important mission, and for the last 2 years, Chris has served as the senior adviser on the committee, continuing the committee's efforts to focus the intelligence community on critical work exposing malign foreign influence. His work is clearly rated AAA.

Chris, I am proud of you. I am so thankful to you, and I hope you know how much your service has meant to all of us and especially to me. You have been a voice of common sense in a divisive time, a steady hand through good times and bad times, and a champion of the legislative branch. Our Nation is safer, our intelligence community is sharper, and this institution is stronger because of you. Thank you for dedicating your life and service to your Nation and thank you for your dedication to me. It has truly been an honor and a privilege to have you by my side on this journey. We wish you well.

The PRESIDING OFFICER. Under the previous order, all postcloture cloture time has expired.

The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent to speak for 2 minutes.

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

TRIBUTE TO CHRISTOPHER AUSTEN JOYNER

Mr. WARNER. Mr. President, I apologize to my good friend the Senator from North Carolina for being a bit late. I have never seen him be this timely and this brief in his comments.

But I wanted to take a moment to echo what I know he said about Chris Joyner, who has served with enormous distinction for Senator BURR in both his personal office and on the Intelligence Committee. I want to particularly recognize Chris and my staff director, Mike Casey, who managed to work together and, frankly, negotiate a peace treaty between Senator BURR and me. When we started the Russia investigation, we had a few bumps.

But, as I am sure Senator BURR has pointed out, Chris served with enormous distinction in a very, very challenging time, putting together an investigation that came with integrity, truthfulness, and bipartisanship in a period—particularly under the previous administration—where those milestones were not often highly regarded.

Chris has decided to move forward in his career, and I simply want to join and echo Senator BURR's comments about his commitment and service and wish him all the best in his future endeavors.

With that, Mr. President, I yield the floor, and I appreciate the courtesy of an extra couple of minutes.

VOTE ON BRENNAN NOMINATION

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

Ms. DUCKWORTH. 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 New Mexico (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Utah (Mr. ROMNEY), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 61, nays 35, as follows:

[Rollcall Vote No. 13 Ex.]

YEAS—61

Baldwin	Coons	Hirono
Bennet	Cornyn	Kaine
Blumenthal	Cortez Masto	Kelly
Booker	Duckworth	King
Brown	Durbin	Klobuchar
Burr	Feinstein	Leahy
Cantwell	Gillibrand	Manchin
Capito	Graham	Markey
Cardin	Grassley	McConnell
Carper	Hassan	Menendez
Casey	Heinrich	Merkley
Collins	Hickenlooper	Murkowski

Murphy	Sanders	Warner
Murray	Schatz	Warnock
Ossoff	Schumer	Warren
Padilla	Shaheen	Whitehouse
Peters	Sinema	Wicker
Portman	Smith	Wyden
Reed	Stabenow	Young
Rosen	Tester	
Rounds	Van Hollen	

NAYS—35

Blackburn	Hagerty	Paul
Blunt	Hawley	Risch
Boozman	Hoeben	Rubio
Braun	Hyde-Smith	Sasse
Cassidy	Inhofe	Scott (FL)
Cotton	Johnson	Scott (SC)
Cramer	Kennedy	Shelby
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Lummis	Toomey
Ernst	Marshall	Tuberville
Fischer	Moran	

NOT VOTING—4

Barrasso	Romney
Lujan	Tillis

The nomination was confirmed.

The PRESIDING OFFICER (Mr. KAINE).

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.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 657, Charles Esque Fleming, of Ohio, to be United States District Judge for the Northern District of Ohio.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Gary C. Peters, Robert P. Casey, Jr., Sheldon Whitehouse, Martin Heinrich, Sherrod Brown, Patty Murray, Tammy Duckworth, Tim Kaine, Elizabeth Warren, Mazie Hirono, Alex Padilla, Tina Smith, Christopher A. Coons, Amy Klobuchar, Jon Tester.

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

The question is, Is it the sense of the Senate that debate on the nomination of Charles Esque Fleming, of Ohio, to be United States District Judge for the Northern District of Ohio, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Utah (Mr. ROMNEY), and the Senator from North Carolina (Mr. TILLIS).

The yeas and nays resulted—yeas 55, nays 41, as follows:

[Rollcall Vote No. 14 Ex.]

YEAS—55

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

NAYS—41

Blackburn	Fischer	Paul
Blunt	Grassley	Risch
Boozman	Hagerty	Rubio
Braun	Hawley	Sasse
Burr	Hoeven	Scott (FL)
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	Moran	

NOT VOTING—4

Barrasso	Romney
Luján	Tillis

The PRESIDING OFFICER (Ms. SINEMA). On this vote, the yeas are 55, the nays are 41.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Charles Esque Fleming, of Ohio, to be United States District Judge for the Northern District of Ohio.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:01 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. SCHATZ).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. All postcloture time has expired.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN), is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Utah (Mr. ROMNEY).

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 15 Ex.]

YEAS—56

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

NAYS—42

Barrasso	Ernst	Moran
Blackburn	Fischer	Paul
Blunt	Grassley	Risch
Boozman	Hagerty	Rubio
Braun	Hawley	Sasse
Burr	Hoeven	Scott (FL)
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

NOT VOTING—2

Luján	Romney
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The nomination was confirmed.

The PRESIDING OFFICER (Ms. SINEMA). 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.

CLOTURE MOTION

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

The bill 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. 658, David Augustin Ruiz, of Ohio, to be United States District Judge for the Northern District of Ohio.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Gary C. Peters, Robert P. Casey, Jr., Sheldon Whitehouse, Martin Heinrich, Sherrod Brown, Patty Murray, Tammy Duckworth, Tim Kaine, Elizabeth Warren, Mazie Hirono, Alex Padilla, Tina Smith, Christopher A. Coons, Amy Klobuchar, Jon Tester.

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

The question is, Is it the sense of the Senate that debate on the nomination of David Augustin Ruiz, of Ohio, to be United States District Judge for the Northern District of Ohio, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Utah (Mr. ROMNEY).

The yeas and nays resulted—yeas 59, nays 38, as follows:

[Rollcall Vote No. 16 Ex.]

YEAS—59

Baldwin	Hassan	Portman
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Rosen
Booker	Hirono	Rounds
Brown	Kaine	Schatz
Burr	Kelly	Schumer
Cantwell	King	Shaheen
Capito	Klobuchar	Sinema
Cardin	Leahy	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Collins	McConnell	Tillis
Coons	Menendez	Toomey
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden
Grassley	Peters	

NAYS—38

Barrasso	Fischer	Paul
Blackburn	Hagerty	Risch
Blunt	Hawley	Rubio
Boozman	Hoeven	Sasse
Braun	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Cramer	Lankford	Thune
Crapo	Lee	Tuberville
Cruz	Lummis	Wicker
Daines	Marshall	Young
Ernst	Moran	

NOT VOTING—3

Luján	Romney	Sanders
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The PRESIDING OFFICER. On this vote, the yeas are 59, the nays are 38.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of David Augustin Ruiz, of Ohio, to be United States District Judge for the Northern District of Ohio.

The PRESIDING OFFICER. The Senator from Iowa.

VIOLENT CRIME

Mr. GRASSLEY. Madam President, everybody knows that violent crime is rising in America. Killings of police are at a 20-year high, the world's worst record since 9/11. Homicides, carjacking, and retail crime are all very high. Criminals are pushing people in front of the subways, looting entire trains filled with packages, and stealing so much from stores that the stores can't afford to stay open.

I have already come to this Senate floor many times to describe the horrors of increased attacks on police and the surge in murders. These tragedies cry out for action.

These are the results of campaigns to defund the police. Our streets are lawless because blue cities have pulled the

police back. The consequences of depolicing extend far beyond the violence that “defund the police” rhetoric inspires. It extends beyond criminals emboldened to commit crimes like murder and armed carjackings.

We have all seen the images of a California train yard littered with opened boxes as far as the eye can see. Train robberies are up by 160 percent in Los Angeles County, and that is just over the past year. The Governor of California compared the scenes to a Third World country. I have seen them, and I agree with the Governor of California.

Organized retail crime is out of control. Criminals rely on the lack of active policing to commit large-scale theft. According to the National Retail Federation, 69 percent of retailers say that they have had an increase in theft in the last year, and 78 percent say more law enforcement would help stop the crimes of retail theft.

Why would people not expect more law enforcement? Everybody knows that government is established for the public safety, among other reasons, but that is foremost.

It still isn't a secret what liberal cities need to do to keep crime out of their cities, out of their railways, out of their subways, out of their streets, and out of their stores. Send police where the crime happens. Tell the police to arrest criminals. Prosecute those criminals. Do not release dangerous criminals out on bail. It is a very simple and effective way to reduce the amount of crime.

Do you know what won't work? Some of my colleagues on the other side of the aisle think that the solution is gun control, but here is the issue: Gun control won't stop a criminal from pushing an innocent victim in front of a subway, let alone keep a criminal from obtaining an illegal gun.

The real problem is enforcement by the police. The crime spike began in June 2020 when blue cities nationwide pulled the police off their streets, progressive prosecutors at that time stopped prosecuting, and these blue cities started bail reform policies that released violent criminals into the street. No police on the streets but a lot of criminals on the streets—it is no surprise that crime has risen.

The problems are depolicing, political—progressive prosecution, and ineffective bail policies. Blue city mayors depoliced until some realized that was a bad, bad decision to make.

This liberal attitude toward criminality may now have a light at the end of the tunnel. It seems to be changing for the better.

Just two or three examples: New York City's new mayor, Eric Adams, announced that he would revive a plainclothes anticrime unit to combat the violence, and he is also suggesting better bail policies. A couple of months ago, we heard San Francisco Mayor London Breed declare a state of emergency over crime in her city. And then, maybe a month ago, we saw Chicago

Mayor Lori Lightfoot ask for Federal resources to fight crime.

The Nation's crime spike is the result of less law enforcement. Criminals are feeling bold—very bold—because they know they will go uncaught and, if uncaught, unpunished.

Far-left mayors need to use a simple solution with a very proven record of success. They need to bring police back to our streets and keep the criminals off of our streets.

(Mr. MURPHY assumed the Chair.)

PRESCRIPTION DRUG COSTS

On another matter, Mr. President, I want to talk about high drug prices.

Three years ago, I began a bipartisan effort to lower prescription drug costs. And that isn't just a Chuck Grassley issue; that is a bipartisan issue.

Following, first, Finance Committee hearings that I chaired, bipartisan negotiations, and a bill markup, I introduced with the senior Senator from Oregon a bill that we call Grassley-Wyden—but I don't care if it is called Wyden-Grassley. The point is the Prescription Drug Pricing Reduction Act will go a long way to stop the massive increase we have in drug prices. We passed this bill out of the Finance Committee on a bipartisan vote of 19 to 9. I have never stopped working to advance a bipartisan, negotiated, and balanced drug pricing bill.

Drug prices are rising, and more Americans are having a harder time paying these high costs for prescription drugs. AARP says brand-name drugs that seniors use are going up at more than twice the rate of inflation. New data from another source, the National Health Interview Survey, estimates that 3.5 million seniors had difficulty affording their medication.

I hear stories about rising drug costs all the time at my 99 county meetings. We have a Q&A at every one of those meetings so people can bring up any subject they want to bring up. They set the agenda, and always prescription drug pricing is on that agenda. The people probably asking the question, “What are we going to do about prescription drug pricing?” are probably the very same ones who are being hit by these high prices, and they notice the big increase in prices from year to year.

As an example, Iowans tell me about the rising cost of their insulin or how they worry about paying for out-of-pocket costs in the doughnut hole. No matter how you look at it, drug costs are going up, and Americans are paying more.

For 12 months, President Biden and the Democratic majority has focused on a partisan reckless tax-and-spending spree, and they have not made any progress in passing drug pricing reform as part of their partisan proposal. I compliment them for trying to do something about drug pricing, but it hasn't happened yet, and the way you get things done in the U.S. Senate is by doing it in a bipartisan way.

By every public account, the talks in the other party on their agenda have

stalled. In fact, as best evidence of this, just this very day, the senior Senator from West Virginia said that the Democrat bill is—this is his word—“dead.”

So instead of spending more time on bills that do not have votes, we could pass bipartisan legislation to lower drug costs this very day. It would have a meaningful impact on lowering prescription drug costs. Let's not waste another minute.

So the Grassley-Wyden bill or the Wyden-Grassley bill remains our best chance to lower prescription drug costs in a bipartisan manner, and I urge my colleagues to work with me to pass this bill.

I will give you just some examples—probably only a half dozen out of 27 major pieces it has in it.

No. 1, it caps out-of-pocket costs at \$3,100. And I will have to give it to the Democrat proposal; they have reduced that down to \$2,000. I am willing to negotiate 3,100 or 2,000.

Secondly, it eliminates the doughnut hole.

Third, it caps rising drug prices in Medicare at the inflation price index.

Four, the bill ends uncapped taxpayer-funded subsidies for Big Pharma.

Five, it brings more sunshine, more competition, and more oversight to how Big Pharma prices drugs in the first place.

Lastly, out of 2,700 sections in this bill, I want to say it saves \$72 billion for seniors and \$95 billion for taxpayers.

In addition to this bill, I have four prescription drug bills that have passed the Judiciary Committee with unanimous support. So, obviously, all four of those are bipartisan bills.

These four bills bring more competition, let more affordable drugs come to the market, and end anticompetitive behavior by Big Pharma.

I urge my colleagues to work with me to pass bipartisan drug pricing reform today.

I will end by saying that, maybe early in the new administration, I had a telephone conversation with President Biden on the subject of drugs. He sent his legislative staff up here to meet with me on the subject. And I pointed out what they were trying to do, as I just pointed out to my colleagues today. They wanted to do it a different way; it doesn't seem to be getting traction. So I said to the President's staff—and I said to the President himself: You might want to take a look at this bipartisan bill, probably move it.

BIPARTISAN LEGISLATION

Mr. President, the other thing is—on another subject, but just a short statement. I had a chance within the last 3 hours to meet with another Senator with the President of the United States down at the White House on another subject.

But at the end of that meeting, I complimented the President on his Executive order—I think, of last June—in which he mandated to all agencies of

government: Do everything you can to make sure there is competition working in our free marketplace. And at that point, he suggested a bipartisan bill that I have dealing with meatpacking and animal—beef—slaughter. So I told him today that maybe we can work on that piece of legislation, as well, in a bipartisan way.

So I could point out three issues that I have moving with Democrats that could be brought up now. I will bet every one of the 99 Senators in here have bipartisan bills that they could be working on, and we ought to start that process going if we are going to have success for the year of 2022.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that, notwithstanding rule XXII, at 5 p.m. today all postcloture time on the Ruiz nomination expire; and that following the confirmation vote, the Senate vote on the motions to invoke cloture on the Puttagunta, Lopez, and Staples nominations in the order listed, without intervening action of debate; further, that if cloture is invoked on any of the nominations, the confirmation votes be at a time to be determined by the majority leader in consultation with the Republican leader.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. I want to notify all Senators that they should expect four rollcall votes beginning at 5 p.m.

UKRAINE

Mr. DURBIN. Mr. President, there is a photograph that we have all seen: six battle-weary victorious marines raising the American flag on Iwo Jima. It is one of the most iconic photos of World War II.

It was taken 77 years ago this month. Among those six brave marines was a coal miner's son from western Pennsylvania. His name was Sgt Michael Strank. At 25 years of age, he was the oldest of the six flag raisers. The men in his rifle squad idolized him. One of them said: "He was the kind of Marine you read about, the kind they make movies about."

Sergeant Strank used to tell his men: "Follow me and I'll try to bring you all home safely to your mothers."

One week after he raised the American flag atop Mount Suribachi, Michael Strank was killed in the Battle of Iwo Jima. He was the first of the six flag raisers to die.

Today, he is buried among America's heroes in Arlington National Cemetery, but that is not the end of the story.

In 2008, a Marine security guard based at the U.S. Embassy in Slovakia discovered that Michael Strank was not a natural-born U.S. citizen; he had received his citizenship through his fa-

ther when his father became a U.S. citizen in 1935. So where was this marine's marine born? He was the first child born into an ethnic Ukrainian family in what is now Slovakia. Like my own mother, who was born in Lithuania, Michael Strank came to America with his mother as a toddler, as soon as his father could save the money for their passage.

Those who were there that day on Iwo Jima will remember that a loud cheer went up from thousands of marines when they saw, finally, that red, white, and blue of the U.S. flag flying over the highest peak on that island. They knew that that day, in the war between freedom and tyranny, freedom had won.

Today, almost 80 years later, the battle between freedom and tyranny continues, and one of its new flash points is Ukraine. The Ukrainian people have made it clear: They want to be free and independent. They want to chart their own future. They want to choose their own leaders through elections that they conduct.

This is the future that more than 92 percent of Ukrainians chose in a referendum in 1991, after Ukraine declared its independence from the crumbling and corrupt Soviet Union, but Russian President Vladimir Putin—the old KGB agent—refuses to acknowledge Ukraine's right to exist, its right to independence, and its right to self-determination.

For almost 100 days, from November 2013 to January 2014, the Ukrainian people waged a "Revolution of Dignity" to force from office a corrupt, Russian-backed, puppet President—and they won. In retaliation, Russia invaded and annexed the Crimean Peninsula and parts of eastern Ukraine and installed a Russian-friendly government. This forceful occupation of parts of Ukraine by Russia marked the first time, the first time since World War II ended, that one nation had redrawn the map of Europe by force.

For the last 8 years, Russia has tried relentlessly to destabilize the democratically elected Government in Ukraine. This is part of the reason that President Trump's efforts to withhold congressionally approved military aid for Ukraine in order to extract political favors was egregious. Now, Putin has amassed more than 120,000 Russian soldiers on the borders of Ukraine. Whether Putin is driven by megalomaniacal delusions of restoring the Soviet Union or is simply seeking to create chaos and sow dissension among NATO allies is unclear, but here is what is clear: A Russian invasion of Ukraine would constitute a grave assault not only on Ukraine, but on the institutions and agreements that have kept peace in Europe for almost 75 years.

A Russian invasion of Ukraine also could be seen as a danger to our NATO allies in Poland and in the courageous young Baltic democracies in Lithuania, Latvia, and Estonia. It would be a cat-

astrophic mistake on Putin's part, and President Biden has made that point over and over.

Chicago is home to one of the largest Polish communities outside of Warsaw, the largest Lithuanian community outside of Vilnius, and one of the largest Ukrainian communities outside of Kyiv. More than 46,000 Ukrainian Americans live in the Chicago area, the third largest Ukrainian community in the United States.

A week ago, I attended a celebration at the Cultural Center in Chicago, on Chicago Avenue in Ukrainian Village. Also speaking at that gathering was Oksana Markarova, Ukraine's Ambassador to the United States. I can tell you, the Polish and Lithuanian communities in Chicago were there standing in solidarity with the people of Ukraine—and with the people of Poland, Lithuania, and the Baltic to decide their own futures.

Vladimir Putin and his henchmen should know that the United States, NATO, and the entire community of democracies also believe that it is the right exclusively of Ukraine and other young democracies to protect their territorial boundaries and decide their own fate. The United States made its position clear yesterday in the U.N. Security Council. Ukraine, the United States, NATO, and the entire community of democracies all want a diplomatic solution to Russia's threats on Ukraine. That is what we seek. If Vladimir Putin wants to avoid a debacle that will cost his nation dearly in lives and treasure, he will agree to this solution.

I commend President Biden, Secretary of State Blinken, and their teams for their strong support of Ukrainian independence and against Russian aggression. The Biden administration has provided significant military equipment for our Ukrainian friends to ensure that President Putin knows the price that a further invasion will cost. The administration has also bolstered the defense capabilities of our NATO partners in Poland and the Baltics. And if Putin is counting on partisan division in the Senate to weaken America's resolve to defend Ukraine and its neighbors, he is mistaken.

Yesterday, Senator GRASSLEY and I introduced a bipartisan resolution celebrating 100 years of diplomatic relations between the United States and the Baltic States and reaffirming our close relationship with these young democracies. Later this week, Senator SHAHEEN and I and several of our colleagues, from both parties, will meet with the Baltic and Polish Ambassadors to reaffirm U.S. support for their nations.

I hope that we will also see strong, bipartisan support for legislation that is being drafted by Senators MENENDEZ and RISCH, the chair and ranking member of the Senate Foreign Relations Committee. That bill will impose severe, crippling economic sanctions on

Russia for any further invasion of Ukraine. It would bolster similar bruising sanctions drawn up by the Biden administration. It will ensure that any Russian aggression against Ukraine or its neighbors will be felt in Russia by their economy and their people.

I mentioned that my mom came to this country when she was 2 years old, from Lithuania, in 1911. Her boat landed in Baltimore. At the time, Lithuania was under the control of Tsarist Russia. It was a brutal, repressive place.

After World War II, Lithuania became part of the USSR against its will, another brutal and repressive regime. But in 1991, Lithuania became the first Soviet Republic to declare its independence. In response, Soviet tanks under control of Gorbachev rolled in to crush the new Lithuanian democracy. I was there before those tanks arrived. Their Parliament is called the Seimas. They had put sandbags around the outside of it to try to stop the Soviets and their tanks. They took me in the back, in a small room off to the side, and showed me their arsenal. It consisted of about 10 rifles that had been borrowed from farmers in the countryside to try to defend their capital, Vilnius.

Kids were assembled outside, praying the Rosary in the snow, lighting little candles by the sandbags to show the solidarity of the people of Lithuania, their determination to survive.

Soviet tanks rolled in, killed 13 innocent people, and injured dozens more. But then, to the world's astonishment—and mine too—Prime Minister Mikhail Gorbachev ordered the tanks to withdraw.

Later, another Russian President, Boris Yeltsin, supported Lithuanian independence. Years after his death, Lithuania honored him with an award for his commitment to Lithuanian statehood and bilateral relations between Lithuania and Russia.

Mikhail Gorbachev and Boris Yeltsin understood that you can brutalize a people who are determined to be free, but you can never defeat them. Ultimately, freedom will win. It is a tragedy that Russian President Putin cannot or will not learn that same lesson of history today when it comes to Ukraine.

Seventy-seven years ago, an American marine born in Ukraine raised the American flag on Iwo Jima. Today, a generation of young Ukrainians raised in freedom are holding high the yellow-and-blue flag of their own nation and saying: We too want to be free. Our message to them is very simple and straightforward: You are not alone.

Like the shipyard workers in Gdansk and the other members of the Polish Solidarity movement who helped bring an end to the decrepit and brutal Soviet Union—like the 2 million Estonians, Latvians, and Lithuanians who actually physically joined hands to defend freedom across their nations—history and the free world will stand with you.

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

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

UKRAINE

Mr. PORTMAN. Mr. President, I am here today to talk about the escalating aggression by Russia against Ukraine, an ally and a sovereign country whose territorial integrity is once again under attack. In our generation, this is where the fight for freedom is being held; this is where it is being waged. It is going to affect not just Ukraine and Eastern Europe but countries all over the world, depending on the outcome.

Today, I am going to address what I think the appropriate role is for us as Americans, what more we can do to help avoid what could become an international disaster and a humanitarian crisis.

Russia is the aggressor here, having invaded Ukraine twice in the past 8 years, illegally annexing Crimea, inserting troops and offensive military weaponry into the Donbas region of Ukraine, initiating cyber attacks against public and private entities in Ukraine, and using disinformation to try to destabilize the democratically elected Government of Ukraine.

Now they have gone further by amassing more than 100,000 troops under the command of 100 tactical groups on Russia's Ukrainian border. This Russian deployment includes rockets and tanks and artillery and is no longer just on the eastern border of Ukraine, but it is now across the borders, including the northern border, where Russian combat troops and heavy equipment have gone into Belarus. And on the Belarus-Ukrainian border, a Russian presence is being felt. It is also in Crimea and in the Black Sea area, where Russia is taking advantage of their illegal annexation to move troops in those areas close to Ukraine.

I will give you a little history about how we got here. Eight years ago, the people of Ukraine made a clear choice. They stood up to a Russian-backed, corrupt government in 2014 and made a conscious decision to turn to the West, to the European Union, to us, the United States of America.

I was in Ukraine in 2014, shortly after what is called the Euromaidan, also the Revolution of Dignity. The barricades were still there. And in the center of town, the Maidan, in Kyiv, was occupied still by Ukrainian patriots, insisting that Ukraine chart its own course. The Ukrainian people had rejected authoritarianism and, instead, embraced freedom, embraced democracy, freedom of speech, freedom to gather, freedom for the respect of law, respect for the judicial institutions in the country, and free markets.

Now, have they stumbled along the way sometimes with regard to reforms, including of the judicial system? Yes, of course. Most fledgling democracies do; all of them do. But they have made tremendous progress, and they are on their way toward becoming what they wanted to become at the time 8 years ago—again, this Revolution of Dignity that is called the Euromaidan—more like a Western European or Eastern European country that is part of the EU.

Despite Russia's unrelenting efforts to destabilize Ukraine over the past 8 years, the people of Ukraine have remained committed to this independent, sovereign, and democratic principle, that vision.

And Ukrainians today are actually increasingly patriotic and opposed to the Russian efforts to destabilize their country. According to polling data, this sentiment is especially true among young people, which makes sense because they have tasted the fruits of freedom—free enterprise, the ability to express themselves, the ability to connect with the rest of the free world. They don't want state control. They don't want repression. They don't want fear. Instead, they want liberty and prosperity.

Moscow and Russia would have the world believe that somehow this massive, unwarranted Russian buildup is about trying to shore up its border against threats from Ukraine and from NATO, the North Atlantic Treaty Organization. Nothing could be further from the truth, of course. This is patently false. Ukraine's military posture has always been defensive. Unlike Russia, Ukraine has upheld its commitments under the Minsk agreements, which were designed to ensure a ceasefire in the Donbas region, the eastern part of Ukraine. NATO, of course, is defensive. It is not an offensive group and is no threat to Russian territorial integrity.

My hope is that Congress can come together this week—Republicans, Democrats, Senate, and House—and issue a strong message to the people of Ukraine that we stand with them in their fight for freedom; to Russia that if they choose to invade, the armed conflict will carry a heavy cost, and the sanctions that would result from that would be devastating; and then to the world that the United States stands with its allies, not just in Eastern Europe but throughout the freedom-loving countries of the world.

I am hoping Congress will pass an extensive sanctions package, including increased security funding for Ukraine, more resources for cyber security, and funding for the Global Engagement Center at the U.S. State Department to help push back on Russian disinformation.

I want to say a word about our allies. In many respects, I believe that what Vladimir Putin has done by these aggressive actions we talked about is to strengthen the transatlantic alliance,

including those countries that are part of NATO, and go beyond that, countries in other parts of the world that understand that this is about the cause of freedom. So many have stepped up. Denmark is providing F-16 jets to nearby Lithuania. Spain is sending ships to join a NATO fleet. France is getting ready to send troops to Romania, they say. The United Kingdom has sent anti-tank weapons directly to Kyiv and supported Ukraine in so many ways.

When I was in Ukraine recently, I was there to see a cargo plane unload anti-tank weapons from the UK to Ukraine. And recently, the United States has not just increased our military assistance to Ukraine to help it defend itself, but also we have placed 8,500 of our troops on heightened alert to go to be with our NATO allies in the region in Eastern Europe. They, of course, welcome that.

Ukraine, by the way, has never asked for U.S. troops or NATO troops to defend Ukraine. They have asked for help to be able to defend themselves. And that is an important distinction.

On the Russian pipeline to Europe called Nord Stream—I think it was a bad idea before all this started and I think it is even a worse idea now—Russia provides Germany with roughly one-third of their natural gas supply already, a dependency that will increase substantially with the activation of the Nord Stream 2 Pipeline.

Let's not forget, this multimillion-dollar pipeline is one that this body, the U.S. Senate, chose not to impose sanctions on just a few weeks ago after we had already done so once before on a bipartisan basis. I will say the vote last week was not 60 votes, but it was a majority of this body voting to impose sanctions because, again, the Nord Stream 2 Pipeline is a bad idea in terms of the dependency of Europe on Russia.

Once the pipeline is complete, it will supply a lot of Russian gas to Germany, the rest of Europe, and Russia will use it as a political weapon. We have seen this. This is no surprise that they would do it. They did it in Moldova, and of course they have done it in Ukraine.

Even today, German prices are being affected by what Russia decides is appropriate. Germany has told us privately that they are willing to shut down the pipeline if Russia invades Ukraine, but they should say so publicly and clearly.

I am also concerned about Germany's resistance to approving arms sales to Ukraine. Again, Ukraine just wants the help to be able to defend itself. A great example of this is some artillery pieces that were made in East Germany decades ago. Those artillery pieces, those howitzers, are now in the hands of the Estonians. The Estonians want to provide these weapons to the Ukrainians. The Ukrainians want them. Even though they are older howitzers, they need them. They need the artillery. And yet, because they were made in

Germany—in East Germany—decades ago, under the licensing agreement, Germany has to approve Estonia sending Ukraine these weapons they so desperately need. That approval has not been forthcoming.

To me, this is outrageous that Ukraine is not receiving the weapons it needs because another country that is part of the NATO alliance is saying that they are not going to approve the transfer. I hope that will change. I hope very soon we will see that transfer approved.

Germany, by the way, might say—as I have heard from some, and I have had conversations about this with them—that they don't like to send weapons into hot spots. Well, they are certainly happy to send weapons into the Middle East. In fact, last year, as I understand it, it was their largest year ever of exports of military weapons made in Germany to other countries, including to countries like Egypt, as an example.

So we need to be sure that we are doing all we can to avoid Russia making this terrible mistake. And a big part of this should be all the countries in the region, certainly our NATO allies, standing up and providing military assistance to Ukraine and making clear that if something happens, that the consequences will be devastating because of sanctions.

The cost of freedom in Eastern Europe is at stake here, but so is, really, the stability of all of Europe. The Ukrainian officials themselves have talked about this. The Foreign Minister, Foreign Minister Kuleba, whom I met with recently in Ukraine, stated that Germany is taking a stance that “does not correspond with the level of our relations and the current security situation.”

I agree.

People listening may be wondering: Why should the United States get engaged here? Why is this Senator from Ohio passionate about this?

Well, first, in Ohio, we have a lot of Ukrainians I have gotten to know over the years, and it is not just about the Ukrainian Americans in Ohio; it is about people from all over that part of the world—Central Europe, Eastern Europe, certainly the Baltics, Lithuania, Latvia. The people whom I talk to tell me that this is, again, a seminal moment, not just in the history of Ukraine, but in the history of our world because, again, it is the fight for freedom being played out right before our eyes. These nationality groups, including, of course, the Ukrainian Americans, are deeply concerned that this continued aggression unchecked will lead to other countries, including the Baltics, including Poland and others, being subject to the same kind of pressure from Russia.

But it is also because I believe what happens in Ukraine does affect the cause of freedom more broadly. Countries all over the world are watching. Authoritarian countries are watching. Democratically elected countries are

watching. And they are wondering, in the 21st century, are we going to allow something like this to occur, when one country looks to another and says that I want that country so I am going to invade and take that land?

Again, until we had the invasion of Crimea only 8 years ago, this hadn't happened in almost 80 years since World War II on the continent of Europe.

This is something that countries are watching to get a message to see whether the United States is going to continue to be the country that joins with others, including our NATO alliance but a much broader group of freedom-loving countries to stand up for the cause of freedom and to stand up for the right of a sovereign country to be able to protect its own borders.

I recently joined a bipartisan delegation led by me and my good friend Senator JEANNE SHAHEEN. Senator MURPHY, who is on the floor tonight, was also with us. We personally met with President Zelensky. We also met with four or five other Cabinet officials, including the Secretary of Defense. We talked about the U.S. commitment to provide military assistance to ensure Ukraine can defend itself and deter the threat. If you talk to these individuals and you talk to the military officials we talked to and the commanders—and I have also been to the line of contact, where this hot water is going on with Russia even today in the Donbas region. I have been there. I have talked to the troops. You will see that there is a commitment, a strong commitment by the Ukrainians to defend themselves. They get that this is a critical time in their history.

We tried to send a clear message on a bipartisan basis. I believe we did. I believe that this time—this time—unlike 2014, when, frankly, Ukraine and the world wasn't ready, that the situation is very different. The military is prepared. The people of Ukraine have a strong sense of nationalism and a deep patriotism and they will fight and this will be a bloody conflict that we all want to avoid.

The other thing I will say about Ukraine is they are our friends. They are our allies. They share our values. When the United States was looking for help in Iraq and Afghanistan, some NATO partners came through, but so did Ukraine. Ukrainian troops were shoulder to shoulder with American troops during some very tough situations in those countries. These are our friends. This is a country that has allied with us because they believe that that is the best future for the Ukrainian people.

It is time for us to stand with them in response to this unwarranted and unprovoked Russian aggression. My hope is that Congress will act on a bipartisan and bicameral basis—the House and Senate, Republicans and Democrats—and send a strong message to Russia that would avoid a bloody conflict, deter them from taking the

actions that they are contemplating and making a terrible mistake, but also that we would send a strong message to the people of Ukraine to give them strength during this time, and, finally, a message to the global community that the lamp of freedom will not be extinguished.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

GOVERNMENT FUNDING

Mr. REED. Mr. President, we are 4 months into the fiscal year, and our colleagues on the other side of the aisle have still not agreed to a deal to fund the Federal Government, including the Department of Defense. In a matter of days, we will face the prospect of a long-term continuing resolution or government shutdown if an agreement on overall funding levels cannot be reached.

From the moment President Biden submitted his budget request, Republican leaders said his proposed \$12.6 billion increase for defense was not enough. So, on a bipartisan basis, we worked to raise that number to a level proposed by the ranking member of the Armed Services Committee and supported by every Republican on the committee as well as the 88 Senators who voted for the final National Defense Authorization Act.

But even with that defense number in hand, our Republican colleagues continue to draw out negotiations on a top-line funding number for the Federal Government. In doing so, they risk pushing us into a full-year continuing resolution that would fund defense at a level that is less than President Biden's initial request.

Let me say that again. They were deeply critical of the President's proposal. They worked and we worked with them to get a robust increase in defense spending, and now they are prepared to accept a number even below President Biden's request.

Make no mistake, a full-year CR will short-change our military, and it will disrupt the efficient operations of the Federal Government in the midst of international tension, the ongoing COVID-19 pandemic, and a fragile economic recovery.

As my colleague from Ohio just pointed out, we are in a serious confrontation on the Ukrainian border between Russian forces and Ukrainian forces. And we have indicated that we want to help. A big part of that help would come from the Department of Defense, but it would be very difficult with a continuing resolution to marshal the help and support to our colleagues and our friends in Ukraine.

As I noted, the outlines of a reasonable agreement for both defense and nondefense funding have been evident for some time. Indeed, the National Defense Authorization Act, which passed on a bipartisan basis in December, set a funding level for defense that is 5 percent higher than last year's enacted level. It reflects the level proposed by

Ranking Member INHOFE. And, as chairman of the Senate Armed Services Committee, I fully supported that funding level and cosponsored Senator INHOFE's amendment to authorize the increase.

For his part, Senator LEAHY has adopted the NDAA defense funding levels in the bills that the Appropriations Committee introduced in November. He accommodated that increase by reducing funding for domestic programs by \$22.5 billion from the level in the administration's request.

So Democrats have agreed to increase defense funding and to reduce nondefense funding from the levels requested by the President. In doing so, Democrats proposed a budget that funds defense activities at a level that is higher than nondefense activities.

Let me underscore that point, because GOP leaders often say there should be parity between defense and nondefense spending. Senate Democrats have proposed spending bills that have \$777.5 billion for defense and \$753 billion for every other discretionary program—the VA, education, agriculture, FBI, Department of Homeland Security, and so on. Democrats have offered our Republican colleagues nearly everything they have asked for, but they won't take yes for an answer.

As we drift toward the full-year CR, our colleagues on the other side of the aisle are reacting with nonchalance to the impacts on defense.

Let me remind my colleagues what a full-year CR will mean for national defense. It will mean that defense spending would be about \$37 billion lower than the levels set out in the NDAA and lower than the funding levels requested by President Biden—yes, those levels they criticized so aggressively that President Biden suggests. If they pursue this path of a CR, the numbers for defense will be less than the President's initial request.

It means military personnel accounts will be funded \$5 billion below what the Department requested. A CR means DOD will have to cannibalize other accounts in order to provide the pay raise and other benefit increases that our servicemembers rightfully deserve.

It means the Pentagon may have to delay or suspend permanent change-of-station moves and accession of troops—again, all of this in the context, as my colleague from Ohio pointed out, of a major crisis in Europe and a growing concern about Chinese activities in the Pacific.

It means training and readiness accounts will fall about \$5.3 billion short of what the Department requested. And the key to the morale of soldiers—among one of the most important keys—is that they are well trained and they are prepared. We owe it to them to give them that training and ensure they are prepared.

It means the military healthcare account will be short over \$1 billion.

A CR also means that we will be tied to funding priorities from a year ago,

even though circumstances have changed markedly. For example, our military engagements with Afghanistan and Eastern Europe are vastly different from last year. Funding will be trapped in the wrong accounts and the Defense Department will not have the flexibility to move it where it is needed.

A CR will prevent the Defense Department from effectively modernizing and reinvesting in new programs. Because new program starts are not allowed under a CR, the Department of Defense will be forced into funding legacy systems that are outdated and inefficient. Meanwhile, important new initiatives and acquisitions would be delayed.

We won't be able to fund three additional ships and seven more Joint Strike Fighters in the Navy's 2022 budget. The Marines would have to delay procurement of the MQ-9A Reaper UAV, and the Amphibious Combat Vehicle.

The Space Force would have to cut two of the five planned national security space launch missions, and the Air Force would have to delay the Ground-Based Strategic Deterrent Program and the long-range standoff weapon.

DOD also won't be able to start over 100 military construction projects—new facilities that our servicemembers need to do their jobs safely and effectively. This includes, among others: \$32 million in Air Force corrosion and simulator projects in Florida, \$55 million for a joint operation center at Fort Polk in Louisiana, \$56 million in total projects for Wisconsin, \$75 million in total projects for Georgia, \$94 million in total projects for Michigan, \$161 million in total projects for Texas, \$186 million in total projects for California, \$251 million for a runway extension at Joint Base Elmendorf-Richardson in Alaska, \$251 million in total projects for South Dakota, and \$321 million in total projects for North Carolina.

Finally, a CR will disrupt DOD's partnerships with outside partners in the private sector and academia, and with our allies, because they inject uncertainty, instability, and additional costs to R&D and acquisition processes.

In short, a yearlong CR will make us less competitive with our adversaries and less able to respond to the rapidly changing global landscape, which was illustrated so eloquently by my colleague from Ohio. It would be a self-inflicted wound at a dangerous time for the country and our international partners.

The impact will not only be felt on the defense side of the ledger. As the COVID-19 pandemic continues to produce new and potentially dangerous strains, we risk losing \$5 billion in research at the NIH and \$2.4 billion in funding for our public health infrastructure, including funding for the CDC, BARDA, and the National Disaster Medical System.

And a CR would sacrifice \$3 billion in new investments in mental health, and

one of the obvious outcomes of this pandemic is the mental health challenge that is facing all Americans, and particularly young Americans.

We risk losing a proposed \$400 increase in the maximum Pell grant, just as schools and students are trying to finalize financial aid packages. Too many students have put off their college education due to economic hardship and uncertainty during the pandemic. This Congress should not make matters worse by withholding student aid.

A CR would also be a slap in the face to the Capitol Police, who have been stretched to the limit in the aftermath of the January 6 assault on the Capitol. It would deny the department needed funding to hire new officers, for overtime and retention payments, as well as resources for officer wellness and mental health support.

Chairman LEAHY has bent over backward to engage our Republican colleagues. Four months into the fiscal year, we need them to reach an agreement. Otherwise, we risk a full-year CR in which everybody loses—most of all the American people.

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

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

The Senator from Kansas.

Mr. MORAN. First of all, I ask unanimous consent that I be permitted to speak for up to 7 minutes and Senator BARRASSO be permitted to speak for up to 10 minutes prior to the scheduled rollcall votes.

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

(The remarks of Mr. MORAN pertaining to the introduction of S. 3541 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. MORAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, first, I would like to commend my colleague, the senior Senator from Kansas, for his incredible ongoing leadership on the issue of the veterans of our Nation and his strong commitment to each and every one of those veterans and to the men and women who wear the uniform and go to battle to keep us safe and keep us free, and it is his long history of leadership for which I am most grateful.

ENERGY

Mr. President, I come to the floor today to talk about a different issue, and that is the need for more American energy.

Right now, the American people are facing the worst inflation in 40 years. In November, we saw the biggest price

increases from an energy standpoint in 10 years. CNBC reports that one in five American families could not afford to pay an energy bill this past year. Roughly the same number of Americans have kept their homes at an unhealthy temperature because they can't afford the cost of energy to heat it.

Gas prices have gone up by roughly \$1 a gallon since Joe Biden took office. This is the fastest increase in gas prices in 40 years. The price of gas affects the price of everything else. It is increasingly expensive in this country to transport goods from the farm and from the factory to the people who need the products. As a result, the American people aren't just paying more at the pump; they are also paying more at the grocery store.

So why are energy prices rising so quickly? Well, demand is up and supply is down. It is basic economics.

Under Joe Biden, American energy production still hasn't recovered in this country to the levels that we were producing energy prior to the pandemic. Why would that be? Because this is a direct result of the anti-American energy policies of this White House.

On his first day in office, Joe Biden killed the Keystone XL Pipeline. He blocked new oil and gas leases on public lands all across the country. He stopped the exploration for energy in the Arctic. He tried to ban exploration for energy off our coasts. He has threatened to raise taxes on American energy. So what happened? Well, as a result of this radical, anti-American, Biden energy agenda, we are failing to produce enough energy in this country, and people who have the capacity and ability to do it and have worked those jobs for a long time are having a hard time keeping a job.

America is now producing 1.4 million fewer barrels of oil each and every day than we were prior to the pandemic. We are now using more oil from Russia than we are from Alaska. This is specifically the result of the Biden policies.

Joe Biden is attacking American energy. He is turning into a great salesman for Russian energy. I mean, why is it that right now, we are importing twice as much—twice as much—crude oil from Russia as we did a year ago? It is because of Joe Biden. Joe Biden has even had his National Security Advisor plead with Russia to produce more oil to sell to the United States.

I know the Presiding Officer may find that very hard to believe, but all you have to do is go to the White House's website and read the sad fact.

Just months after he killed the Keystone Pipeline, Joe Biden gave a big stamp of approval to Vladimir Putin—to Putin—for his pipeline, the Nord Stream 2 Pipeline. He killed the American pipeline and approved the Russian pipeline. Joe Biden's energy policy is, pipelines for Putin and no pipeline for the American people, and the American

people have been paying the price as a result. It seems that Joe Biden would rather have us buy energy from our enemies than have us produce the energy in our country and sell it to our friends.

So, as a result of the Biden policies, Vladimir Putin has hit the energy financial jackpot. For decades, Putin has used energy as a geopolitical weapon. How does he use it? He uses it to coerce and intimidate, and that includes our allies. We saw this in November when Putin shut off the flow of natural gas to Moldova. By giving Vladimir Putin Nord Stream 2, President Biden gave Putin a new geopolitical weapon, and now Putin is emboldened, and he is flush with cash.

Right now, today, Vladimir Putin is preparing to do something he has wanted to do for years. He has amassed over 100,000 troops on the border with Ukraine. With the Winter Olympics about to begin in China, Russia is expected to invade Ukraine. If Russia invades, this will only worsen the energy crisis in that part of the world but also here as well.

Vladimir Putin is cunning, he is opportunistic, and he is aggressive. When he sees an opportunity, he takes it. Putin can smell weakness, and he views our President, Joe Biden, as weak and ineffective.

The sledgehammer we have against Putin is to shut down the Nord Stream 2 Pipeline and to do it permanently. Last month, this body had an opportunity to do just that. Yet Senate Democrats filibustered the bill. The same Democrats who voted to get rid of the filibuster on the floor of the Senate used the filibuster to shut down a bill that many of them have supported for years. This is hypocrisy at its worst.

Democrats, last week, based on lobbying from the White House, refused to sanction Putin's pipeline. The Nord Stream 2 Pipeline is going to lead to an enormous transfer of wealth from our allies to our enemies. It is going to make our allies weaker, and it is going to make Vladimir Putin that much stronger. When Putin gets stronger and wealthier, what does he do? Well, he tends to become more aggressive. It is not just a threat to Europe; it is a threat to the whole world.

So I have introduced legislation called the ESCAPE Act. My bill imposes mandatory sanctions on Russian pipeline projects, and it expedites the sales of American natural gas to our NATO allies.

We have the ability to produce massive amounts of more energy in the United States than Joe Biden and the Democrats are allowing our country to produce, and, of course, the Democrats are killing jobs and hurting paychecks in the process.

It is incumbent upon us to give our allies an opportunity to have energy and not be beholden to Vladimir Putin's supply. We need to produce it here. We have it here. We should be producing it here.

Vladimir Putin knows how to turn off the lights, and he knows how to raise energy prices in foreign countries. We can't let Europe become more dependent on Vladimir Putin for anything, and neither should we become more dependent, although that seems to be the Biden policy. Buy more crude oil from Russia than we were a year ago—Joe Biden in action.

We need to expand our exports. We need to expand the production of American energy. We have it, and we have the capacity to do it. If we want to reduce inflation—and that is the No. 1 topic I heard about in Wyoming this past week as I traveled around and visited with high school groups, rotary clubs, people in diners, and folks all around the State in many, many communities—then why aren't we just producing more energy at home? That will help bring down the costs at the pump, the cost to heat, and the cost to get goods to market.

We need to be producing it in America, in this country, and not be beholden to the far-left extremists who want energy costs to go up when the American people are struggling to get by. Energy is called the master resource for a reason. It powers our Nation. It powers our military. It powers our economy. The same is true for our allies. We should not allow our allies to fall into the clutches of Vladimir Putin, even though that is what Joe Biden's policies are doing today.

We need more American energy, not less, and we need it now.

I yield the floor.

VOTE ON RUIZ NOMINATION

The PRESIDING OFFICER (Mr. MARKEY). Under the previous order, all postcloture time has expired.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN), is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. HOEVEN) and the Senator from Utah (Mr. ROMNEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The result was announced—yeas 62, nays 35, as follows:

[Rollcall Vote No. 17 Ex.]

YEAS—62

Baldwin	Capito	Duckworth
Bennet	Cardin	Durbin
Blumenthal	Carper	Feinstein
Blunt	Casey	Gillibrand
Booker	Collins	Graham
Brown	Coons	Grassley
Burr	Cornyn	Hassan
Cantwell	Cortez Masto	Heinrich

Hickenlooper	Murphy	Sinema
Hirono	Murray	Smith
Kaine	Ossoff	Stabenow
Kelly	Padilla	Tester
King	Peters	Tillis
Klobuchar	Portman	Toomey
Leahy	Reed	Van Hollen
Manchin	Rosen	Warner
Markey	Rounds	Warnock
McConnell	Sanders	Warren
Menendez	Schatz	Whitehouse
Merkley	Schumer	Wyden
Murkowski	Shaheen	

NAYS—35

Barrasso	Hagerty	Risch
Blackburn	Hawley	Rubio
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cotton	Kennedy	Shelby
Cramer	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Lummis	Tuberville
Daines	Marshall	Wicker
Ernst	Moran	Young
Fischer	Paul	

NOT VOTING—3

Hoeven	Luján	Romney
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The nomination was confirmed.

The PRESIDING OFFICER. 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 actions.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 404, Rupa Ranga Puttagunta, of the District of Columbia, to be Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Charles E. Schumer, Gary C. Peters, Sheldon Whitehouse, Richard J. Durbin, Richard Blumenthal, Catherine Cortez Masto, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Chris Van Hollen.

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

The question is, Is it the sense of the Senate that debate on the nomination of Rupa Ranga Puttagunta, of the District of Columbia, to be Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico, (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. HOEVEN) and the Senator from Utah, (Mr. ROMNEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have noted "nay".

The yeas and nays resulted—yeas 59, nays 38, as follows:

[Rollcall Vote No. 18 Ex.]

YEAS—59

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

NAYS—38

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

NOT VOTING—3

Hoeven	Luján	Romney
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The PRESIDING OFFICER (Mr. PETERS). On this vote, the yeas are 59, the nays are 38.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Rupa Ranga Puttagunta, of the District of Columbia, to be Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 406, Kenia Seoane Lopez, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Charles E. Schumer, Gary C. Peters, Sheldon Whitehouse, Richard J. Durbin, Richard Blumenthal, Catherine Cortez Masto, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J.

Leahy, Martin Heinrich, Tim Kaine, Chris Van Hollen.

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

The question is, Is it the sense of the Senate that debate on the nomination of Kenia Seoane Lopez, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. HOEVEN) and the Senator from Utah (Mr. ROMNEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 59, nays 38, as follows:

[Rollcall Vote No. 19 Ex.]

YEAS—59

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Rounds
Blumenthal	Kaine	Sanders
Blunt	Kelly	Schatz
Booker	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Sinema
Capito	Manchin	Smith
Cardin	Markey	Stabenow
Carper	McConnell	Tester
Casey	Menendez	Tillis
Collins	Merkley	Toomey
Coons	Murkowski	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Durbin	Ossoff	Warren
Feinstein	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Portman	Young
Heinrich	Reed	

NAYS—38

Barrasso	Fischer	Moran
Blackburn	Graham	Paul
Boozman	Grassley	Risch
Braun	Hagerty	Rubio
Burr	Hawley	Sasse
Cassidy	Hyde-Smith	Scott (FL)
Cornyn	Inhofe	Scott (SC)
Cotton	Johnson	Shelby
Cramer	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tuberville
Daines	Lummis	Wicker
Ernst	Marshall	

NOT VOTING—3

Hoeven	Luja	Romney
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The PRESIDING OFFICER (Ms. HASSAN). On this vote, the yeas are 59, the nays are 38.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Kenia Seoane Lopez, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 410, Sean C. Staples, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Charles E. Schumer, Gary C. Peters, Richard Blumenthal, Catherine Cortez Masto, Sheldon Whitehouse, Richard J. Durbin, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Chris Van Hollen.

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

The question is, Is it the sense of the Senate that debate on the nomination of Sean C. Staples, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Mr. HOEVEN), the Senator from Utah (Mr. ROMNEY), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 55, nays 38, as follows:

[Rollcall Vote No. 20 Ex.]

YEAS—55

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Rounds
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Capito	Leahy	Sinema
Cardin	Markey	Smith
Carper	McConnell	Stabenow
Casey	Menendez	Tester
Collins	Merkley	Tillis
Coons	Murkowski	Van Hollen
Cortez Masto	Murphy	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Whitehouse
Feinstein	Padilla	Wyden
Gillibrand	Peters	Young
Hassan	Portman	
Heinrich	Reed	

NAYS—38

Barrasso	Boozman	Burr
Blackburn	Braun	Cassidy

Cornyn	Hawley	Risch
Cotton	Hyde-Smith	Rubio
Cramer	Inhofe	Sasse
Crapo	Johnson	Scott (FL)
Cruz	Kennedy	Scott (SC)
Daines	Lankford	Shelby
Ernst	Lee	Sullivan
Fischer	Lummis	Thune
Graham	Marshall	Tuberville
Grassley	Moran	Wicker
Hagerty	Paul	

NOT VOTING—7

Blunt	Manchin	Warner
Hoeven	Romney	
Lujan	Toomey	

The PRESIDING OFFICER. On this vote the yeas are 55, the nays are 38.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Sean C. Staples, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, before I begin my remarks, I have been asked to do the wrapup.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

THE GREAT EXPERIMENT

Mr. LEAHY. Madam President, from the sweeping Green Mountains to the shores of the iconic Lake Champlain, one need look no further than Vermont to find the beating heart of America. To this day, communities across Vermont are welcoming refugees from around the world and most recently from war-torn Afghanistan. It is our history as a nation of immigrants that make these United States, as George Washington put it, the Great Experiment.

But with each passing moment, it seems this simple foundation of our Nation is under attack. Nationalism is on the rise and, with it, the threat that bedrock principles of our democracy are threatened. The strength of our Nation rests not in what divides us, but in what unites us. By sharpening the division, we edge toward authoritarianism, as Vermonter Haviland Smith wrote earlier this month in his column, "Rural Ruminations."

Another of our great Presidents, Abraham Lincoln, so clearly said, "A house divided cannot stand." Those words, now nearly 164 years old, are as true today as ever.

I would invite everyone to read Haviland's recent column, and I ask unanimous consent that it be printed in the RECORD.

Its observations, and importantly the questions he pose, deserve thoughtful consideration.

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

[From the Times Argus, Jan. 3, 2022]

RURAL RUMINATIONS: EDGING TOWARD
AUTHORITARIANISM

(By Haviland Smith)

At the onset of 2022, The United States of America appears to be heading for possible major change. Opposing forces and ideologies are so hostile toward each other that there is clearly the possibility that this former relatively pure democracy will be taken over by an entirely authoritarian management.

Authoritarianism is defined as "the enforcement of strict obedience to authority at the expense of personal freedom and a lack of concern for the wishes and opinions of others". Does that not define the United States at this moment? All we need to do now to be true to the ongoing world pattern is codify the situation governmentally.

If you look around the world you will see case after case of countries being taken over by authoritarianism. Look at the Philippines, Brazil, Nicaragua, and Venezuela. One rationale for these takeovers is to "restore order".

How is it possible that the United States could fit into this mold? To understand that question, it is important to look at the religious and ethnic makeup of today's authoritarian states. What you will see right away in many if not most of those states are ethnically and/or religiously divided countries. Authoritarianism in the Middle East has not only ethnic divisions (Arab, Persian, Kurd, Druze, Turkish, etc.), but the religious split between Shia and Sunni. The Chinese have the Uighurs and over 50 other ethnic groups. The Russians have over 120 ethnic groups within their borders. And so it goes on and on, with many, if not most countries dealing with minorities that are not always friendly and that are often sufficiently hostile for the majority to install authoritarianism to gain and maintain power and to cope with those minority groups and their concomitant disorders.

Where many if not most of such divided countries have simply evolved that way through the realities of geography and simple migration, the United States is in class by itself. It has voluntarily created what may well be the world's most diverse country and it has done so purposefully and eagerly. Let's face it, the only people who have always lived here are the native Americans. Europeans changed all that when they arrived in numbers on this continent in the middle of the 16th century. Since then, largely for economic reasons, we have seen every kind of migration that has ever existed. Over the centuries we have benefitted from immigration from over 100 countries in Africa, Asia, Central America, the Caribbean, the Middle East, North Africa, Europe, South America and North America.

Many of those immigrants, particularly black Africans, were brought here against their will as slaves to work for the European settlers. Others, mostly from more adjacent countries to our south, came here to work for better compensation, but it is critical to understand that they have played an incredibly important role in the advancement of the United States on the economic front. How are we Americans to survive if today's

politicians succeed in forbidding or even limiting the migration of Latin Americans who come to work mostly in agriculture? Who will do that work?

Nativism has always existed in United States history. Some of the original colonists despised people who did not share their own religious faiths. Nativism was particularly strong during the major periods of immigration in the 19th Century.

Somewhere along the way, America's nativists came to believe that people who were born in the United States were somehow better than those born abroad. Given our history and recognizing today's realities, one simply has to ask whether the remnants of nativism are playing a role in the philosophy of a large chunk of the American population.

We have imported diverse groups of people over the years. In the main, they have been encouraged to maintain their original identities and cultures. This has created here in immigrant America the kinds of frictions between those groups that have always existed around the world. With a positive attitude toward immigration, whether for justified reasons or not, we have created the kind of situation that has led to authoritarian coups throughout the world.

One could speculate that the negative attitudes of one third of our population toward immigrants and foreigners is nothing more than a holdover of attitudes that have existed here since the first European settlers arrived on our shores. That certainly does not make those attitudes appropriate, but it would provide some understanding on how they got here and why they continue to exist.

Is America to have the next authoritarian regime?

AMERICA'S PHOTOJOURNALISTS AND JANUARY 6

Mr. LEAHY. Madam President, they are sometimes called the Fourth Estate. The dedicated writers, researchers, editors, and investigators of the media, new and old. Their reporting writes the first draft of history. What an awesome responsibility.

But today, I want to recognize one particular set of reporters: the press photographers. Their images, also part of the first draft of history, bring the words to life. The photos they capture tell stories through images—sometimes moving, sometimes horrific—a language so universal that, sometimes, they need no words.

Many have written about the events of January 6, when a violent mob of insurrectionists attacked the Capitol and, indeed, our very seat of government. I was here that day, like so many Members of Congress, both the House and Senate, and so many staffers. And what I saw was unlike anything I have seen in my 47 years in the U.S. Senate. The press saw it, too—going on air to give accounts of what was happening, filing stories on the wires as the events were unfolding—and snapping the photographic evidence of the violence, the fear, the vandalism, and, yes, the determination of that day.

Scott Applewhite, a longtime photographer for the Associated Press, earlier this month published a piece for "The Public's Radio," recounting his experi-

ences that day and sharing several of the photographs he took that document the events that unfolded. It is well worth a read, and I ask unanimous consent that it be printed in the RECORD.

For anyone who is unaware of or who doubts the role of the press, and of its vigilant photographers, know this: While we work to make history, it is they who write it, as they capture and document it in their images. And make no mistake: Their jobs are as critical today as ever before.

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

[From the Public's Radio Jan. 5, 2022]

'WE HAVE TO BE THERE': AP PHOTOGRAPHER

RECALLS CAPITOL SIEGE

(By Scott J. Applewhite)

When the U.S. Capitol came under siege a year ago, Associated Press photographer J. Scott Applewhite was in the House chamber. In some respects he was the eyes of the world. All these months later, he is still processing the events of Jan. 6 as a photojournalist and as an American. When he thinks about it, Applewhite's ultimate assessment is this: The job of the photojournalist, is to show people what they can't see on their own. And to do that, journalists have to be there—as he was.

WASHINGTON (AP).—The U.S. Capitol was under siege. By Americans.

It was Jan. 6, 2021, on Capitol Hill in Washington, and Associated Press photographer J. Scott Applewhite was in the middle of it all—and was the eyes of the world in some respects. His camera recorded images that we are still gazing at today.

Here, he remembers some moments that stood out to him—moments that, so many months later, he is still processing as a photojournalist and as an American.

"The Capitol has been breached!" the Capitol Police officer shouted to lawmakers. Tear gas was in the Rotunda. "Get out your escape hoods and prepare to evacuate!" the officer said.

Glass was breaking in the main door to the chamber of the House of Representatives—the very door where you see the president enter for the State of the Union address. Quickly, the police and a few lawmakers grabbed benches and cabinets and barricaded the door.

From the officers came loud commands: Evacuate. Now. Stragglers were not tolerated—members of Congress, staffers, journalists, all.

But the move to safety was not immediate. Because they didn't know what was on the other side of the door.

You could hear the growl of the mob just outside. In the chamber, the officers were focused, their guns aimed. And I was trained on the door as well—with a telephoto zoom.

It was pretty sure I was right where I was supposed to be. I kept my lens focused on that reinforced door. Then: There was an eye, trying to see inside—the face of one of the rioters wearing a Trump hat. What he did not see were the guns aiming inches from his face.

I kept steady and held tight on that spot.

When the breach of the Capitol was announced and evacuation began, it was a chaotic and uncertain process. Evacuate to where? The mob was on the other side of the doors.

Eventually, the officers announced that tear gas had been deployed in the nearby Rotunda. All were instructed to don escape hoods that were stashed under the seats. That was part of the preparedness in the

wake of 9/11. I didn't put one on because I needed to see to use my camera.

After the evacuation order came, AP photographer Andy Harnik lingered and took many important images: lawmakers taking cover, and Capitol Police holding rioters at gunpoint.

Andy and I were both in the balcony that overlooks the House chamber. Andy had been on a side where some members of Congress were watching and the police presence was plentiful. I had been on the opposite side with about 30 reporters and photographers. The officers eventually pushed everyone out.

Andy must have been among the last. He said the final frame he shot in the chamber was one of me sitting alone in the House press gallery. Andy caught the terror in the faces of elected members of Congress as they dived for cover. When police rushed the members out, Andy kept his camera up, capturing rioters held at gunpoint by tactical officers outside the chamber.

The Capitol is where I work every day, and I am a familiar face to most police. When those on the chamber floor shouted up at me to get out, I told them I was fine and refused to leave. This is what we do: We stay and report.

One got more belligerent until another officer, a special agent in the protection division who guards the leadership, intervened. He shouted over, "Scotty's OK!" Two words is all it took (that and the obvious—they had their hands full with a mob on the other side of door).

The officer, in plain clothes, was Lt. Michael Byrd. Moments later, outside the House chamber, he shot and killed protester Ashli Babbitt as she climbed through a broken window of a barricaded door leading to the Speaker's Lobby.

From that point on, I was the only journalist and the only person remaining in the balcony to witness the standoff in the House chamber.

When the mob began to break the glass in the door, I could barely see the face of one of the rioters. The cops and a new congressman with a law enforcement background tried to de-escalate the situation even as guns were pointed at the hole in the glass.

The room was pretty dark. I was looking through a long zoom lens usually used outdoors for shooting sports or wildlife. I had brought it along for a little extra reach—closeups of faces and details during Electoral College voting, which is normally illuminated with TV lights.

The siege at the chamber door lasted about 45 minutes, until tactical units moved the intruders away. I was then able to move around the balcony above the House floor to record the deserted room and the debris. The gavel used by House Speaker Nancy Pelosi sat on the dais, surrounded by discarded emergency escape hoods and debris.

After the lawmakers and press evacuated, those doors were secured. For another two hours, I was locked in. Then an FBI tactical team swept through and threw me out of the building.

The joint session of the House and Senate resumed about 9 p.m. Andy Harnik and I persevered through the night and finished about 3 a.m. I went back to my office in the Senate Dirksen building, ate some soup and slept from 5 to 7 a.m. Then we started the next day's coverage.

The news went on, as it always does.

People have given me a lot of applause in the past year for what I did on Jan. 6, 2021, for the photos I took, for refusing to leave during the final evacuation. But I want to make one thing clear: I was simply doing my job. As were many of my colleagues.

AP photographers John Minchillo and Julio Cortez suffered the brunt of the riot as

they bravely threw themselves between the mob and the police. Manny Ceneta maneuvered his way around the Senate side of the Capitol to capture Trump supporters as they were stopped outside the chamber. Freelancer Jose Luis Magana took the photos of demonstrators scaling the wall of the west side of the Capitol. Jacquelyn Martin and Carolyn Kaster were also at the Trump rally and the march to the hill.

I was working directly with Washington photo editor Jon Elswick, who expedited my photos to the wire. Jon was patient with me because I was sending lots of pictures in a short time. This is usually not good form; we normally use judgment and discretion in how many we send in a short time so that the photo desk isn't overwhelmed.

In this case, I told Jon I was going to move as much as I could. Why? My previous experience in conflict zones and working around the military and police reminded me that my cameras might be destroyed by the mob or my disks confiscated by police. The ability to transmit from the camera ensured that the AP—and the world—would get the photos.

The fact is, I never really came face to face with the mob, except through a telephoto lens. And it really did take every one of us to record this story. Most of us in the Capitol that day—Getty, Reuters, AFP and others—couldn't move around without interference from the mob or the Capitol Police. Each of us covered what we could.

The result, if you will, was like a mosaic—views from different photographers all around the Capitol that composed a more complete picture.

I've witnessed plenty of violence and upheavals before, coups and revolutions, when I was doing conflict coverage abroad, but I am still shocked to experience it here. It was Americans attacking America.

What I saw, and what my camera captured, during the standoff at the House chamber a year ago was this: a place where a line was drawn—with courage, duty and guns.

And though they ultimately failed, in a very real way the rioters succeeded. It was an hour of anarchy, with an unchecked mob bringing one of the country's most sacred ceremonies—and the peaceful transfer of power—to a screeching, scary halt.

I often think about what might have happened if Pelosi had not called the Electoral College back immediately. Postponing a few days might have seemed the normal thing, but that didn't happen. The rioters had mostly escaped the police. Donald Trump was still in the White House for two more weeks. Jan. 6 was one of the longest days in our short American history. Imagine how long 14 more days might have been.

I've been at this a while, and I've learned: Some moments are hard to look at and some are hard to look away from. But whatever the moment might be, the job of the photo-journalist—the responsibility—is to show people what they can't see on their own.

To do that, we have to be there.

HONORING MAJOR DAVID MONIAC

Mr. TUBERVILLE. Madam President, I rise today to honor the 200th anniversary of Major David Moniac, the first Native American to graduate from the U.S. Military Academy at West Point.

Today, I would like to share the inspiring story of Major Moniac. He was born in 1802 and lived near present-day Pintlala, within Montgomery County, AL. Several of Moniac's family members were members of the Creek Nation

and influenced passage of the Treaty of New York in 1790, which declared peace between the Creek Nation and the United States. This treaty is significant as it contained an important provision for the U.S. Government to educate four young Creek Native Americans. Twenty-seven years later in 1817, David Moniac was accepted into the U.S. Military Academy under this provision at only 16 years old.

Despite facing an uphill battle due to his age and being the only minority at West Point, Moniac persevered. He went on to graduate in the year 1822 as a brevet second lieutenant in the 6th U.S. Infantry Regiment.

In 1836, Moniac answered the call of the U.S. military, to fight for our Nation and aid the Army in the Second Seminole War occurring in Florida. Moniac was named captain and proceeded to organize a unit of Creek Volunteers from Alabama to serve. During the war, this impactful Alabamian demonstrated true leadership as he commanded an assault on a Seminole stronghold and earned a promotion to major in October 1836. One month later, in November 1836, Major Moniac was killed by a musket volley at the Battle of Wahoo Swamp while he was leading a charge of Creek Volunteers. Moniac's death marked the end of the battle.

Major Moniac was laid to rest at a cemetery in Bushnell, FL, near the site of the Battle of Wahoo Swamp. To remember his incredible courage and bravery, the inscription on his grave marker states, "He was as brave and gallant a man as ever drew a sword or faced an enemy."

On November 21, 2021, Governor Kay Ivey presented the Alabama Distinguished Service Medal to Major Moniac's family at the Alabama State Capitol. The Distinguished Service Medal recognizes exceptionally meritorious service to the government in a duty of great responsibility.

Today, we honor Major David Moniac for his impact and the transformational change that he led as he paved the way for other Native Americans to receive admission to West Point. His legacy continues to make not only my home State of Alabama proud and grateful for his leadership but our entire country. It is a privilege to honor Major Moniac today in Congress 200 years later commemorating his service and sacrifice.

ADDITIONAL STATEMENTS

TRIBUTE TO TREVOR O'BRIEN

• Ms. HASSAN. Madam President, I am proud to recognize Trevor O'Brien of Lodonderry as January's Granite Stater of the Month. When Cobblestone Ale House, a popular local bar in Keene, was destroyed by a 5-alarm fire, Trevor jumped into action to support the people in his community who were impacted by this devastating event.

Trevor had previously worked at the ale house as a bartender for 10 years, and during that time, he was part of a vibrant community that felt to him like family. During his shifts, the bar would fill up with locals and tourists alike, who were there to meet up with old friends or make new connections. Trevor met his now-wife while working there, and he is officiating a wedding soon for another couple who met at the bar.

When Trevor heard the news of Cobblestone Ale House burning down, he immediately knew that he had to support his community during this difficult time. He made an impromptu GoFundMe page that he shared over social media and asked his friends to donate the equivalent of one final drink at the bar. Within an hour donations were pouring in. The campaign continued to spread from person-to-person and has since taken off, raising nearly \$20,000.

The money from the GoFundMe will be going to bar staffers to help with lost wages and to the tenants who lived above the ale house who lost belongings in the fire.

Trevor's actions are a testament to him, but also reflect the determination to be generous, kind, and strong neighbors that is a hallmark of Granite State character. Trevor's decision to help others sparked a movement that will make a real difference for people in his community, and I am honored to name him as January's Granite Stater of the Month.●

RECOGNIZING REDOX BIO-NUTRIENTS, LLC

● Mr. RISC. Madam President, as a member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today, I am pleased to honor Redox Bio-Nutrients as the Idaho Small Business of the Month for February 2022.

Redox Bio-Nutrients is a world-renowned fertilizer producer based in the heart of Burley, ID. CEO Darin Moon spent his childhood on a family farm in Heyburn, ID, before starting a career in soil science. After several years managing a farm in California, Darin returned to Idaho in 1993 and founded Redox Bio-Nutrients, and in doing so, he achieved his lifelong goal of using science to produce more nutritious food.

Darin's business acumen and innovative approach have been the cornerstones of the business' growth. Over the years, Darin's focus on innovation has earned him seven patents and provided Redox's customers with high-quality fertilizer that improves their crop yields. Today, the company supplies agricultural products in over 40 States and 32 countries, serving as a global testament to Idaho's industrious entrepreneurial spirit.

In addition to employing 19 Idahoans and 14 employees across multiple States, Darin's commitment to the Burley community is evident in his service on the Cassia County School District's school board. In 2018, he helped launch Connect, a district-wide program dedicated to connecting students in need with mental health resources and free therapy.

Congratulations to Darin, his family, and all the employees of Redox Bio-Nutrients, LLC on being selected as the Idaho Small Business of the Month for February 2022. You make our great State proud, and I look forward to your continued growth and success.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2954. A communication from the Chief Privacy Officer and Chief FOIA Officer, Department of Homeland Security, transmitting, pursuant to law, a report relative to the implementation of the recommendations of the 9/11 Commission for the period from October 1, 2020, through March 31, 2021; to the Committees on Homeland Security and Governmental Affairs; Select Committee on Intelligence; and the Judiciary.

EC-2955. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "2022 Civil Monetary Penalties Inflation Adjustments for Ethics in Government Act Violations" (RIN3209-AA60) received in the Office of the President of the Senate on January 18, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-2956. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-285, "Coronavirus Immunization of School Students and Early Childhood Workers Regulation Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2957. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-286, "School Financial Transparency Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2958. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-281, "Capital Gains Deduction Clarification Temporary Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2959. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-282, "Steatery Program Extension Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2960. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-283, "Fair Meals Delivery Second Temporary Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2961. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-284, "Constituent Unemploy-

ment Compensation Information Temporary Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2962. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-288, "Ghost Gun Clarification Temporary Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2963. A communication from the Director of the Office of Financial Reporting and Policy, Office of the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, a report entitled "FY 2021 Agency Financial Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-2964. A communication from the Director of the Regulatory Secretariat Division, Office of Government-wide Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Management Regulation (FMR); Internet GOV Domain" (RIN3090-AK52) received in the Office of the President of the Senate on January 14, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-2965. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to two (2) vacancies in the Department of Homeland Security, received in the Office of the President of the Senate on January 10, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-2966. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and a Management Report for the period from April 1, 2021 through September 30, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2967. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2021 through September 30, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2968. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2022-02, Small Entity Compliance Guide" (FAC 2022-02) received in the Office of the President of the Senate on January 10, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2969. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2021-003, Update to Certain Online References in the FAR" ((RIN 9000-AO21) (FAC 2022-02)) received in the Office of the President of the Senate on January 10, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-2970. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2021 through September 30, 2021 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC-2971. A joint communication from the Chairman and the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General

Semiannual Report for the period of April 1, 2021 through September 30, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2972. A communication from the Branch Chief, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Automation of CBP Form I-418 for Vessels" (RIN1651-AB18) received in the Office of the President of the Senate on January 10, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-2973. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2022-03, Introduction" (FAC 2022-03) received in the Office of the President of the Senate on January 10, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-2974. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-259, "Motor Vehicle Accident Prevention Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2975. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-260, "B.B. French School Disposition Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2976. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-261, "Wilkinson School Disposition Authorization Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2977. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-266, "Alpha Phi Alpha Way Designation Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2978. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-267, "Jamal Khashoggi Way Designation Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2979. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-268, "Electronic Proof of License, Permit, or Identification Card Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2980. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-269, "John Lewis Elementary School Designation Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2981. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-265, "Ward Redistricting Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2982. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-270, "Tenant Safe Harbor Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2983. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 24-271, "Inspector General Oversight Consistency Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2984. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-272, "Medical Marijuana Patient Access Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2985. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-273, "Non-Public Student Educational Continuity Second Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2986. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-274, "Anti-SLAPP Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2987. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-275, "Analyzing Additional Emergency Procurement Activity Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2988. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-228, "Child Wealth Building of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2989. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-255, "COVID Vaccination Leave Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2990. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-256, "Department of Insurance, Securities and Banking Emergency Powers Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2991. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-257, "Fifty-Point Preference Clarification Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2992. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-258, "McMillan Townhomes Parcels, Commercial Parcels, and Multifamily Parcels Extension of Disposition Authority Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2993. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-224, "Criminal Justice Involvement Reduction Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2994. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-220, "Rent Control Housing Database Deadline Extension Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2995. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-221, "Foreclosure Moratorium Extension, Scheduled Eviction Assistance, and Public Emergency Extension Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2996. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-222, "Contracts with Managed Care Organizations for the Provision of Health Care Services to District Residents Approval and Authorization Temporary Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2997. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-223, "CleanEnergy DC Omnibus Technical Amendment Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2998. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-225, "Emergency Rental Assistance Reform Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2999. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-226, "Fairness in Renting Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-3000. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-227, "Advisory Neighborhood Commission Pandemic Election Procedures Extension Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-3001. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-240, "Preserve Our Healthcare Workforce Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-3002. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-241, "Protecting Our Children Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-3003. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-242, "Public Service Commission Member Qualifications Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-3004. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-243, "Council Vaccination Policy Enforcement Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-3005. A communication from the Chair of the U.S. Nuclear Waste Technical Review Board, transmitting, pursuant to law, the Board's Agency Financial Report for fiscal year 2021 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC-3006. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to

law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2021 through September 30, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-3007. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education Agency Financial Report for fiscal year 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-3008. A communication from the Senior Procurement Executive, Office of Governmentwide Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation (GSAR); Architect-Engineer Selection Procedures" (RIN3090-AJ65) received in the Office of the President of the Senate on January 10, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-3009. A communication from the Secretary of the Board of Governors, United States Postal Service, transmitting, pursuant to law, the Board's annual report relative to its compliance with Section 3686(c) of the Postal Accountability and Enhancement Act of 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-3010. A communication from the General Deputy Assistant Secretary for Congressional and Intergovernmental Relations, Department of Housing and Urban Development, transmitting, pursuant to law, the Department's Agency Financial Report for fiscal year 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-3011. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Bars and Processing: Delay of Effective Date" ((RIN1615-AC57) (RIN1125-AB08)) received in the Office of the President of the Senate on January 11, 2022; to the Committee on the Judiciary.

EC-3012. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Electronic Submission of a Sequence Listing, a Large Table, or a Computer Program Listing Appendix in Patent Applications" (RIN0651-AD48) received in the Office of the President of the Senate on January 14, 2022; to the Committee on the Judiciary.

EC-3013. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Immigrant Visas" (RIN1400-AF37) received in the Office of the President of the Senate on January 19, 2022; to the Committee on the Judiciary.

EC-3014. A communication from the Senior Counsel of Legal Policy, Office of the Attorney General, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalties Inflation Adjustment" (Docket No. OAG 173) received in the Office of the President of the Senate on January 10, 2022; to the Committee on the Judiciary.

EC-3015. A communication from the Supervisory Workforce Analyst, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Adjudication of Temporary and Seasonal Need for Herding and Production of Livestock on the Range Applications Under the H-2A Program" (RIN1205-AB99) received in the Office of the President of the Senate on January 10, 2022; to the Committee on the Judiciary.

EC-3016. A communication from the Chief Attorney Advisor, Executive Office for Im-

migration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Executive Office for Immigration Review Electronic Case Access and Filing" (RIN1125-AA81) received in the Office of the President of the Senate on January 10, 2022; to the Committee on the Judiciary.

EC-3017. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Modification of Registration Requirement for Petitioners Seeking To File Cap-Subject H-1B Petitions, Implementations of Vacatur" (RIN1615-AC61) received in the Office of the President of the Senate on January 10, 2022; to the Committee on the Judiciary.

EC-3018. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of 4'-DMAR in Schedule I" ((21 CFR Part 1308) (Docket No. DEA-498)) received in the Office of the President of the Senate on January 10, 2022; to the Committee on the Judiciary.

EC-3019. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of Isotonitazene in Schedule I" ((21 CFR Part 1308) (Docket No. DEA-631)) received in the Office of the President of the Senate on January 10, 2022; to the Committee on the Judiciary.

EC-3020. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Clarification Regarding the Supplier's DEA Registration Number on the Single-Sheet DEA Form 222" ((RIN1117-AB61) (Docket No. DEA-662)) received in the Office of the President of the Senate on January 10, 2022; to the Committee on the Judiciary.

EC-3021. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Designation of Methyl alpha-phenylacetate, a Precursor Chemical Used in the Illicit Manufacture of Phenylacetone, Methamphetamine, and Amphetamine, as a List I Chemical" ((21 CFR Part 1310) (Docket No. DEA-678)) received in the Office of the President of the Senate on January 10, 2022; to the Committee on the Judiciary.

EC-3022. A communication from the Executive Director, Office of Congressional Workplace Rights, transmitting, pursuant to Section 301(l) of the Congressional Accountability Act of 1995 Reform Act, the Office's annual reports regarding covered payments from the account described in section 415(a) of the Act that were the result of claims alleging a violation of part A of title II of the Act, received in the office of the President pro tempore of the Senate; to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 1259, a bill to provide that crib bumpers shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act, and for other purposes (Rept. No. 117-62).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

*Celeste Ann Wallander, of Maryland, to be an Assistant Secretary of Defense.

*John F. Plumb, of New York, to be an Assistant Secretary of Defense.

*Melissa Griffin Dalton, of Virginia, to be an Assistant Secretary of Defense.

Air Force nomination of Col. Jeffrey W. Nelson, to be Brigadier General.

Marine Corps nominations beginning with Col. Mark A. Cunningham and ending with Col. Valerie A. Jackson, which nominations were received by the Senate and appeared in the Congressional Record on December 13, 2021.

Marine Corps nomination of Brig. Gen. Karl D. Pierson, to be Major General.

Air Force nomination of Maj. Gen. Stephen L. Davis, to be Lieutenant General.

Army nomination of Maj. Gen. Charles R. Hamilton, to be Lieutenant General.

Navy nomination of Vice Adm. Frank D. Whitworth III, to be Vice Admiral.

Mr. REED. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Kody A. Wilson, to be Major.

Air Force nomination of Matthew V. Chauviere, to be Lieutenant Colonel.

Air Force nomination of Jason W. Medsger, to be Colonel.

Army nomination of David S. Lidwell, to be Colonel.

Army nomination of Michael P. Hoffman, to be Major.

Army nomination of Jason C. Atkinson, to be Lieutenant Colonel.

Army nomination of Thomas M. Magill, to be Colonel.

Army nomination of Jonathan T. Butler, to be Major.

Army nomination of Tamar N. Wilson, to be Lieutenant Colonel.

Army nomination of Joseph B. Bulwinkle, to be Colonel.

Army nomination of Kurtis S. Maciorowski, to be Lieutenant Colonel.

Army nomination of Dominic C. Sewell, to be Major.

Army nomination of Andrew M. Wade, to be Major.

Army nomination of Latasha N. Turner, to be Major.

Army nomination of Brandi N. Atchison, to be Major.

Army nomination of Mark. P. O'Neill, Jr., to be Colonel.

Army nomination of Jonathan B. Lundy, to be Colonel.

Marine Corps nomination of Anthony C. Siciliano, to be Lieutenant Colonel.

Marine Corps nominations beginning with Rafael E. Masalbaladejo and ending with Jeremy J. Willoughby, which nominations were received by the Senate and appeared in the Congressional Record on January 5, 2022.

Marine Corps nominations beginning with Eddie M. Howland and ending with Billy J. Quinn, which nominations were received by the Senate and appeared in the Congressional Record on January 5, 2022.

Marine Corps nominations beginning with Andrew M. Adkins and ending with Joshua E. Williams, which nominations were received by the Senate and appeared in the Congressional Record on January 5, 2022.

Marine Corps nominations beginning with Ian M. Cole and ending with Christopher T. Sills, which nominations were received by the Senate and appeared in the Congressional Record on January 5, 2022.

Marine Corps nominations beginning with Eli J. Bressler and ending with Jonathon R. Cape, which nominations were received by the Senate and appeared in the Congressional Record on January 5, 2022.

Marine Corps nomination of Christopher M. Dilport, to be Lieutenant Colonel.

Marine Corps nomination of John F. Bathon, to be Major.

Marine Corps nominations beginning with Christopher L. Johnson and ending with Brad C. Swanson, which nominations were received by the Senate and appeared in the Congressional Record on January 5, 2022.

Marine Corps nominations beginning with Sergio Abreu and ending with Christopher J. Requejo, which nominations were received by the Senate and appeared in the Congressional Record on January 5, 2022.

Marine Corps nomination of Termaine R. Babers, to be Major.

Marine Corps nomination of Vicente Fregoso, to be Major.

Marine Corps nominations beginning with Michael E. Cates and ending with Andrew L. Smith, which nominations were received by the Senate and appeared in the Congressional Record on January 5, 2022.

Marine Corps nominations beginning with Darryl L. Ellis and ending with William J. Mueller, which nominations were received by the Senate and appeared in the Congressional Record on January 5, 2022.

Navy nomination of Anastasia S. Abid, to be Lieutenant Commander.

Navy nomination of Mariya V. George, to be Lieutenant Commander.

Navy nomination of Takeru A. Tajiri, to be Lieutenant Commander.

Navy nomination of Dawn C. Allen, to be Captain.

Navy nomination of David J. Fauste, to be Lieutenant Commander.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN:

S. 3539. A bill to authorize the Secretary of the Interior to carry out watershed pilots, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCOTT of South Carolina (for himself, Mr. CRUZ, Mr. TOOMEY, Ms. LUMMIS, Mr. HAGERTY, Mr. CRAPO, Mr. TILLIS, Mr. CRAMER, Mr. MORAN, Mr. DAINES, Mr. SHELBY, and Mr. KENNEDY):

S. 3540. A bill to amend the Federal Deposit Insurance Act to remove the Comptroller of the Currency and the Director of the Bureau of Consumer Financial Protec-

tion from the Board of Directors of the Federal Deposit Insurance Corporation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER (for himself, Mr. MORAN, Ms. HASSAN, Mr. TILLIS, Mr. MANCHIN, Mr. SULLIVAN, Mr. BLUMENTHAL, Mr. BOOZMAN, Mrs. MURRAY, Mr. TUBERVILLE, Ms. HIRONO, Mr. CASSIDY, Mr. SANDERS, Mr. CRAMER, Ms. SINEMA, Mr. ROUNDS, Mr. BROWN, and Mrs. BLACKBURN):

S. 3541. A bill to improve health care and services for veterans exposed to toxic substances, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY (for himself, Mr. KELLY, and Mr. CASSIDY):

S. 3542. A bill to prevent the misuse of drones, and for other purposes; to the Committee on the Judiciary.

By Mr. PETERS (for himself, Mr. HAGERTY, and Ms. STABENOW):

S. 3543. A bill to support research, development, and other activities to develop innovative vehicle technologies, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. HASSAN (for herself, Mr. CASEY, Mr. VAN HOLLEN, and Mr. MURPHY):

S. 3544. A bill to authorize funding for section 619 and part C of the Individuals with Disabilities Education Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCONNELL (for himself, Mr. PAUL, Mr. LEE, Ms. SINEMA, Mr. BRAUN, and Mr. OSSOFF):

S. 3545. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

By Mr. HAGERTY (for himself, Mr. TILLIS, Ms. LUMMIS, Ms. ERNST, Mr. CRUZ, Mr. CRAMER, Mr. BRAUN, Mr. RUBIO, and Mr. SCOTT of Florida):

S. 3546. A bill to amend the Internal Revenue Code of 1986 to repeal the amendments made to reporting of third party network transactions by the American Rescue Plan Act of 2021; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. VAN HOLLEN, Mr. BROWN, Ms. KLOBUCHAR, Mr. CARDIN, Mr. MENENDEZ, Mrs. FEINSTEIN, and Mr. MURPHY):

S. 3547. A bill to authorize the Director of the National Museum of African American History and Culture to support African American history education programs, and for other purposes; to the Committee on Rules and Administration.

By Ms. SMITH (for herself and Mr. SANDERS):

S. 3548. A bill to amend title 38, United States Code, to establish a presumption of service-connection for certain veterans with tinnitus or hearing loss, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself and Mr. LUJÁN):

S. 3549. A bill to require original equipment manufacturers to make available certain documentation, parts, software, and tools with respect to electronics-enabled implements of agriculture, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SASSE:

S. 3550. A bill to prohibit Members of Congress from buying or selling individual securities and lobbying for compensation after leaving Congress, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES (for himself and Mr. KING):

S. 3551. A bill to require the Secretary of Agriculture and the Secretary of the Interior to carry out certain activities to enhance recreational opportunities for gateway communities, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 3552. A bill to provide an increased allocation of funding under certain programs for assistance in areas of persistent poverty, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. FEINSTEIN (for herself, Ms. MURKOWSKI, Ms. CORTEZ MASTO, Mr. GRASSLEY, Mr. BLUMENTHAL, Mr. RUBIO, Mr. BROWN, Ms. ERNST, Mr. MARKEY, Ms. COLLINS, Mr. LEAHY, Ms. KLOBUCHAR, Mr. WYDEN, and Mr. HAWLEY):

S. Res. 500. A resolution supporting the observation of National Trafficking and Modern Slavery Prevention Month during the period beginning on January 1, 2022, and ending on February 1, 2022, to raise awareness of, and opposition to, human trafficking and modern slavery; to the Committee on the Judiciary.

By Mr. SCOTT of South Carolina (for himself, Mrs. FEINSTEIN, Mr. BRAUN, Mr. BURR, Mr. CASSIDY, Mr. CORNYN, Mr. CRUZ, Mr. CRAMER, Mr. DAINES, Mr. GRAHAM, Mr. JOHNSON, Mr. LANKFORD, Mr. MCCONNELL, Mr. ROMNEY, Mr. RUBIO, Mr. TILLIS, Mr. WICKER, Mr. YOUNG, Ms. ERNST, Mrs. BLACKBURN, Mr. TOOMEY, Mr. TUBERVILLE, Mrs. HYDE-SMITH, Mr. SCOTT of Florida, Mr. COTTON, Mr. HAGERTY, and Mr. INHOFE):

S. Res. 501. A resolution designating the week of January 23 through January 29, 2022, as "National School Choice Week"; considered and agreed to.

By Ms. WARREN (for herself, Mrs. BLACKBURN, Mr. VAN HOLLEN, Mr. OSSOFF, Mr. WYDEN, Mr. DURBIN, Mr. SULLIVAN, Mr. CRUZ, Mr. BRAUN, Mr. SCOTT of Florida, Mr. TILLIS, Mr. WICKER, and Mr. MORAN):

S. Res. 502. A resolution acknowledging and commemorating the World War II women in the Navy who served in the Women Accepted for Volunteer Emergency Service ("WAVES"); considered and agreed to.

ADDITIONAL COSPONSORS

S. 96

At the request of Mr. REED, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 96, a bill to provide for the long-term improvement of public school facilities, and for other purposes.

S. 521

At the request of Mr. PORTMAN, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Nevada (Ms. ROSEN) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 521, a bill to require the United States Postal Service to continue selling the Multi-national Species Conservation Funds

Semipostal Stamp until all remaining stamps are sold, and for other purposes.

S. 623

At the request of Mr. RUBIO, the name of the Senator from Alabama (Mr. TUBERVILLE) was added as a cosponsor of S. 623, a bill to make daylight saving time permanent, and for other purposes.

S. 675

At the request of Mr. COONS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 675, a bill to provide for the reporting to State and local law enforcement authorities of cases in which the national instant criminal background check system indicates that a firearm has been sought to be acquired by a prohibited person, so that authorities may pursue criminal charges under State law, and to ensure that the Department of Justice reports to Congress on prosecutions secured against prohibited persons who attempt to acquire a firearm.

S. 766

At the request of Ms. CORTEZ MASTO, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 766, a bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with consumer claim awards.

S. 948

At the request of Mr. SCOTT of Florida, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 948, a bill to protect American small businesses, gig workers, and freelancers by repealing the burdensome American Rescue Plan Act of 2021 transactions reporting threshold.

S. 1147

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1147, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 1328

At the request of Mr. LEAHY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1328, a bill to amend the Richard B. Russell National School Lunch Act to reauthorize the farm to school program, and for other purposes.

S. 1408

At the request of Mr. MARKEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1408, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone

Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 1558

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1558, a bill to amend chapter 44 of title 18, United States Code, to ensure that all firearms are traceable, and for other purposes.

S. 1613

At the request of Ms. DUCKWORTH, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 1613, a bill to require the Administrator of the Small Business Administration to establish a grant program for certain fitness facilities, and for other purposes.

S. 1725

At the request of Mr. ROUNDS, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1725, a bill to grant a Federal charter to the National American Indian Veterans, Incorporated.

S. 1858

At the request of Mr. MURPHY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1858, a bill to prohibit and prevent seclusion, mechanical restraint, chemical restraint, and dangerous restraints that restrict breathing, and to prevent and reduce the use of physical restraint in schools, and for other purposes.

S. 1996

At the request of Mr. MARKEY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1996, a bill to protect human rights and enhance opportunities for LGBTQI people around the world, and for other purposes.

S. 2224

At the request of Ms. HIRONO, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2224, a bill to direct the Director of the Office of Science and Technology Policy to carry out programs and activities to ensure that Federal science agencies and institutions of higher education receiving Federal research and development funding are fully engaging their entire talent pool, and for other purposes.

S. 2408

At the request of Mr. DAINES, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 2408, a bill to prohibit the award of Federal funds to an institution of higher education that hosts or is affiliated with a student-based service site that provides abortion drugs or abortions to students of the institution or to employees of the institution or site, and for other purposes.

S. 2434

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2434, a bill to provide tax

incentives that support local newspapers and other local media, and for other purposes.

S. 2446

At the request of Mrs. MURRAY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2446, a bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes.

S. 2613

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2613, a bill to provide for climate change planning, mitigation, adaptation, and resilience in the United States Territories and Freely Associated States, and for other purposes.

S. 2854

At the request of Mr. KENNEDY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2854, a bill to allow for the transfer and redemption of abandoned savings bonds.

S. 2872

At the request of Mr. WARNER, the names of the Senator from Nevada (Ms. ROSEN), the Senator from Ohio (Mr. BROWN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from California (Mrs. FEINSTEIN) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 2872, a bill to amend the Internal Revenue Code of 1986 to increase the adjusted gross income limitation for above-the-line deduction of expenses of performing artist employees, and for other purposes.

S. 2981

At the request of Mr. RUBIO, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Florida (Mr. SCOTT) were added as cosponsors of S. 2981, a bill to amend the National Housing Act to establish a mortgage insurance program for first responders, and for other purposes.

S. 3052

At the request of Mr. MARKEY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Vermont (Mr. LEAHY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 3052, a bill to promote free and fair elections, democracy, political freedoms, and human rights in Cambodia, and for other purposes.

S. 3063

At the request of Mr. HAGERTY, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 3063, a bill to prohibit the use of funds for a United States Embassy, Consulate General, Legation, Consular Office, or any other diplomatic facility in Jerusalem other than the United States Embassy to the State of Israel, and for other purposes.

S. 3136

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio

(Mr. BROWN) was added as a cosponsor of S. 3136, a bill to amend the Federal Election Campaign Act of 1971 to prohibit contributions and donations by foreign nationals in connection with State or local ballot initiatives or referenda.

S. 3176

At the request of Mr. TILLIS, the names of the Senator from Florida (Mr. RUBIO), the Senator from New Hampshire (Ms. HASSAN), the Senator from Indiana (Mr. BRAUN) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. 3176, a bill to establish a cause of action for those harmed by exposure to water at Camp Lejeune, North Carolina, and for other purposes.

S. 3213

At the request of Mr. VAN HOLLEN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 3213, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 3229

At the request of Mrs. FISCHER, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 3229, a bill to amend the Agricultural Marketing Act of 1946 to establish a cattle contract library, and for other purposes.

S. 3447

At the request of Mr. BLUMENTHAL, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3447, a bill to authorize the National Service Animals Monument Corporation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 3472

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3472, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 3494

At the request of Mr. OSSOFF, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3494, a bill to amend the Ethics in Government Act of 1978 to require Members of Congress and their spouses and dependents to place certain assets into blind trusts, and for other purposes.

S. 3497

At the request of Mr. INHOFE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3497, a bill to amend the Public Health Service Act to establish a grant program to award grants to public institutions of higher education located in a covered State, and for other purposes.

S. 3503

At the request of Mr. KENNEDY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3503, a bill to amend the Securities Exchange Act of 1934 to expand access to capital for rural-area small businesses, and for other purposes.

S. 3508

At the request of Mr. BLUMENTHAL, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from California (Mrs. FEINSTEIN), the Senator from California (Mr. PADILLA), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 3508, a bill to posthumously award a congressional gold medal to Constance Baker Motley.

S. 3513

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 3513, a bill to impose additional sanctions with respect to the Russian Federation if the Government of the Russian Federation infringes on the territorial integrity of Ukraine, and for other purposes.

S. 3527

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 3527, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to transfer the name of property of the Department of Veterans Affairs designated by law to other property of the Department.

S. 3532

At the request of Mr. CRUZ, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 3532, a bill to require the imposition of sanctions with respect to Ansarallah and its officials, agents, or affiliates for acts of international terrorism.

S. 3536

At the request of Mr. DAINES, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 3536, a bill to prohibit the Administrator of the Transportation Security Administration from accepting warrants for the arrest of aliens as valid proof of identification at airport security checkpoints, and for other purposes.

S. RES. 35

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 35, a resolution condemning the military coup that took place on February 1, 2021, in Burma and the Tatmadaw's detention of civilian leaders, calling for an immediate and unconditional release of all those detained, promoting accountability and justice for those killed by the Tatmadaw, and calling for those elected to serve in parliament to resume their duties without impediment, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. TESTER (for himself, Mr. MORAN, Ms. HASSAN, Mr. TILLIS, Mr. MANCHIN, Mr. SULLIVAN, Mr. BLUMENTHAL, Mr. BOOZMAN, Mrs. MURRAY, Mr. TUBERVILLE, Ms. HIRONO, Mr. CASSIDY, Mr. SANDERS, Mr. CRAMER, Ms. SINEMA, Mr. ROUNDS, Mr. BROWN, and Mrs. BLACKBURN):

S. 3541. A bill to improve health care and services for veterans exposed to toxic substances, and for other purposes; to the Committee on Veterans' Affairs.

Mr. MORAN. Mr. President, today I want to speak about a piece of bipartisan legislation that Chairman TESTER and I introduced with the unanimous support of every member of the Senate Committee on Veterans Affairs, both Republicans and Democrats.

Consensus is often hard to find, as we know, in this body, but caring for our Nation's veterans—our heroes—has a way of bringing us together. I tell Kansans back home that the Senate on veterans affairs is one of the few places left on which Republicans and Democrats find common ground. I hope that continues, and I hope that spreads.

Caring for our Nation's veterans is an honor that we all have, and when you reach an agreement between some of the most liberal members of our committee and the most conservative members of our committee, you know that you have a really good deal.

I first learned about the issue of toxic exposure years ago, while attending an event for Vietnam veterans at home in Kansas. After hearing about their struggles with exposure to Agent Orange, I introduced the Toxic Exposure Research Act, which was signed into law in 2016 and mandates research on health conditions of children and grandchildren of veterans who were exposed to toxins during their military service.

Our military veterans and their families and their survivors know exposure to toxic substances has become commonplace in modern warfare. Regrettably, the negative long-term health effects are sometimes not identified until long after the time of exposure, leaving veterans to face serious medical issues years after their service.

Toxic exposure during military service has created significant healthcare concerns for veterans, going back to mustard gas exposure in World War I and, most notably, the Vietnam generation's exposure to Agent Orange.

Despite these clear examples of lasting impact of military toxic exposures, struggles with health conditions associated with burn pits continue to plague the latest generation of veterans who served in the Global War on Terror.

I have spoken with veterans across Kansas and held a townhall meeting in my home State on the effects of toxic exposure on our veterans' health. My office continues to receive casework

from veterans regarding the burden of proof to gain access to healthcare. This legislation—the one that our committee will consider tomorrow—lessens that burden and creates a pathway for thousands of Kansas veterans and many more thousands of American veterans to receive healthcare for illnesses caused by toxic exposure.

For decades, toxic-exposed veterans have faced overwhelming barriers to getting VA healthcare and the services that they deserve. Post-9/11 veterans are the newest generation of American heroes to suffer from toxic exposures encountered in their military service.

These American heroes who put on the uniform and volunteered to go into harm's way on our behalf deserve to have their level of commitment matched by those of us who serve here in Congress. When our government sends troops to war, we make a pledge to care for them when they come home. Veterans who are made sick from service deserve medical care for those conditions.

The Health Care for Burn Pit Veterans Act is an important first step in making certain our veterans receive the care they need as a result of their service.

I appreciate the entire Senate Veterans' Affairs Committee for working together to craft this consequential legislation to care for our servicemembers who put their lives and health on the line for us. I also appreciate every member of the Senate Veterans' Affairs Committee—Senators TILLIS, HASSAN, SULLIVAN, MANCHIN, BOOZMAN, SANDERS, CASSIDY, BROWN, BLACKBURN, BLUMENTHAL, TUBERVILLE, HIRONO, CRAMER, SINEMA, and ROUNDS—for working together to better the lives of those who have served. Additionally, I am grateful for the support of many VSOs—veterans service organizations—that represent millions of veterans across the Nation.

This legislation is part of a comprehensive and phased approach. This first phase provides the VA with the authority it needs to expand healthcare for combat veterans. For many who are sick and suffering, time is running out, and our first priority is to get these veterans their healthcare now.

Our bill would also mandate training for the VA healthcare providers and benefit specialists to ensure a level of competence across the Department to make sure veterans receive exemplary treatment and service.

Our legislation would direct the VA to incorporate a clinical screening to inquire about a veteran's potential exposures and symptoms commonly associated with toxic exposure.

I talked to a veteran today who said she has been to the VA twice for care and treatment and has never been asked about whether she encountered any substance that could have been damaging to her health during her service. After speaking with these veterans, I have come to understand that

this basic and preventive act of screening is not part of enrollment or basic care provided by the Department. That must change.

Solutions to this complex problem cannot be generated by Congress alone and require a coordinated and systematic approach that involves partnering with the VA. My view is that we make a commitment to those who serve that we will do our work. This is a significant step in getting us to a point at which we are living up to that commitment and doing it in a way that is not damaging to any other veteran.

I urge my colleagues to read our bill, to grow their understanding of this complex challenge, and to join our committee, every single member of the committee, in passing this bill to get one step closer to providing care and relief on one of the most pressing challenges facing veterans today.

By Mr. MCCONNELL (for himself, Mr. PAUL, Mr. LEE, Ms. SINEMA, Mr. BRAUN, and Mr. OSSOFF):

S. 3545. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3545

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Prisons Accountability Act of 2022".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Director of the Bureau of Prisons leads a law enforcement component of the Department of Justice with a budget that exceeded \$7,000,000,000 for fiscal year 2018.

(2) With the exception of the Federal Bureau of Investigation, the Bureau of Prisons had the largest operating budget of any unit within the Department of Justice for fiscal year 2018.

(3) As of 2019, the Director of the Bureau of Prisons oversaw 122 facilities and was responsible for the welfare of more than 176,000 Federal inmates.

(4) As of 2019, the Director of the Bureau of Prisons supervised more than 36,000 employees, many of whom operate in hazardous environments that involve regular interaction with violent offenders.

(5) Within the Department of Justice, in addition to those officials who oversee litigating components, the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Director of the Community Relations Service, the Director of the Federal Bureau of Investigation, the Director of the Office on Violence Against Women, the Administrator of the Drug Enforcement Administration, the Deputy Administrator of the Drug Enforcement Administration, the Director of the United States Marshals Service, 94 United States Marshals, the Inspector General of the Department of Justice, and the Special Counsel for Immigration Related Unfair Employment Practices, are all appointed by the President by and with the advice and consent of the Senate.

(6) Despite the significant budget of the Bureau of Prisons and the vast number of people under the responsibility of the Director of the Bureau of Prisons, the Director is not appointed by and with the advice and consent of the Senate.

SEC. 3. DIRECTOR OF THE BUREAU OF PRISONS.

(a) IN GENERAL.—Section 4041 of title 18, United States Code, is amended by striking "appointed by and serving directly under the Attorney General." and inserting the following: "who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall serve directly under the Attorney General."

(b) INCUMBENT.—Notwithstanding the amendment made by subsection (a), the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act may serve as the Director of the Bureau of Prisons until the date that is 3 months after the date of enactment of this Act.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit the ability of the President to appoint the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act to the position of Director of the Bureau of Prisons in accordance with section 4041 of title 18, United States Code, as amended by subsection (a).

(d) TERM.—

(1) IN GENERAL.—Section 4041 of title 18, United States Code, as amended by subsection (a), is amended by inserting after "consent of the Senate." the following: "The Director shall be appointed for a term of 10 years, except that an individual appointed to the position of Director may continue to serve in that position until another individual is appointed to that position, by and with the advice and consent of the Senate. An individual may not serve more than 1 term as Director."

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply to appointments made on or after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 500—SUPPORTING THE OBSERVATION OF NATIONAL TRAFFICKING AND MODERN SLAVERY PREVENTION MONTH DURING THE PERIOD BEGINNING ON JANUARY 1, 2022, AND ENDING ON FEBRUARY 1, 2022, TO RAISE AWARENESS OF, AND OPPOSITION TO, HUMAN TRAFFICKING AND MODERN SLAVERY

Mrs. FEINSTEIN (for herself, Ms. MURKOWSKI, Ms. CORTEZ MASTO, Mr. GRASSLEY, Mr. BLUMENTHAL, Mr. RUBIO, Mr. BROWN, Ms. ERNST, Mr. MARKEY, Ms. COLLINS, Mr. LEAHY, Ms. KLOBUCHAR, Mr. WYDEN, and Mr. HAWLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 500

Whereas the United States abolished the transatlantic slave trade in 1808 and abolished chattel slavery and prohibited involuntary servitude in 1865;

Whereas, because the people of the United States remain committed to protecting individual freedom, there is a national imperative to eliminate human trafficking and modern slavery, which is commonly considered to mean—

(1) the recruitment, harboring, transportation, provision, or obtaining of an individual through the use of force, fraud, or coercion for the purpose of subjecting that individual to involuntary servitude, peonage, debt bondage, or slavery; or

(2) the inducement of a commercial sex act by force, fraud, or coercion, or in which the individual induced to perform that act is younger than 18 years of age;

Whereas forced labor and human trafficking generates revenues of approximately \$150,000,000,000 annually worldwide, and there are an estimated 40,000,000 victims of human trafficking and modern slavery across the globe;

Whereas victims of human trafficking are difficult to identify and are subject to manipulation, force, fraud, coercion, and abuse;

Whereas the Department of Justice has reported that human trafficking and modern slavery has been reported and investigated in each of the 50 States and the District of Columbia;

Whereas the Department of State has reported that the top 3 countries of origin of federally identified human trafficking victims in the United States in fiscal year 2020 were the United States, Mexico, and Honduras;

Whereas, to help businesses in the United States combat child labor and forced labor in global supply chains, the Department of Labor has identified 156 goods from 77 countries that are made by child labor and forced labor;

Whereas, since 2007, the National Human Trafficking Hotline has identified nearly 74,000 cases of human trafficking;

Whereas, of the more than 26,500 endangered runaways reported to the National Center for Missing and Exploited Children in 2020, 1 in 6 were likely child sex trafficking victims;

Whereas youth experiencing homelessness experience high rates of human trafficking and 1 in 5 homeless youths is a victim of sex trafficking, labor trafficking, or both;

Whereas the Administration for Native Americans of the Department of Health and Human Services reports that American Indian, Alaska Native, and Pacific Islander women and girls have a heightened risk for sex trafficking;

Whereas the Department of Justice found that studies on the topic of human trafficking of American Indians and Alaska Natives suggest there are—

(1) high rates of sexual exploitation of Native women and girls;

(2) gaps in data and research on trafficking of American Indian and Alaska Native victims; and

(3) barriers that prevent law enforcement agencies and victim service providers from identifying and responding appropriately to Native victims;

Whereas, according to the Government Accountability Office, from fiscal year 2013 through fiscal year 2016, there were only 14 Federal investigations and 2 Federal prosecutions of human trafficking offenses in Indian country;

Whereas, to combat human trafficking and modern slavery in the United States and globally, the people of the United States, the Federal Government, and State, Tribal, and local governments must be—

(1) aware of the realities of human trafficking and modern slavery; and

(2) dedicated to stopping the horrific enterprise of human trafficking and modern slavery;

Whereas the United States should hold accountable all individuals, groups, organizations, governments, and countries that support, advance, or commit acts of human trafficking and modern slavery;

Whereas, through education, the United States must also work to end human trafficking and modern slavery in all forms in the United States and around the world;

Whereas victims of human trafficking deserve a trauma-informed approach that integrates the pursuit of justice and provision of social services designed to help them escape, and recover from, the physical, mental, emotional, and spiritual trauma they endured;

Whereas combating human trafficking requires a whole-of-government effort that rests on a unified and coordinated response among Federal, State, Tribal, and local agencies and that places equal value on the prevention of trafficking, the identification and stabilization of victims, and the investigation and prosecution of traffickers;

Whereas laws to prosecute perpetrators of human trafficking and to assist and protect victims of human trafficking and modern slavery have been enacted in the United States, including—

(1) the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);

(2) title XII of the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 136);

(3) the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22; 129 Stat. 227);

(4) sections 910 and 914(e) of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114-125; 130 Stat. 239 and 274);

(5) section 1298 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 7114);

(6) the Abolish Human Trafficking Act of 2017 (Public Law 115-392; 132 Stat. 5250);

(7) the Trafficking Victims Protection Act of 2017 (Public Law 115-393; 132 Stat. 5265);

(8) the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Public Law 115-425; 132 Stat. 5472); and

(9) the Trafficking Victims Protection Reauthorization Act of 2017 (Public Law 115-427; 132 Stat. 5503);

Whereas the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22; 129 Stat. 227) established the United States Advisory Council on Human Trafficking to provide a formal platform for survivors of human trafficking to advise and make recommendations on Federal anti-trafficking policies to the Interagency Task Force to Monitor and Combat Trafficking established by the President;

Whereas the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration issued a final rule (80 Fed. Reg. 4967) to implement Executive Order 13627, entitled “Strengthening Protections Against Trafficking in Persons in Federal Contracts”, that clarifies the policy of the United States on combating trafficking in persons as outlined in the Federal Acquisition Regulation by strengthening the prohibition on contractors from charging employee recruitment fees;

Whereas, although such laws and regulations are currently in force, it is essential to increase public awareness, particularly among individuals who are most likely to come into contact with victims of human trafficking and modern slavery, regarding conditions and dynamics of human trafficking and modern slavery, precisely because traffickers use techniques that are designed to severely limit self-reporting and evade law enforcement;

Whereas January 1 is the anniversary of the effective date of the Emancipation Proclamation;

Whereas February 1 is—

(1) the anniversary of the date on which President Abraham Lincoln signed the joint resolution sending the 13th Amendment to

the Constitution of the United States to the States for ratification to forever declare, “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction”; and

(2) a date that has long been celebrated as National Freedom Day, as described in section 124 of title 36, United States Code; and

Whereas, under the authority of Congress to enforce the 13th Amendment to the Constitution of the United States “by appropriate legislation”, Congress, through the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.), updated the post-Civil War involuntary servitude and slavery statutes and adopted an approach of victim protection, vigorous prosecution, and prevention of human trafficking, commonly known as the “3P” approach: Now, therefore, be it

Resolved, That the Senate supports—

(1) observing National Trafficking and Modern Slavery Prevention Month during the period beginning on January 1, 2022, and ending on February 1, 2022, to recognize the vital role that the people of the United States have in ending human trafficking and modern slavery;

(2) marking the observation of National Trafficking and Modern Slavery Prevention Month with appropriate programs and activities, culminating in the observance on February 1, 2022, of National Freedom Day, as described in section 124 of title 36, United States Code;

(3) urging continued partnerships with Federal, State, Tribal, and local agencies, as well as social service providers and nonprofit organizations to address human trafficking with a collaborative, victim-centered approach; and

(4) all other efforts to prevent, eradicate, and raise awareness of, and opposition to, human trafficking and modern slavery.

SENATE RESOLUTION 501—DESIGNATING THE WEEK OF JANUARY 23 THROUGH JANUARY 29, 2022, AS “NATIONAL SCHOOL CHOICE WEEK”

Mr. SCOTT of South Carolina (for himself, Mrs. FEINSTEIN, Mr. BRAUN, Mr. BURR, Mr. CASSIDY, Mr. CORNYN, Mr. CRUZ, Mr. CRAMER, Mr. DAINES, Mr. GRAHAM, Mr. JOHNSON, Mr. LANKFORD, Mr. MCCONNELL, Mr. ROMNEY, Mr. RUBIO, Mr. TILLIS, Mr. WICKER, Mr. YOUNG, Ms. ERNST, Mrs. BLACKBURN, Mr. TOOMEY, Mr. TUBERVILLE, Mrs. HYDE-SMITH, Mr. SCOTT of Florida, Mr. COTTON, Mr. HAGERTY, and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 501

Whereas providing a diversity of choices in kindergarten through grade 12 (referred to in this preamble as “K-12”) education empowers parents to select education environments that meet the individual needs and strengths of their children;

Whereas high-quality K-12 education environments of all varieties are available in the United States, including traditional public schools, public charter schools, public magnet schools, private schools, online academies, and home schooling;

Whereas talented teachers and school leaders in each of the education environments prepare children to achieve their dreams;

Whereas more families than ever before in the United States actively choose the best education for their children;

Whereas more public awareness of the issue of parental choice in education can inform additional families of the benefits of proactively choosing challenging, motivating, and effective education environments for their children;

Whereas the process by which parents choose schools for their children is non-political, nonpartisan, and deserves the utmost respect;

Whereas the COVID-19 pandemic has exacerbated educational inequities for many children in the United States, highlighting the importance of a high-quality education; and

Whereas tens of thousands of events are planned to celebrate the benefits of educational choice during the 12th annual National School Choice Week, held the week of January 23 through January 29, 2022: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of January 23 through January 29, 2022, as “National School Choice Week”;

(2) congratulates students, parents, teachers, and school leaders from kindergarten through grade 12 education environments of all varieties for their persistence, achievements, dedication, and contributions to society in the United States;

(3) encourages all parents, during National School Choice Week, to learn more about the education options available to them; and

(4) encourages the people of the United States to hold appropriate programs, events, and activities during National School Choice Week to raise public awareness of the benefits of opportunity in education.

SENATE RESOLUTION 502—ACKNOWLEDGING AND COMMEMORATING THE WORLD WAR II WOMEN IN THE NAVY WHO SERVED IN THE WOMEN ACCEPTED FOR VOLUNTEER EMERGENCY SERVICE (“WAVES”)

Ms. WARREN (for herself, Mrs. BLACKBURN, Mr. VAN HOLLEN, Mr. OSSOFF, Mr. WYDEN, Mr. DURBIN, Mr. SULLIVAN, Mr. CRUZ, Mr. BRAUN, Mr. SCOTT of Florida, Mr. TILLIS, Mr. WICKER, and Mr. MORAN) submitted the following resolution; which was considered and agreed to:

S. RES. 502

Whereas, President Franklin D. Roosevelt established the Women Accepted for Volunteer Emergency Service (referred to in this preamble as “WAVES”) on July 30, 1942, when he signed the Act of July 30, 1942 (56 Stat. 730, chapter 538) into law;

Whereas, despite social stigmas and public opinion averse to women in uniform, women applied for WAVES in such numbers that enrollment ceilings were reached within the first several years;

Whereas, while women had served in the enlisted ranks of the Navy in a variety of positions during World War I, legislation passed after World War I limited women to service as nurses until the creation of the WAVES;

Whereas, during World War II, women in the United States were recruited into the Armed Forces to perform military assignments so that men could be freed for combat duties;

Whereas, under the direction of Lieutenant Commander (later Captain) Mildred Helen McAfee, the WAVES peaked in 1945 at nearly 80,000 officers and enlisted personnel, or approximately 2.5 percent of the wartime strength of the Navy and was composed of women from urban and rural communities across many socioeconomic backgrounds;

Whereas, the Secretary of the Navy’s Annual Report Fiscal Year 1945 stated that there were 8,475 officers and 73,816 enlisted WAVES serving in the spring of 1945;

Whereas the WAVES worked at large and small naval commands from Florida to Washington and from California to Rhode Island, as well as overseas;

Whereas the WAVES numerous and diverse contributions ranged from yeoman, chauffeur, and baker to pharmacist, artist, aircraft mechanic, and dental hygienist;

Whereas during World War II, WAVES served as training instructors throughout the country for newly recruited WAVES as well as thousands of aspiring male naval aviators, gunners, and navigators destined for combat units;

Whereas the WAVES who served in naval aviation taught instrument flying, aircraft recognition, celestial navigation, aircraft gunnery, radio, radar, air combat information, and air fighter administration but were not allowed to be pilots;

Whereas the WAVES served the Navy in such numbers that, according to a Navy estimate, enough men were freed for combat duty to crew the ships of 4 major task forces, each including a battleship, 2 large aircraft carriers, 2 heavy cruisers, 4 light cruisers, and 15 destroyers;

Whereas, at the end of World War II, Secretary of the Navy James Forrestal stated that members of the WAVES “have exceeded performance of men in certain types of work, and the Navy Department considers it to be very desirable that these important services rendered by women during the war should likewise be available in postwar years ahead”;

Whereas, by the end of World War II, more than 400,000 women had served the United States in military capacities, with every Navy aviator who entered combat having received some part of his training from a WAVE;

Whereas the WAVES, despite their merit and the recognized value and importance of their contributions to the war effort, were not given status equal to their male counterparts, and struggled for years to receive the appreciation of Congress and the people of the United States;

Whereas the WAVES helped to catalyze the social, demographic, and economic evolutions that occurred in the 1960s and 1970s and continue to this day; and

Whereas the pioneering women who served in the WAVES are owed a great debt of gratitude for their service to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) honors the women who served the United States in the Navy Women Accepted for Voluntary Emergency Service (“WAVES”) during World War II;

(2) commends the WAVES who, through a sense of duty and willingness to defy stereotypes and social pressures, performed military assignments to aid the war effort, with the result that men were freed for combat duties; and

(3) recognizes that the WAVES, by serving with diligence and merit, not only opened up opportunities for women that had previously been reserved for men, but also contributed vitally to the victory of the United States and the Allies in World War II.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4918. Mr. MENENDEZ (for Mr. CARDIN (for himself and Mr. YOUNG)) proposed an amendment to the resolution S. Res. 35, condemning the military coup that took place on February 1, 2021, in Burma and the Tatmadaw’s detention of civilian leaders, calling for an immediate and unconditional

release of all those detained, promoting accountability and justice for those killed by the Tatmadaw, and calling for those elected to serve in parliament to resume their duties without impediment, and for other purposes.

SA 4919. Mr. MENENDEZ (for Mr. CARDIN (for himself and Mr. YOUNG)) proposed an amendment to the resolution S. Res. 35, supra.

SA 4920. Mr. MENENDEZ (for Mr. CARDIN (for himself and Mr. YOUNG)) proposed an amendment to the resolution S. Res. 35, supra.

SA 4921. Mr. MENENDEZ (for Mrs. SHAHEEN) proposed an amendment to the resolution S. Res. 345, expressing the sense of the Senate on the political situation in Belarus.

SA 4922. Mr. MENENDEZ (for Mr. OSSOFF) proposed an amendment to the resolution S. Res. 496, congratulating the University of Georgia Bulldogs football team for winning the 2022 National Collegiate Athletic Association College Football Playoff National Championship.

TEXT OF AMENDMENTS

SA 4918. Mr. MENENDEZ (for Mr. CARDIN (for himself and Mr. YOUNG)) proposed an amendment to the resolution S. Res. 35, resolution condemning the military coup that took place on February 1, 2021, in Burma and the Tatmadaw’s detention of civilian leaders, calling for an immediate and unconditional release of all those detained, promoting accountability and justice for those killed by the Tatmadaw, and calling for those elected to serve in parliament to resume their duties without impediment, and for other purposes; as follows:

Strike all after the resolving clause and insert the following: “That the Senate—

(1) supports the people of Burma in their ambition for democracy, sustainable peace, and genuine ethnic and religious reconciliation, and the realization of internationally recognized human rights for all, including for ethnic and religious groups whose human rights have been violated repeatedly and who have been disenfranchised historically;

(2) calls on the Tatmadaw to—

(A) immediately and unconditionally release all political prisoners detained as a result of the military coup on February 1, 2021;

(B) immediately restore all forms of communications, including access to the internet without surveillance;

(C) immediately end the use of violence and allow for a legal process for accountability and justice for those unlawfully detained, injured, and killed by the Tatmadaw;

(D) remove all impediments to free travel that have been imposed as a result of the coup;

(E) return to power all members of the civilian government elected in the November 8, 2020, elections and allow them to fulfill their mandate without impediment;

(F) allow for freedom of expression, including the right to protest, peaceful assembly, press freedom, and freedom of movement; and

(G) allow unfettered reporting from local, national, and international media;

(3) calls on social media companies to suspend the accounts of the Union Solidarity and Development Party and the Tatmadaw that have used their platforms to spread disinformation, fear, and psychological violence;

(4) supports the use of all diplomatic, economic, and development tools to ensure that vulnerable groups, including ethnic and religious groups, as well as all children, youth,

and teachers in educational settings are safe, and schools and universities are not targeted for attacks or use by the Tatmadaw;

(5) expresses grave concern for the safety and security of hundreds of thousands of internally displaced persons (referred to in this resolution as “IDPs”) and refugees who have been displaced by the Tatmadaw and now face challenging conditions in camps;

(6) expresses grave concern for the 3,000,000 people of Burma who are in need of humanitarian aid, including the 223,000 IDPs in Burma, of which 165,000 remain in the southeast, adding to those already displaced in Rakhine, Chin, Shan and Kachin states;

(7) encourages Burma’s neighboring countries, including Thailand, India, and Bangladesh, to meaningfully assist refugees who have fled and continue to flee the Tatmadaw;

(8) calls on the President, the Secretary of State, and the Secretary of Defense to fully implement section 7008 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116-260) and any similar or successor law governing United States foreign assistance following a coup d’etat, and to immediately—

(A) impose targeted restrictions aimed at the Tatmadaw, military-owned or controlled enterprises, and those responsible for the February 1, 2021, coup;

(B) work with the international community, including at the United Nations Security Council, with United States allies in the region, and with the Association of Southeast Asian Nations, to condemn the coup, delegitimize the junta, and take steps to ensure that international economic engagement in Burma does not contribute to human rights abuses and benefit individuals connected to the coup;

(C) support conditionality on diplomatic, economic, and security relations with Burma, including using the voice and vote of the United States at multilateral development institutions, until all those detained in the February 1, 2021, coup are released and there has been a full restoration of civilian-controlled parliament respecting the November 8, 2020, election results;

(D) utilize the United States Government’s position on the United Nations Security Council to bring about greater international cooperation in the pursuit of justice and accountability in Burma;

(E) legitimize and provide assistance to the National Unity Government of the Republic of the Union of Myanmar, the National Unity Consultative Council, the Civil Disobedience Movement in Myanmar, and other entities promoting democracy in Burma, while simultaneously denying legitimacy and resources to the junta;

(F) promote national reconciliation among the diverse ethnic and religious groups in Burma;

(G) counter support to the junta by the People’s Republic of China and the Russian Federation; and

(H) secure the restoration of democracy, the establishment of an inclusive and representative civilian government and a reformed military reflecting the diversity of Burma and under civilian control, and the enactment of constitutional, political, and economic reform in Burma; and

(9) urges the Secretary of State to swiftly conduct an Interagency Process and issue a determination as to whether the targeting and murder of innocent civilians by the Tatmadaw during and after the February 1, 2021, coup d’etat, specifically those associated with ethnic and religious groups in Burma, and crimes committed by the Tatmadaw against such ethnic and religious groups prior to the coup constitute crimes against humanity or genocide.

SA 4919. Mr. MENENDEZ (for Mr. CARDIN (for himself and Mr. YOUNG)) proposed an amendment to the resolution S. Res. 35, condemning the military coup that took place on February 1, 2021, in Burma and the Tatmadaw’s detention of civilian leaders, calling for an immediate and unconditional release of all those detained, promoting accountability and justice for those killed by the Tatmadaw, and calling for those elected to serve in parliament to resume their duties without impediment, and for other purposes; as follows:

Strike the preamble and insert the following:

Whereas, on February 1, 2021, the military of Burma (the “Tatmadaw”) and its aligned Union Solidarity and Development Party (USDP) conducted a military coup against the civilian government hours before Parliament was to convene in a new session, resulting in the military junta illegally detaining State Counsellor Aung San Suu Kyi, President Win Myint, and members of Parliament, as well as pro-democracy activists from the 88 Generation and other civil society leaders;

Whereas, since February 1, 2021, the Tatmadaw has detained more than 11,000 people for exercising their rights of freedom of speech and assembly and killed more than 1,400 civilians, including children;

Whereas the Tatmadaw has put the democratically-elected civilian leadership of Burma, including President Win Myint and State Counsellor Aung San Suu Kyi, through sham trials for fabricated crimes and sentenced them to lengthy prison terms in order to remove them from political competition;

Whereas the Tatmadaw has become the world’s second largest detainer of journalists, with over 100 journalists imprisoned since the military coup;

Whereas the Tatmadaw’s actions have driven hundreds of thousands from their homes and driven thousands to flee across Burma’s borders into Thailand, India, and Bangladesh;

Whereas fighting between the Tatmadaw and several ethnic armed groups continues, with government forces committing increased abuses against ethnic Karen, Kayah, Kachin, Chin, Rakhine, Shan, and Rohingya minority populations;

Whereas the Tatmadaw restricted freedom of movement, telecommunications, and the media, limiting access to information to and from Burma during a political and public health crisis;

Whereas senior generals of the Tatmadaw have been sanctioned by the United States Government for serious human rights abuses and for their role in the coup and are subject to ongoing investigations into their conduct by the International Criminal Court and the International Court of Justice;

Whereas, on January 28, 2021, the Union Election Commission rejected allegations by the Tatmadaw that fraud played a significant role in determining the outcome of the November 2020 elections;

Whereas Burma’s November 8, 2020, elections resulted in the National League for Democracy party securing enough seats in Parliament to form the next government;

Whereas the Tatmadaw has a long history of committing atrocities against the people of Burma, including the targeting of specific ethnic groups; and

Whereas senior United States officials have committed to making a determination of whether such atrocities constitute genocide: Now, therefore, be it

SA 4920. Mr. MENENDEZ (for Mr. CARDIN (for himself and Mr. YOUNG)) proposed an amendment to the resolution S. Res. 35, resolution condemning the military coup that took place on February 1, 2021, in Burma and the Tatmadaw’s detention of civilian leaders, calling for an immediate and unconditional release of all those detained, promoting accountability and justice for those killed by the Tatmadaw, and calling for those elected to serve in parliament to resume their duties without impediment, and for other purposes; as follows:

Amend the title so as to read: “A resolution condemning the military coup that took place on February 1, 2021, in Burma and the Tatmadaw’s detention of civilian leaders, calling for an immediate and unconditional release of all those detained, promoting accountability and justice for those killed by the Tatmadaw, and calling for those elected to serve in parliament to resume their duties without impediment, and for other purposes.”.

SA 4921. Mr. MENENDEZ (for Mrs. SHAHEEN) proposed an amendment to the resolution S. Res. 345, expressing the sense of the Senate on the political situation in Belarus; as follows:

On page 13, strike lines 1 through 8, and insert the following:

(7) calls for the unconditional release of all political prisoners and journalists detained on dubious charges, including opposition candidates Sergei Tikhanovsky and Viktor Babaryka, pro-democracy activist Maria Kalesnikava, and Radio Free Europe/Radio Liberty journalists Ihor Losik, Aleh Hruzdilovich, and Andrey Kuznechyk;

On page 14, lines 8 and 9, strike “consider all economic, political, and diplomatic tools” and insert “consider further tools”.

SA 4922. Mr. MENENDEZ (for Mr. OSSOFF) proposed an amendment to the resolution S. Res. 496, congratulating the University of Georgia Bulldogs football team for winning the 2022 National Collegiate Athletic Association College Football Playoff National Championship; as follows:

Strike all after the resolving clause and insert the following: “That the Senate—

(1) congratulates the University of Georgia Bulldogs football team for a great season and winning the 2022 National Collegiate Athletic Association College Football Playoff National Championship game;

(2) recognizes the achievements of all players, coaches, and staff who contributed to the championship season; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the President of the University of Georgia, Jere Morehead;

(B) the Athletic Director of the University of Georgia, Josh Brooks; and

(C) the Head Coach of the University of Georgia Bulldogs football team, Kirby Smart.

AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have 8 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, February 1, 2022, at 3 p.m., to conduct a hearing

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, February 1, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, February 1, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, February 1, 2022, at 10:15 a.m., to conduct a hearing on nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, February 1, 2022, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON SMALL BUSINESS AND
ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Tuesday, February 1, 2022, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, February 1, 2022, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON CONSUMER PROTECTION,
PRODUCT SAFETY, AND DATA SECURITY

The Subcommittee on Consumer Protection, Product Safety, and Data Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, February 1, 2022, at 2:30 p.m., to conduct a hearing.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Majority Leader, pursuant to the provisions of Public Law 116-260, the appointment of the following individual to serve as a member of the People-to-People Partnership for Peace Fund Advisory Board: The Honorable Angela Warnick of New York.

The Chair announces, on behalf of the Majority Leader, pursuant to the provisions of Public Law 106-567, the appointment of the following indi-

vidual to serve as a member of the Public Interest Declassification Board: Alissa M. Starzak of the District of Columbia.

The Chair, pursuant to Public Law 117-81, on behalf of the Chairman of the Armed Services Committee, appoints the following individual to serve as a member of the Commission on Planning, Programming, Budgeting, and Execution Reform: Robert F. Hale of Virginia.

The Chair, pursuant to Public Law 117-81, on behalf of the Majority Leader, appoints the following individual to serve as a member of the Commission on Planning, Programming, Budgeting, and Execution Reform: Arun A. Seraphin of New York.

The Chair, pursuant to Public Law 117-81, on behalf of the Ranking Member of the Armed Services Committee appoints the following individual to serve as a member of the Commission on Planning, Programming, Budgeting, and Execution Reform: Ellen M. Lord of North Carolina.

CONDEMNING THE MILITARY COUP
THAT TOOK PLACE ON FEB-
RUARY 1, 2021, IN BURMA

Mr. MENENDEZ. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 26 S. Res. 35.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 35) condemning the military coup that took place on February 1, 2021, in Burma and the Burmese military's detention of civilian leaders, calling for an immediate and unconditional release of all those detained and for those elected to serve in parliament to resume their duties without impediment, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert the part printed in italic, and with an amendment to strike the preamble and insert the part printed in italic, as follows:

S. RES. 35

Whereas Burma's November 8, 2020, elections resulted in the National League for Democracy party securing enough seats in Parliament to form the next government, notwithstanding the disenfranchisement of more than 1,500,000 voters, mostly from ethnic minority communities in Kachin, Karen, Mon, Rakhine, Shan, and Chin states;

Whereas, on January 28, 2021, the Union Election Commission rejected allegations by the military of Burma (the "Tatmadaw") that fraud played a significant role in determining the outcome of the November 2020 elections;

Whereas, on February 1, 2021, the Tatmadaw and its aligned Union Solidarity and Development Party ("USDP") conducted a military coup against the civilian government hours before Parliament was to convene in a new session, resulting in the military junta illegally detaining State Counsellor Aung San Suu Kyi, President Win Myint, and members of Par-

liament, as well as pro-democracy activists from the 88 Generation and other civil society leaders;

Whereas the Tatmadaw restricted freedom of movement, telecommunications, and the media, limiting access to information to and from Burma during a political and public health crisis;

Whereas senior generals of the Tatmadaw have been sanctioned by the United States Government for serious human rights abuses and for their role in the coup and are subject to ongoing investigations into their conduct by the International Criminal Court and the International Court of Justice;

Whereas, since August 25, 2017, 740,000 Rohingya have fled northern Rakhine State to neighboring Bangladesh to escape a systematic campaign of atrocities by Burma's military and security forces, and over three years later, conditions are still not conducive to the safe, voluntary, and dignified return of the Rohingya to Burma;

Whereas, according to the Department of State's August 24, 2018, report entitled "Documentation of Atrocities in Northern Rakhine State", violence committed by the Burmese military (Tatmadaw) against the Rohingya, including from August to October 2017, was not only "extreme, large-scale, widespread, and seemingly geared toward both terrorizing the population and driving out the Rohingya residents," but also "well-planned and coordinated";

Whereas, on August 28, 2018, the United States Ambassador to the United Nations told the United Nations Security Council that the Department of State report's findings were "consistent with" those in an August 27, 2018, report by the Independent International Fact-Finding Mission on Myanmar (IIFFMM) which urged that top Burmese military officials be investigated and prosecuted for genocide; and

Whereas Secretary of State Antony Blinken committed at his nomination hearing before the Committee on Foreign Relations of the Senate on January 19, 2021, and in subsequent written responses to questions for the record, that he will oversee an interagency review of whether the atrocities committed against the Rohingya in Burma constitute genocide: Now therefore be it

That the Senate—

(1) supports the people of Burma in their ambition for a genuine democracy, sustainable peace and genuine ethnic reconciliation, and the realization of fundamental human rights for all, including for ethnic minorities whose human rights have been violated repeatedly and who have been disenfranchised historically;

(2) calls on the military junta to—

(A) immediately and unconditionally release all those detained as a result of the military coup on February 1, 2021;

(B) immediately restore all forms of communications, including access to the internet without surveillance;

(C) remove all impediments to free travel that have been imposed as a result of the coup;

(D) return to power all members of the civilian government elected in the November 8, 2020, elections and allow them to fulfill their mandate without impediment;

(E) allow for freedom of expression, including the right to protest, peaceful assembly, press freedom, and freedom of movement; and

(F) allow unfettered reporting from local, national, and international media;

(3) calls on social media companies to suspend the accounts of USDP and Tatmadaw military leaders that have used their platforms to spread disinformation, fear, and psychological violence;

(4) supports the use of all diplomatic and development tools to ensure that vulnerable groups, including ethnic and religious minorities, as well as all children, youth, and teachers in educational settings are safe, and schools and universities are not targeted for attacks or use by the military;

(5) expresses grave concern for the safety and security of hundreds of thousands of Rohingya refugees who previously fled the Tatmadaw, and now face challenging conditions in camps like Cox's Bazar and Bhasan Char in Bangladesh or risk being turned away or moved into holding centers in other neighboring countries;

(6) calls on the President, the Secretary of State, and the Secretary of Defense to fully implement section 7008 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116-260) and any similar or successor law governing United States foreign assistance following a coup d'état, and to immediately—

(A) impose targeted restrictions aimed at the Tatmadaw, military-owned or controlled enterprises, and those responsible for the February 1, 2021, coup;

(B) work with the international community, including at the United Nations Security Council, with United States allies in the region, and with the Association of Southeast Asian Nations, to condemn the coup and take steps to ensure that international economic engagement in Burma does not contribute to human rights abuses and enrich individuals connected to the coup;

(C) support conditionality on diplomatic, economic, and security relations with Burma, including using the voice and vote of the United States at multilateral development institutions, until all those detained in the February 1, 2021, coup are released and there has been a full restoration of civilian-controlled parliament respecting the November 8, 2020, election results; and

(D) utilize the United States Government's position on the United Nations Security Council to bring about greater international cooperation in the pursuit of justice and accountability in Burma; and

(7) urges the Secretary of State to swiftly conduct an Interagency Process and issue a determination as to whether the crimes committed by the Burmese military against the Rohingya beginning in August 2017 constitute crimes against humanity or genocide.

Mr. CARDIN. Madam President, I rise today to speak about the terrible tragedy that befell the people of Burma 1 year ago today, when the Tatmadaw, the Burmese military, reclaimed total power in the coup d'état of February 1, 2021. Since then, the military has waged a brutal campaign against its own people, a people that has nonetheless stood up to challenge the crack-down through civil disobedience, strikes, and protests. And when that failed to move the junta, the people of Burma have been forced to resort to military action against their oppressors.

Burma is a complex, polyglot society made up of many ethnic groups and religious tradition. Yet the one thing that seems to have united a wide cross-section of the Burmese people has been this violent rupture of what for more than decade had been a fitful trend toward increasing democratization. Today, the opposition to the military has galvanized the people to such an extent that organized resistance has turned to increasingly well-organized paramilitary action against the military and its institutions of repression.

As authoritarianism grows around the world, we must work with like-minded nations to fight corruption, protect human rights, increase transparency, and work with civil society to

defend democracy and the freedom of marginalized people around the world.

Throughout its independence, Burma's history has suffered decades of repressive military rule and civil war with ethnic minority groups, and what we are seeing today in Burma is no different.

The February 1 military coup and the capture of elected government officials in Burma was a clear attack on the democratic process of free and fair elections and the will of the Burmese people. This affront poses a direct threat to the ongoing stability of the country, its economy, and the health and welfare of its citizens. On the very same day the newly elected Parliament was set to assume office, the Burmese military, the Tatmadaw, staged a coup rather than see their grip on power and corrupt gains threatened by the will of the Burmese people.

Since the coup took place, Burma's human rights situation has deteriorated exponentially. The military has detained over 11,000 people for exercising their right to freedom of speech and assembly and killed more than 1,400 civilians, including children. Fighting between Myanmar's military and several ethnic armed groups continued, with government forces committing increased abuses against ethnic Kachin, Karen, Kayah, Chin, Rakhine, Rohingya, and Shan minority populations. Military and police abuses were amplified with arbitrary arrests, detention, torture, and killings in custody. These actions by the military have driven hundreds of thousands from their homes and thousands more to flee across Burma's borders into Thailand, India, and Bangladesh.

We have also seen the Tatmadaw put the democratically elected civilian leadership of Burma, including President Win Myint and State Counsellor Aung San Suu Kyi, through sham trials for fabricated crimes and sentenced them to lengthy prison terms in order to remove them from political competition.

On February 4, just 3 days after the coup, I introduced this resolution with Senator YOUNG condemning the military's February 1 military coup. The resolution has been revised through amendments offered by colleagues and updated to reflect recent events. It retains the same essential message, calling for the immediate and unconditional release of all those detained and for elected officials to be allowed to resume their duties without impediment.

I was heartened to see President Biden take action through a series of executive orders since last February. I am especially pleased to see that the Biden administration has issued sanctions in coordination with our allies. This is not something the U.S. should be acting on unilaterally.

It is imperative that we move forward with a floor vote on this resolution, and I am hopeful that we can do the same in the coming days on the bill I introduced in October, the BURMA Act.

This important legislation authorizes the President to impose sanctions on individuals and entities who helped stage the February 1 coup d'état in Burma and are responsible for the subsequent repression of fundamental freedoms, perpetuation of human rights abuses, use of indiscriminate violence towards civilians, and other gross atrocities.

Additionally, the bill authorizes increased humanitarian assistance for Rohingya refugees and provides support for civil society and independent media; prohibits the import of gemstones from Burma into the U.S.; calls for the United States to pressure the United Nations to take more decisive action with regards to Burma; and requests a genocide determination regarding the persecution of the Rohingya.

It is important for the international community to continue to pressure the military junta to restore democracy for the people of Burma. The behavior of the Tatmadaw has not and will not change without concrete and robust actions from the international community to bring justice, accountability, and restore democracy.

I remain committed to continuing to work with the Biden administration and my colleagues in Congress to ensure that the U.S. and international response to the military coup is coordinated and targeted to have a strong impact on those responsible, while also encouraging a peaceful transition of power back to the civilian government. I continue to stand in solidarity with the people of Burma and condemn the ongoing violence against them.

Mr. MENENDEZ. I further ask that the committee-reported amendment to the resolution be withdrawn, and the amendment to the resolution which is at the desk be considered and agreed to.

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

The committee-reported amendment, in the nature of a substitute, was withdrawn.

The amendment (No. 4918), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following: "That the Senate—

(1) supports the people of Burma in their ambition for democracy, sustainable peace, and genuine ethnic and religious reconciliation, and the realization of internationally recognized human rights for all, including for ethnic and religious groups whose human rights have been violated repeatedly and who have been disenfranchised historically;

(2) calls on the Tatmadaw to—

(A) immediately and unconditionally release all political prisoners detained as a result of the military coup on February 1, 2021;

(B) immediately restore all forms of communications, including access to the internet without surveillance;

(C) immediately end the use of violence and allow for a legal process for accountability and justice for those unlawfully detained, injured, and killed by the Tatmadaw;

(D) remove all impediments to free travel that have been imposed as a result of the coup;

(E) return to power all members of the civilian government elected in the November 8, 2020, elections and allow them to fulfill their mandate without impediment;

(F) allow for freedom of expression, including the right to protest, peaceful assembly, press freedom, and freedom of movement; and

(G) allow unfettered reporting from local, national, and international media;

(3) calls on social media companies to suspend the accounts of the Union Solidarity and Development Party and the Tatmadaw that have used their platforms to spread disinformation, fear, and psychological violence;

(4) supports the use of all diplomatic, economic, and development tools to ensure that vulnerable groups, including ethnic and religious groups, as well as all children, youth, and teachers in educational settings are safe, and schools and universities are not targeted for attacks or use by the Tatmadaw;

(5) expresses grave concern for the safety and security of hundreds of thousands of internally displaced persons (referred to in this resolution as “IDPs”) and refugees who have been displaced by the Tatmadaw and now face challenging conditions in camps;

(6) expresses grave concern for the 3,000,000 people of Burma who are in need of humanitarian aid, including the 223,000 IDPs in Burma, of which 165,000 remain in the south-east, adding to those already displaced in Rakhine, Chin, Shan and Kachin states;

(7) encourages Burma’s neighboring countries, including Thailand, India, and Bangladesh, to meaningfully assist refugees who have fled and continue to flee the Tatmadaw;

(8) calls on the President, the Secretary of State, and the Secretary of Defense to fully implement section 7008 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116-260) and any similar or successor law governing United States foreign assistance following a coup d’etat, and to immediately—

(A) impose targeted restrictions aimed at the Tatmadaw, military-owned or controlled enterprises, and those responsible for the February 1, 2021, coup;

(B) work with the international community, including at the United Nations Security Council, with United States allies in the region, and with the Association of Southeast Asian Nations, to condemn the coup, delegitimize the junta, and take steps to ensure that international economic engagement in Burma does not contribute to human rights abuses and benefit individuals connected to the coup;

(C) support conditionality on diplomatic, economic, and security relations with Burma, including using the voice and vote of the United States at multilateral development institutions, until all those detained in the February 1, 2021, coup are released and there has been a full restoration of civilian-controlled parliament respecting the November 8, 2020, election results;

(D) utilize the United States Government’s position on the United Nations Security Council to bring about greater international cooperation in the pursuit of justice and accountability in Burma;

(E) legitimize and provide assistance to the National Unity Government of the Republic of the Union of Myanmar, the National Unity Consultative Council, the Civil Disobedience Movement in Myanmar, and other entities promoting democracy in Burma, while simultaneously denying legitimacy and resources to the junta;

(F) promote national reconciliation among the diverse ethnic and religious groups in Burma;

(G) counter support to the junta by the People’s Republic of China and the Russian Federation; and

(H) secure the restoration of democracy, the establishment of an inclusive and representative civilian government and a reformed military reflecting the diversity of Burma and under civilian control, and the enactment of constitutional, political, and economic reform in Burma; and

(9) urges the Secretary of State to swiftly conduct an Interagency Process and issue a determination as to whether the targeting and murder of innocent civilians by the Tatmadaw during and after the February 1, 2021, coup d’etat, specifically those associated with ethnic and religious groups in Burma, and crimes committed by the Tatmadaw against such ethnic and religious groups prior to the coup constitute crimes against humanity or genocide.

Mr. MENENDEZ. I know of no further debate on the resolution.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on adoption of the resolution, as amended.

The resolution (S. Res. 35), as amended, was agreed to.

Mr. MENENDEZ. I further ask that the committee-reported amendment to the preamble be withdrawn; that the amendment to the preamble, which is at the desk, be considered and agreed to; that the preamble, as amended, be agreed to; that the amendment to the title be considered and 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 committee-reported amendment to the preamble, in the nature of a substitute, was withdrawn.

The amendment (No. 4919), in the nature of a substitute, was agreed to as follows:

(Purpose: To amend the preamble)

Strike the preamble and insert the following:

Whereas, on February 1, 2021, the military of Burma (the “Tatmadaw”) and its aligned Union Solidarity and Development Party (USDP) conducted a military coup against the civilian government hours before Parliament was to convene in a new session, resulting in the military junta illegally detaining State Counsellor Aung San Suu Kyi, President Win Myint, and members of Parliament, as well as pro-democracy activists from the 88 Generation and other civil society leaders;

Whereas, since February 1, 2021, the Tatmadaw has detained more than 11,000 people for exercising their rights of freedom of speech and assembly and killed more than 1,400 civilians, including children;

Whereas the Tatmadaw has put the democratically-elected civilian leadership of Burma, including President Win Myint and State Counsellor Aung San Suu Kyi, through sham trials for fabricated crimes and sentenced them to lengthy prison terms in order to remove them from political competition;

Whereas the Tatmadaw has become the world’s second largest detainer of journalists, with over 100 journalists imprisoned since the military coup;

Whereas the Tatmadaw’s actions have driven hundreds of thousands from their homes and driven thousands to flee across Burma’s borders into Thailand, India, and Bangladesh;

Whereas fighting between the Tatmadaw and several ethnic armed groups continues, with government forces committing increased abuses against ethnic Karen, Kayah, Kachin, Chin, Rakhine, Shan, and Rohingya minority populations;

Whereas the Tatmadaw restricted freedom of movement, telecommunications, and the media, limiting access to information to and from Burma during a political and public health crisis;

Whereas senior generals of the Tatmadaw have been sanctioned by the United States Government for serious human rights abuses and for their role in the coup and are subject to ongoing investigations into their conduct by the International Criminal Court and the International Court of Justice;

Whereas, on January 28, 2021, the Union Election Commission rejected allegations by the Tatmadaw that fraud played a significant role in determining the outcome of the November 2020 elections;

Whereas Burma’s November 8, 2020, elections resulted in the National League for Democracy party securing enough seats in Parliament to form the next government;

Whereas the Tatmadaw has a long history of committing atrocities against the people of Burma, including the targeting of specific ethnic groups; and

Whereas senior United States officials have committed to making a determination of whether such atrocities constitute genocide: Now, therefore, be it

The preamble, as amended, was agreed to.

The title amendment (No. 4920) was agreed to as follows:

(Purpose: To amend the title)

Amend the title so as to read: “A resolution condemning the military coup that took place on February 1, 2021, in Burma and the Tatmadaw’s detention of civilian leaders, calling for an immediate and unconditional release of all those detained, promoting accountability and justice for those killed by the Tatmadaw, and calling for those elected to serve in parliament to resume their duties without impediment, and for other purposes.”.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 35

Whereas, on February 1, 2021, the military of Burma (the “Tatmadaw”) and its aligned Union Solidarity and Development Party (USDP) conducted a military coup against the civilian government hours before Parliament was to convene in a new session, resulting in the military junta illegally detaining State Counsellor Aung San Suu Kyi, President Win Myint, and members of Parliament, as well as pro-democracy activists from the 88 Generation and other civil society leaders;

Whereas, since February 1, 2021, the Tatmadaw has detained more than 11,000 people for exercising their rights of freedom of speech and assembly and killed more than 1,400 civilians, including children;

Whereas the Tatmadaw has put the democratically-elected civilian leadership of Burma, including President Win Myint and State Counsellor Aung San Suu Kyi, through sham trials for fabricated crimes and sentenced them to lengthy prison terms in order to remove them from political competition;

Whereas the Tatmadaw has become the world’s second largest detainer of journalists, with over 100 journalists imprisoned since the military coup;

Whereas the Tatmadaw’s actions have driven hundreds of thousands from their homes and driven thousands to flee across

Burma's borders into Thailand, India, and Bangladesh;

Whereas fighting between the Tatmadaw and several ethnic armed groups continues, with government forces committing increased abuses against ethnic Karen, Kayah, Kachin, Chin, Rakhine, Shan, and Rohingya minority populations;

Whereas the Tatmadaw restricted freedom of movement, telecommunications, and the media, limiting access to information to and from Burma during a political and public health crisis;

Whereas senior generals of the Tatmadaw have been sanctioned by the United States Government for serious human rights abuses and for their role in the coup and are subject to ongoing investigations into their conduct by the International Criminal Court and the International Court of Justice;

Whereas, on January 28, 2021, the Union Election Commission rejected allegations by the Tatmadaw that fraud played a significant role in determining the outcome of the November 2020 elections;

Whereas Burma's November 8, 2020, elections resulted in the National League for Democracy party securing enough seats in Parliament to form the next government;

Whereas the Tatmadaw has a long history of committing atrocities against the people of Burma, including the targeting of specific ethnic groups; and

Whereas senior United States officials have committed to making a determination of whether such atrocities constitute genocide: Now, therefore, be it

Resolved, That the Senate—

(1) supports the people of Burma in their ambition for democracy, sustainable peace, and genuine ethnic and religious reconciliation, and the realization of internationally recognized human rights for all, including for ethnic and religious groups whose human rights have been violated repeatedly and who have been disenfranchised historically;

(2) calls on the Tatmadaw to—

(A) immediately and unconditionally release all political prisoners detained as a result of the military coup on February 1, 2021;

(B) immediately restore all forms of communications, including access to the internet without surveillance;

(C) immediately end the use of violence and allow for a legal process for accountability and justice for those unlawfully detained, injured, and killed by the Tatmadaw;

(D) remove all impediments to free travel that have been imposed as a result of the coup;

(E) return to power all members of the civilian government elected in the November 8, 2020, elections and allow them to fulfill their mandate without impediment;

(F) allow for freedom of expression, including the right to protest, peaceful assembly, press freedom, and freedom of movement; and

(G) allow unfettered reporting from local, national, and international media;

(3) calls on social media companies to suspend the accounts of the Union Solidarity and Development Party and the Tatmadaw that have used their platforms to spread disinformation, fear, and psychological violence;

(4) supports the use of all diplomatic, economic, and development tools to ensure that vulnerable groups, including ethnic and religious groups, as well as all children, youth, and teachers in educational settings are safe, and schools and universities are not targeted for attacks or use by the Tatmadaw;

(5) expresses grave concern for the safety and security of hundreds of thousands of internally displaced persons (referred to in this resolution as "IDPs") and refugees who have

been displaced by the Tatmadaw and now face challenging conditions in camps;

(6) expresses grave concern for the 3,000,000 people of Burma who are in need of humanitarian aid, including the 223,000 IDPs in Burma, of which 165,000 remain in the south-east, adding to those already displaced in Rakhine, Chin, Shan and Kachin states;

(7) encourages Burma's neighboring countries, including Thailand, India, and Bangladesh, to meaningfully assist refugees who have fled and continue to flee the Tatmadaw;

(8) calls on the President, the Secretary of State, and the Secretary of Defense to fully implement section 7008 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (division K of Public Law 116-260) and any similar or successor law governing United States foreign assistance following a coup d'etat, and to immediately—

(A) impose targeted restrictions aimed at the Tatmadaw, military-owned or controlled enterprises, and those responsible for the February 1, 2021, coup;

(B) work with the international community, including at the United Nations Security Council, with United States allies in the region, and with the Association of South-east Asian Nations, to condemn the coup, delegitimize the junta, and take steps to ensure that international economic engagement in Burma does not contribute to human rights abuses and benefit individuals connected to the coup;

(C) support conditionality on diplomatic, economic, and security relations with Burma, including using the voice and vote of the United States at multilateral development institutions, until all those detained in the February 1, 2021, coup are released and there has been a full restoration of civilian-controlled parliament respecting the November 8, 2020, election results;

(D) utilize the United States Government's position on the United Nations Security Council to bring about greater international cooperation in the pursuit of justice and accountability in Burma;

(E) legitimize and provide assistance to the National Unity Government of the Republic of the Union of Myanmar, the National Unity Consultative Council, the Civil Disobedience Movement in Myanmar, and other entities promoting democracy in Burma, while simultaneously denying legitimacy and resources to the junta;

(F) promote national reconciliation among the diverse ethnic and religious groups in Burma;

(G) counter support to the junta by the People's Republic of China and the Russian Federation; and

(H) secure the restoration of democracy, the establishment of an inclusive and representative civilian government and a reformed military reflecting the diversity of Burma and under civilian control, and the enactment of constitutional, political, and economic reform in Burma; and

(9) urges the Secretary of State to swiftly conduct an Interagency Process and issue a determination as to whether the targeting and murder of innocent civilians by the Tatmadaw during and after the February 1, 2021, coup d'etat, specifically those associated with ethnic and religious groups in Burma, and crimes committed by the Tatmadaw against such ethnic and religious groups prior to the coup constitute crimes against humanity or genocide.

EXPRESSING THE SENSE OF THE SENATE ON THE POLITICAL SITUATION IN BELARUS

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 167, S. Res. 345.

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

The legislative clerk read as follows:

A resolution (S. Res. 345) expressing the sense of the Senate on the political situation in Belarus.

There being no objection, the Senate proceeded to consider the resolution which had been reported from the Committee on Foreign Relations with an amendment to strike all after the resolving clause and insert the part printed in *italic*, and with an amendment to strike the preamble and insert the part printed in *italic*, as follows:

Whereas the United States Senate has long maintained strong bipartisan concern regarding the troubling lack of democracy in Belarus, highlighted by the passing of the Belarus Democracy Act of 2004 (Public Law 108-347; 22 U.S.C. 5811 note);

Whereas the 116th Congress, as referenced in H.R. 8438, the Belarus Democracy, Human Rights, and Sovereignty Act of 2020, and Senate Resolution 658, which both passed with unanimous support, stated its deep concern regarding the fraudulent election in Belarus on August 9, 2020;

Whereas on September 17, 2020, the Moscow Mechanism of the human dimension of the Organization for Security and Cooperation in Europe (OSCE) was invoked by 17 participating states with regard to credible reports of human rights violations before, during, and after the presidential election of August 9, 2020, in Belarus;

Whereas, following Alyaksandr Lukashenka's inauguration on September 23, 2020, the United States, the European Union, numerous European Union member states, the United Kingdom, and Canada announced they did not recognize the legitimacy of the election results;

Whereas after the August 9, 2020 presidential election, the Government of Belarus responded to the resulting peaceful protests, the largest in the country's history, with a violent crackdown, including the detention of more than 10,000 peaceful protestors, according to the United Nations Special Rapporteur on the situation of human rights in Belarus;

Whereas the Government of Belarus, under the misrule of the Lukashenka regime, continues to engage in a pattern of clear and persistent violations of human rights and fundamental freedoms and disrespects the basic principles of democratic governance by subjecting tens of thousands of pro-democracy political activists, peaceful protesters, and ordinary citizens to harassment, beatings, abductions, forced deportations, and imprisonment and by committing acts of transnational repression to punish any dissent expressed by Belarusian citizens;

Whereas the Lukashenka regime continues to silence independent media, such as Nasha Niva, tut.by, and Belsat, and has unlawfully raided the offices of media outlets, including Radio Free Europe/Radio Liberty, and arrested journalists;

Whereas on September 11, 2020, then-Deputy Secretary of State Stephen Biegun said that "we stand by our long-term commitment to support the sovereignty of Belarus as well as its territorial integrity, as the aspirations of the Belarusian people to determine their own path remains in front of us";

Whereas on May 23, 2021, the Lukashenka regime forced a commercial airliner flying between

two European Union member states to land in Minsk in order for the regime to arrest journalist Raman Pratasevich and his partner Sofia Sapega, a violation of international law resulting in near universal condemnation from the international community and coordinated sanctions by the United States, the United Kingdom, and the European Union;

Whereas on May 28, 2021, the White House announced the re-imposition of full blocking sanctions against nine Belarusian state-owned enterprises and announced a new Executive order to increase sanctions on elements of the Lukashenka regime;

Whereas the Lukashenka regime has actively encouraged or forced at gunpoint more than 4,000 migrants from other countries to cross through Belarus into European Union member states Lithuania, Latvia, and Poland, amounting to people smuggling and obliging these countries to declare a state of emergency;

Whereas on June 9, 2021, the Committee on Foreign Relations of the Senate held a hearing regarding the political situation in Belarus, in which United States Ambassador to Belarus Julie Fisher testified that “Despite the oppression, the violence, and the turmoil that followed the events of the past year provide glimmers of hope. A new generation of brave Belarusians, with courageous women at the front, have emerged. They represent a Belarus determined to chart its own path. They represent a Belarus in which wearing a red and white dress, hanging a flag, or playing a particular song will not result in torture, forced confessions, or even death.”;

Whereas on July 27, 2021, President Biden met Belarusian opposition leader Sviatlana Tsikhanouskaya at the White House and declared that “The United States stands with the people of Belarus in their quest for democracy and universal human rights.”;

Whereas on August 9, 2021, President Biden—
(1) announced an Executive order authorizing the imposition of blocking sanctions on certain sectors of the Belarus economy, including the potash, tobacco products, and construction sectors; and

(2) pursuant to such executive order and Executive Order 13405, issued additional sanctions on Belarusian individuals and entities, including Belaruskali (a state-owned potash fertilizer company) and the Belarus National Olympic Committee; and

Whereas Belarusian opposition leader Sviatlana Tsikhanouskaya continues to represent the widely shared desire of the Belarusian people for free and fair elections and democracy: Now, therefore, be it

Resolved, [That the Senate—

[(1) continues, on the first anniversary of the illegitimate presidential election in Belarus on August 9, 2020, to refuse to recognize Alyaksandr Lukashenka as the legitimately elected leader of Belarus;

[(2) condemns Lukashenka's ongoing crackdown on members of the pro-democracy movement, senior members of the Coordination Council, peaceful protesters, employees from state-owned enterprises participating in strikes, independent election observers, independent journalists and bloggers, medical professionals, professors, teachers, athletes, and cultural leaders;

[(3) continues to call for the fulfillment by the Government of Belarus of Belarus' freely undertaken obligations as an Organization for Security and Co-operation in Europe (OSCE) member and accept the OSCE's offer to facilitate a national dialogue and fully participate in the OSCE process;

[(4) calls for new presidential and parliamentary elections to be held in Belarus, conducted in a manner that is free and fair according to OSCE standards and under the supervision of OSCE observers and independent domestic observers;

[(5) welcomes the United States Government's close coordination with the European Union, the United Kingdom, Canada, other allied and partner countries, and international organizations to promote the principles of democracy, the rule of law, and human rights in Belarus and encourages continued coordination to apply maximal pressure on the Lukashenka regime;

[(6) continues to call for the immediate release, without preconditions, of all political prisoners in Belarus;

[(7) welcomes the recent release of Radio Free Europe/Radio Liberty (RFE/RL) journalists Aleh Hruzdilovich and Ina Studzinskaya and calls for the unconditional release of all political prisoners and journalists detained on dubious charges, including opposition candidates Sergei Tikhanovsky and Viktor Babaryka, pro-democracy activist Maria Kalesnikava, and RFE/RL journalist Ihar Losik;

[(8) condemns the forced diversion of Ryanair Flight 4978 to arrest Raman Pratasevich and his partner Sofia Sapega, which violated international civil aviation law and risked the lives of innocent passengers and crew, and calls for their immediate unconditional release;

[(9) commends the bravery of Belarusians who have created innovative ways to protest Lukashenka's autocracy and applauds the Belarusian diaspora's efforts to maintain international focus on the deteriorating political situation;

[(10) lauds the extraordinary support offered by the Governments of Lithuania, Ukraine, and Poland to support the people of Belarus, including support for the political opposition, accommodation of political refugees, and backing a free media;

[(11) calls on the Lukashenka regime to immediately halt exploiting and instrumentalizing migrants and to stop directing individuals to Lithuania's borders;

[(12) welcomes the Executive order announced on August 9, 2021, that applies additional sanctions on the Lukashenka regime and urges the Biden Administration to consider all economic, political, and diplomatic tools at its disposal to support democracy in Belarus;

[(13) welcomes the European Union sanctions imposed on the Lukashenka regime and urges the United States to continue to coordinate additional measures with the European Union; and

[(14) emphasizes that the United States supports the people of Belarus in their quest to maintain their sovereignty, choose their own leadership, and live in freedom, and recognizes the extensive efforts of the Belarusian opposition to coordinate efforts with the United States, the European Union, the OSCE, and the United Nations to bring free and fair elections to its people.]]

That the Senate—

(1) continues, on the first anniversary of the illegitimate presidential election in Belarus on August 9, 2020, to refuse to recognize Alyaksandr Lukashenka as the legitimately elected leader of Belarus;

(2) condemns Lukashenka's ongoing crackdown on members of the pro-democracy movement, senior members of the Coordination Council, peaceful protesters, employees from state-owned enterprises participating in strikes, independent election observers, independent journalists and bloggers, medical professionals, professors, teachers, athletes, and cultural leaders;

(3) continues to call for the fulfillment by the Government of Belarus of Belarus' freely undertaken obligations as an Organization for Security and Co-operation in Europe (OSCE) member and accept the OSCE's offer to facilitate a national dialogue and fully participate in the OSCE process;

(4) calls for new presidential and parliamentary elections to be held in Belarus, conducted in a manner that is free and fair according to OSCE standards and under the supervision of OSCE observers and independent domestic observers;

(5) welcomes the United States Government's close coordination with the European Union, the United Kingdom, Canada, other allied and partner countries, and international organizations to promote the principles of democracy, the rule of law, and human rights in Belarus and encourages continued coordination to apply maximal pressure on the Lukashenka regime;

(6) continues to call for the immediate release, without preconditions, of all political prisoners in Belarus;

(7) welcomes the recent release of Radio Free Europe/Radio Liberty (RFE/RL) journalists Aleh Hruzdilovich and Ina Studzinskaya and calls for the unconditional release of all political prisoners and journalists detained on dubious charges, including opposition candidates Sergei Tikhanovsky and Viktor Babaryka, pro-democracy activist Maria Kalesnikava, and RFE/RL journalist Ihar Losik;

(8) condemns the forced diversion of Ryanair Flight 4978 to arrest Raman Pratasevich and his partner Sofia Sapega, which violated international civil aviation law and risked the lives of innocent passengers and crew, and calls for their immediate unconditional release;

(9) commends the bravery of Belarusians who have created innovative ways to protest Lukashenka's autocracy and applauds the Belarusian diaspora's efforts to maintain international focus on the deteriorating political situation;

(10) lauds the extraordinary support offered by the Governments of Lithuania, Ukraine, and Poland to support the people of Belarus, including support for the political opposition, accommodation of political refugees, and backing a free media;

(11) calls on the Lukashenka regime to immediately halt exploiting and instrumentalizing migrants and to stop directing individuals to the borders of Lithuania, Latvia, and Poland;

(12) welcomes the Executive order announced on August 9, 2021, that applies additional sanctions on the Lukashenka regime and urges the Biden Administration to consider all economic, political, and diplomatic tools at its disposal to support democracy in Belarus;

(13) welcomes the European Union sanctions imposed on the Lukashenka regime and urges the United States to continue to coordinate additional measures with the European Union; and

(14) emphasizes that the United States supports the people of Belarus in their quest to maintain their sovereignty, choose their own leadership, and live in freedom, and recognizes the extensive efforts of the Belarusian opposition to coordinate efforts with the United States, the European Union, the OSCE, and the United Nations to bring free and fair elections to its people.

Mrs. SHAHEEN. Madam President, today, the Senate will consider S. Res. 345, legislation I authored with Senator ROGER WICKER to bring attention to the people of Belarus and their pursuit of democracy. Since Alyaksandr Lukashenka egregiously stole the Presidential elections in 2020, we have witnessed a continued crackdown on the people of Belarus, who are being denied their basic human rights. After unjustly claiming victory, Lukashenka responded to peaceful, pro-democracy protests across Belarus with violence and oppression, throwing thousands of Belarusians in jail.

In May last year, his regime forced a commercial airliner flying between two

European states to land in Minsk so his security forces could arrest a journalist and his partner, an action for which the U.S. has charged four Belarusian officials with hijacking. Then last fall, his regime exploited vulnerable migrants by bringing them to Belarus and forcing them at gunpoint across the border into the European Union, leading several countries to declare a state of emergency.

These abuses are demoralizing to the Belarusian people, who keep up the fight to bring Lukashenka to account for his egregious behavior. But now, we are witnessing a new level of desperation by Lukashenka, who is supporting Putin in his campaign of aggression against Ukraine. He has endorsed Putin's agenda and invited Russian troops for major military exercises on Belarusian soil. Lukashenka has effectively given Putin permission to use his own country for a training ground to undermine a sovereign nation.

As Lukashenka supports Vladimir Putin's efforts to destabilize the democratically elected government in Kyiv, at home he has proposed a constitutional referendum that would allow him to stay in office indefinitely.

Indeed, life under Lukashenka is perilous. Today, there are more than 1000 political prisoners in Belarus, 1000 people imprisoned because of the insecurities of one man. I welcome the recent statement from the Department of State bringing attention to the ill treatment of these prisoners. And I call on the Lukashenka regime to release these prisoners without conditions and abide by their commitments to human rights as a member of the Organization for Security and Cooperation in Europe.

Lukashenka has ruthlessly attacked independent media in Belarus, including Radio Free Europe/Radio Liberty, which he declared an extremist organization. Anyone who subscribes to RFE/RL can be arrested and jailed. RFE/RL's journalists who reported on the 2020 elections have been harassed, detained, arrested, and stripped of their credentials.

I want to highlight the stories behind the names of these journalists. They have been arrested and torn from family and friends indefinitely, simply for doing their jobs to shed light on the truth.

Ihor Losik was sentenced to 15 years in prison in December after a lengthy, closed door trial. Andrey Kuznechyk has been detained since November on unknown criminal charges. Aleh Hruzdilovich has been detained since late December for his reporting activities, after previously serving two stints in jail following the election.

The Lukashenka regime's cowardly attacks on the free press do not project strength. They show that regime is, in fact, weak, desperate and afraid of the truth. And the truth is—the Belarusian people want to live in a free country and choose their own future.

This is why I have been proud to lead efforts in the Senate to condemn the

actions of the Lukashenka regime and support the brave people of Belarus who continue to stand up to an increasingly autocratic government. Last year, Senator WICKER and I cofounded the Free Belarus Caucus to advocate for the pro-democracy movement and continue to push for free and fair elections in Belarus.

I have met with Sviatlana Tsikhanouskaya numerous times and others from the Coordination Council who are leading the effort to bring a peaceful, democratic transition of power to Belarus. She is an admirable woman who did not seek the spotlight, but stepped up on behalf of her people when they needed her most. Her leadership is critical for the future of democracy in Belarus, and we must do everything we can to assist her and the Belarusian people.

And today, I am calling on my colleagues in the Senate to join me in supporting this resolution, which expresses solidarity for the Belarusians' pursuit of freedom and a future of their own making. As we work together to respond to Russian threats against Ukraine, we must not forget the plight of Belarusians. We must be steadfast in our strong support to those suffering under the rule of authoritarians. So I urge my colleagues to join me at this critical moment and support this resolution.

Mr. MENENDEZ. I further ask that the Shaheen amendment at the desk to the committee-reported amendment to the resolution be agreed to, and that the committee-reported amendment, as amended, be agreed to.

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

The amendment (No. 4921) was agreed to, as follows:

(Purpose: To make technical amendments)

On page 13, strike lines 1 through 8, and insert the following:

(7) calls for the unconditional release of all political prisoners and journalists detained on dubious charges, including opposition candidates Sergei Tikhanovsky and Viktar Babaryka, pro-democracy activist Maria Kalesnikava, and Radio Free Europe/Radio Liberty journalists Ihar Losik, Aleh Hruzdilovich, and Andrey Kuznechyk;

On page 14, lines 8 and 9, strike "consider all economic, political, and diplomatic tools" and insert "consider further tools".

The committee-reported amendment, in the nature of a substitute, as amended, was agreed to.

Mr. MENENDEZ. I know of no further debate on the resolution, as amended.

The PRESIDING OFFICER. If there is no further debate, the question is on the resolution, as amended.

The resolution (S. Res. 345), in the nature of a substitute, as amended, was agreed to.

Mr. MENENDEZ. I ask unanimous consent that the committee-reported amendment to the preamble be agreed to; that the preamble, as amended, 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 committee-reported amendment to the preamble, in the nature of a substitute, was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 345

Whereas the United States Senate has long maintained strong bipartisan concern regarding the troubling lack of democracy in Belarus, highlighted by the passing of the Belarus Democracy Act of 2004 (Public Law 108-347; 22 U.S.C. 5811 note);

Whereas the 116th Congress, as referenced in H.R. 8438, the Belarus Democracy, Human Rights, and Sovereignty Act of 2020, and Senate Resolution 658, which both passed with unanimous support, stated its deep concern regarding the fraudulent election in Belarus on August 9, 2020;

Whereas on September 17, 2020, the Moscow Mechanism of the human dimension of the Organization for Security and Cooperation in Europe (OSCE) was invoked by 17 participating states with regard to credible reports of human rights violations before, during, and after the presidential election of August 9, 2020, in Belarus;

Whereas, following Alyaksandr Lukashenka's inauguration on September 23, 2020, the United States, the European Union, numerous European Union member states, the United Kingdom, and Canada announced they did not recognize the legitimacy of the election results;

Whereas after the August 9, 2020 presidential election, the Government of Belarus responded to the resulting peaceful protests, the largest in the country's history, with a violent crackdown, including the detention of more than 10,000 peaceful protestors, according to the United Nations Special Rapporteur on the situation of human rights in Belarus;

Whereas the Government of Belarus, under the misrule of the Lukashenka regime, continues to engage in a pattern of clear and persistent violations of human rights and fundamental freedoms and disrespects the basic principles of democratic governance by subjecting tens of thousands of pro-democracy political activists, peaceful protesters, and ordinary citizens to harassment, beatings, abductions, forced deportations, and imprisonment and by committing acts of transnational repression to punish any dissent expressed by Belarusian citizens;

Whereas the Lukashenka regime continues to silence independent media, such as Nasha Niva, tut.by, and Belsat, and has unlawfully raided the offices of media outlets, including Radio Free Europe/Radio Liberty, and arrested journalists;

Whereas on September 11, 2020, then-Deputy Secretary of State Stephen Biegun said that "we stand by our long-term commitment to support the sovereignty of Belarus as well as its territorial integrity, as the aspirations of the Belarusian people to determine their own path remains in front of us";

Whereas on May 23, 2021, the Lukashenka regime forced a commercial airliner flying between two European Union member states to land in Minsk in order for the regime to arrest journalist Raman Pratasevich and his partner Sofia Sapega, a violation of international law resulting in near universal condemnation from the international community and coordinated sanctions by the United States, the United Kingdom, and the European Union;

Whereas on May 28, 2021, the White House announced the re-imposition of full blocking

sanctions against nine Belarusian state-owned enterprises and announced a new Executive order to increase sanctions on elements of the Lukashenka regime;

Whereas the Lukashenka regime has actively encouraged or forced at gunpoint more than 4,000 migrants from other countries to cross through Belarus into European Union member states Lithuania, Latvia, and Poland, amounting to people smuggling and obliging these countries to declare a state of emergency;

Whereas on June 9, 2021, the Committee on Foreign Relations of the Senate held a hearing regarding the political situation in Belarus, in which United States Ambassador to Belarus Julie Fisher testified that “Despite the oppression, the violence, and the turmoil that followed the events of the past year provide glimmers of hope. A new generation of brave Belarusians, with courageous women at the front, have emerged. They represent a Belarus determined to chart its own path. They represent a Belarus in which wearing a red and white dress, hanging a flag, or playing a particular song will not result in torture, forced confessions, or even death.”;

Whereas on July 27, 2021, President Biden met Belarusian opposition leader Sviatlana Tsikhanouskaya at the White House and declared that “The United States stands with the people of Belarus in their quest for democracy and universal human rights.”;

Whereas on August 9, 2021, President Biden—

(1) announced an Executive order authorizing the imposition of blocking sanctions on certain sectors of the Belarus economy, including the potash, tobacco products, and construction sectors; and

(2) pursuant to such executive order and Executive Order 13405, issued additional sanctions on Belarusian individuals and entities, including Belaruskali (a state-owned potash fertilizer company) and the Belarus National Olympic Committee; and

Whereas Belarusian opposition leader Sviatlana Tsikhanouskaya continues to represent the widely shared desire of the Belarusian people for free and fair elections and democracy: Now, therefore, be it

Resolved, That the Senate—

(1) continues, on the first anniversary of the illegitimate presidential election in Belarus on August 9, 2020, to refuse to recognize Alyaksandr Lukashenka as the legitimately elected leader of Belarus;

(2) condemns Lukashenka’s ongoing crackdown on members of the pro-democracy movement, senior members of the Coordination Council, peaceful protesters, employees from state-owned enterprises participating in strikes, independent election observers, independent journalists and bloggers, medical professionals, professors, teachers, athletes, and cultural leaders;

(3) continues to call for the fulfillment by the Government of Belarus of Belarus’ freely undertaken obligations as an Organization for Security and Co-operation in Europe (OSCE) member and accept the OSCE’s offer to facilitate a national dialogue and fully participate in the OSCE process;

(4) calls for new presidential and parliamentary elections to be held in Belarus, conducted in a manner that is free and fair according to OSCE standards and under the supervision of OSCE observers and independent domestic observers;

(5) welcomes the United States Government’s close coordination with the European Union, the United Kingdom, Canada, other allied and partner countries, and international organizations to promote the principles of democracy, the rule of law, and human rights in Belarus and encourages con-

tinued coordination to apply maximal pressure on the Lukashenka regime;

(6) continues to call for the immediate release, without preconditions, of all political prisoners in Belarus;

(7) calls for the unconditional release of all political prisoners and journalists detained on dubious charges, including opposition candidates Sergei Tikhanovsky and Viktar Babaryka, pro-democracy activist Maria Kalesnikava, and Radio Free Europe/Radio Liberty journalists Ihar Losik, Aleh Hruzdilovich, and Andrey Kuznechyk;

(8) condemns the forced diversion of Ryanair Flight 4978 to arrest Raman Pratasevich and his partner Sofia Sapega, which violated international civil aviation law and risked the lives of innocent passengers and crew, and calls for their immediate unconditional release;

(9) commends the bravery of Belarusians who have created innovative ways to protest Lukashenka’s autocracy and applauds the Belarusian diaspora’s efforts to maintain international focus on the deteriorating political situation;

(10) lauds the extraordinary support offered by the Governments of Lithuania, Ukraine, and Poland to support the people of Belarus, including support for the political opposition, accommodation of political refugees, and backing a free media;

(11) calls on the Lukashenka regime to immediately halt exploiting and instrumentalizing migrants and to stop directing individuals to the borders of Lithuania, Latvia, and Poland;

(12) welcomes the Executive order announced on August 9, 2021, that applies additional sanctions on the Lukashenka regime and urges the Biden Administration to consider further tools at its disposal to support democracy in Belarus;

(13) welcomes the European Union sanctions imposed on the Lukashenka regime and urges the United States to continue to coordinate additional measures with the European Union; and

(14) emphasizes that the United States supports the people of Belarus in their quest to maintain their sovereignty, choose their own leadership, and live in freedom, and recognizes the extensive efforts of the Belarusian opposition to coordinate efforts with the United States, the European Union, the OSCE, and the United Nations to bring free and fair elections to its people.

CONGRATULATING THE UNIVERSITY OF GEORGIA BULLDOGS FOOTBALL TEAM FOR WINNING THE 2022 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration, and the Senate now proceed to S. Res. 496.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 496) congratulating the University of Georgia Bulldogs football team for winning the 2022 National Collegiate Athletic Association College Football Playoff National Championship.

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

Mr. MENENDEZ. I ask unanimous consent that the Ossoff substitute

amendment at the desk to the resolution be agreed to; that the resolution, as amended, be agreed to; that 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 amendment (No. 4922), in the nature of a substitute, was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following: “That the Senate—

(1) congratulates the University of Georgia Bulldogs football team for a great season and winning the 2022 National Collegiate Athletic Association College Football Playoff National Championship game;

(2) recognizes the achievements of all players, coaches, and staff who contributed to the championship season; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the President of the University of Georgia, Jere Morehead;

(B) the Athletic Director of the University of Georgia, Josh Brooks; and

(C) the Head Coach of the University of Georgia Bulldogs football team, Kirby Smart.

The resolution (S. Res. 496), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble reads as follows:

S. RES. 496

Whereas the University of Georgia Bulldogs football team (referred to in this preamble as the “Georgia Bulldogs”) went 14-1 during the 2021 college football season and won the 2022 National Collegiate Athletic Association College Football Playoff National Championship (referred to in this preamble as the “2022 National Championship”), defeating the University of Alabama Crimson Tide by a score of 33 to 18 at the Lucas Oil Stadium in Indianapolis, Indiana, on January 10, 2022;

Whereas this victory marks the first college football national championship for the University of Georgia since the 1980 college football season and its third national championship overall;

Whereas the 2022 National Championship was the 59th football bowl appearance and the 34th football bowl victory for the University of Georgia;

Whereas the 2021–2022 Georgia Bulldogs achieved a 14-1 overall record for the season, the most single-season wins in the history of the University of Georgia football program;

Whereas the 2021–2022 defensive unit for the Georgia Bulldogs allowed on average only 10.2 points and 153 opposing yards per game, making it one of the most dominant defensive units in the history of college football;

Whereas the 2021–2022 Georgia Bulldogs overcame a loss in the Southeastern Conference Championship to the University of Alabama on December 4, 2021, achieving a historic victory over the University of Alabama in the 2022 National Championship;

Whereas Georgia Bulldogs quarterback and Blackshear, Georgia, native Stetson Bennett IV, a former walk-on player and junior college transfer, demonstrated tremendous leadership and skill throughout the 2021 college football season, and was named the 2022 National Championship Offensive Player of the Game;

Whereas Georgia Bulldogs defensive back, Lewis Cine, was named the 2022 National Championship Defensive Player of the Game;

Whereas the University of Georgia head football coach, Kirby Smart, a University of Georgia alumnus and former Georgia Bulldogs defensive back, has now led his team to 5 consecutive Associated Press Top 10 finishes and the first national championship since the end of the 1980 college football season;

Whereas this victory extends the record of Coach Smart to 66 wins and 15 losses during his tenure as the 26th Football Head Coach at the University of Georgia, his first stint as a head coach;

Whereas members of the 2021–2022 Georgia Bulldogs have been honored by various awards throughout the 2021 college football season and during the post-season, including the 2021 Chuck Bednarik Award and Outland Trophy winner, Jordan Davis, and the 37th Dick Butkus Award winner, Nakobe Dean;

Whereas President Jere Morehead, Athletic Director Josh Brooks, and Coach Kirby Smart have emphasized the importance of academic success to the Georgia Bulldogs and all student-athletes at the University of Georgia; and

Whereas the 2021–2022 Georgia Bulldogs have brought great pride and honor to the University of Georgia, loyal fans of the Georgia Bulldogs, and the entire State of Georgia: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Georgia Bulldogs football team for a great season and winning the 2022 National Collegiate Athletic Association College Football Playoff National Championship game;

(2) recognizes the achievements of all players, coaches, and staff who contributed to the championship season; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the President of the University of Georgia, Jere Morehead;

(B) the Athletic Director of the University of Georgia, Josh Brooks; and

(C) the Head Coach of the University of Georgia Bulldogs football team, Kirby Smart.

NATIONAL SCHOOL CHOICE WEEK

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 501, 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. 501) designating the week of January 23 through January 29, 2022, as “National School Choice Week”.

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

Mr. MENENDEZ. I ask unanimous consent that 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. 501) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ACKNOWLEDGING AND COMMEMORATING THE WORLD WAR II WOMEN IN THE NAVY WHO SERVED IN THE WOMEN ACCEPTED FOR VOLUNTEER EMERGENCY SERVICES (“WAVES”)

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 502, which was 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. 502) acknowledging and commemorating the World War II women in the Navy who served in the Women Accepted for Volunteer Emergency Services (“WAVES”).

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

Mr. MENENDEZ. I further ask that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 502) was agreed to.

(The resolution is printed in today’s RECORD under “Submitted Resolutions.”)

The PRESIDING OFFICER. The Senator from New Jersey.

IRAN

Mr. MENENDEZ. Madam President, for nearly 30 years, first as a member of the House Foreign Affairs Committee and, to this day, as chairman of the Senate Foreign Relations Committee, I have had the privilege of engaging in the most pressing foreign policy and national security issues facing our Nation.

While we are rightly focused on the crisis unfolding around Ukraine, we must not lose sight of how dangerously close Iran is to becoming a nuclear-armed state, for we know that a nuclear-armed Iran would pose an unacceptable threat to U.S. national security interests, to our allies in Europe, and to overall stability in the Middle East.

As someone who has followed Iran’s nuclear ambition for the better part of three decades, I am here today to raise concerns about the current round of negotiations over the Joint Comprehensive Plan of Action and Iran’s dangerously and rapidly escalating nuclear program that has put it on the brink of having enough material for a nuclear weapon. Three to four weeks—a month or less—is how long most analysts have concluded it would take Iran to produce enough fissile material for a nuclear bomb if they chose to do so. That is not a timeline we can accept.

That is why I am calling on the Biden administration and our international partners to exert more pressure on Iran to counter its nuclear pro-

gram, its missile program, and its dangerous behavior around the Middle East, including attacks on American personnel and assets.

Now, before I continue, let me set the record straight. While some have tried to paint me as belligerent to diplomacy or worse, I have always believed that multilateral, diplomatic negotiations from a position of strength are the best ways to address Iran’s nuclear program, and I have always advocated for a comprehensive diplomatic agreement that is long-lasting, fully verifiable, and with an enforceable snapback system of sanctions should Iran breach any terms.

It was for very specific reasons that I opposed the JCPOA back in 2015 as well as an underlying concern that I just could not shake, a sense that the deal itself at the time was the best case scenario, hinging on good-faith actors and overly optimistic outcomes without enough consideration for the worst case scenarios that might arise from the behavior of bad actors. Today, many of the concerns I expressed about the JCPOA back in August of 2015 are coming back to haunt us in the year 2022.

First and foremost, my overarching concern with the JCPOA was that it did not require the complete dismantlement of Iran’s nuclear infrastructure. Instead, it mothballed that infrastructure for 10 years, making it all too easy for Iran to resume its illicit nuclear program at a moment of its choosing.

The deal did not require Iran to destroy or fully decommission a single uranium enrichment centrifuge. In fact, over half of Iran’s operating centrifuges at the time were able to continue spinning at its Natanz facility. The remainder—more than 5,000 operational centrifuges and nearly 10,000 not yet operational—were to be merely disconnected. Instead of being completely removed, they were transferred to another hall at Natanz, where they could be quickly reinstalled to enrich uranium, which is exactly what we have seen happen over the past year, nor did the deal shut down or destroy the Fordow nuclear facility, which Iran constructed underneath a mountain to house its covert uranium enrichment infrastructure. Under the JCPOA, it was merely refurbished.

Now Iran is back in business at Fordow, spinning its most advanced centrifuges and enriching uranium to a higher level of purity than before it entered into the JCPOA.

In the 2 years since President Trump left the JCPOA, Iran has resumed its research and development into a range of centrifuges, making rapid improvements to their effectiveness—huge strides that we will never be able to roll back.

Today, Iran has more fissile material—2,500 kilograms—more advanced centrifuges, and a shorter breakout time—3 to 4 weeks—than it had in 2015. This is exactly why I was so concerned

over the JCPOA's framework of leaving the vast majority of Iran's nuclear program intact. This is how Iran was able to rapidly rebuild and advance its enrichment capabilities once the agreement fell apart. That was a serious mistake.

Back in 2015, I also expressed my grave concern that Iran only agreed to provisionally—provisionally—apply the Additional Protocol of the Nuclear Non-Proliferation Treaty. The Additional Protocol is what allows the International Atomic Energy Agency to go beyond merely verifying that all declared nuclear material and facilities are being used for peaceful purposes and provides it with a verification mechanism to ensure states do not have undeclared nuclear materials and facilities.

The Additional Protocol was particularly important because Iran has never fully come clean about its previous clandestine nuclear activities. For well over two decades, mounting concerns over Iran's secret weaponization efforts united the world. The goal that we have long sought, along with the international community, is to find out exactly what Iran accomplished in its clandestine program, not necessarily to get Iran to declare culpability but to determine how far they advanced their weaponization program so that we would know what signatures to look for in the future.

David Albright, a physicist and former nuclear weapons inspector and founder of the Institute for Science and International Security said:

Addressing the IAEA's concerns . . . about the military dimensions of Iran's nuclear program is fundamental to . . . [any] long-term agreement. [An agreement] that sidesteps the military . . . issues would risk being unverified.

The reason that he said that an agreement that sidesteps the military issues would be unverifiable is that it makes a difference if you are 90 percent, in terms of enriched material down the road in your weaponization efforts, or only 10 percent advanced; 90 percent or 10 percent makes a big difference. The state of Iran's weaponization efforts significantly impacts the breakout time for the regime to complete an actual deliverable weapon so this verifiability is critical.

In 2015, I explained that the JCPOA did not empower international weapons inspectors to conduct the kind of any-time, anywhere inspections needed to get to the bottom of Iran's previous weaponization program, and in February of last year, 2021, we saw the consequences of not insisting that Iran permanently ratify the Additional Protocol. Iran simply decided they were done with the Additional Protocol and refused to allow the International Atomic Energy Agency to fully investigate locations where it found traces of uranium enrichment.

It is now obvious that the IAEA, or what we call the International Atomic Energy Agency, is significantly limited

in its ability to determine the extent of Iran's previous nuclear program and whether further militarization activities have continued all this time. Without the complete adoption of the Additional Protocol, the JCPOA did not empower the IAEA to achieve this task.

So that was then and this is now, and though I had my concerns with the JCPOA, as I have expressed, I am also absolutely clear-eyed, as everyone else in this Chamber should be, that the way in which President Trump unilaterally withdrew from the deal—with no diplomatic plan for constraining Iran's nuclear ambitions, without the support of any of our allies, without any kind of serious alternative—emboldened Iran to pursue its nuclear ambitions like never before.

Now, we can't live in a counterfactual world where all parties remain in full compliance, but we do know that, even for the first couple of years of the JCPOA, Iran's leaders gave absolutely no—no—indication that they were willing to look beyond the scope of these limited terms and fought vigorously to keep their highly advanced nuclear infrastructure in place, and that was under a more “moderate” regime. They continued their destabilizing activities and support for terrorism in the greater Middle East with abandon.

So today I ask: Why would we try to simply go back to the JCPOA—a deal that was not sufficient in the first place and still doesn't address some of the most serious national security concerns that we have?

Let me lay out specific concerns about the parameters of the JCPOA, which, it appears, the Biden administration is seeking to reestablish.

For decades now, Iran has pursued all three elements necessary to create and to deliver a nuclear weapon: producing nuclear material for a weapon, the fissile material—that is basically what we just talked about being 3 to 4 weeks away; the scientific research and development to build a nuclear warhead—that is why we don't know the full dimensions of what they were doing in terms of how advanced they got to the weaponization, the ability to have the nuclear warhead that makes the bomb go boom; and then the ballistic missile to deliver them—that, they already have.

So if you think about it, they have the missiles capable—I will talk about that a little bit more in a few minutes—they have the missiles capable of delivering. They have the fissile material—are on the verge of having the fissile material necessary to create the ability for an explosion. These are checked off. The only question is the warhead. At what point are they there? And we don't fully know.

Since the Trump administration exited the deal, Iran has installed more than 1,000 advanced centrifuges, enabling it to enrich uranium more quickly. While the deal the United States and our partners are pursuing in Vienna would ostensibly seek to reverse

technological advancements, the acquisition of knowledge—that is never reversible.

As Kelsey Davenport of the Arms Control Association has said, “Iran's nuclear program hit new milestones over the past years.” To quote it, it says: “As it masters the new capabilities, it will change our understanding about how the country”—in this case, Iran—“may pursue nuclear weapons down the road.” That is exactly why the starting position of the United States and our partners during our original negotiations was the complete dismantlement of Iran's enrichment facilities and capacity.

According to the International Atomic Energy Agency, Iran has produced uranium enriched to more than 60 percent purity—more than 60 percent purity—at the Natanz facility. Why is 60 percent purity so alarming? Well, as the Director General of the International Atomic Energy Association—the U.N. international watchdog on these issues—Rafael Grossi has stated, Iran's decision to enrich uranium to 60 percent to produce uranium metal has no—no—justification for civilian purposes—no justification for civilian purposes.

Iran says: Well, we only want nuclear energy for domestic energy consumption. But, as the IAEA's head says, it has no justification to enrich uranium to 60 percent for civilian purposes. In other words, Iran has already done most of the heavy lifting.

Furthermore, the IAEA reports that Iran's nuclear stockpile has grown to nearly 2,500 kilograms. That is nearly 2½ tons of enriched uranium and eight times—eight times—the cap that was agreed to in the JCPOA. More and more advanced centrifuges, a much larger nuclear stockpile, and vastly higher levels of enrichment are a dangerous combination.

As I noted before, Iran's breakout time is now a mere 3 to 4 weeks, but according to a report from David Albright and others at the Institute for Science and International Security, Iran could enrich uranium for a second weapon in less than 4 months. Once they hit this breakout period, which is 4 weeks away, then to get their second bomb, we are talking about 4 months.

So while the United States has recognized Iran's right to civilian nuclear power, Iran's behavior continues to indicate that it is actively moving toward developing nuclear weapons capabilities. Adding to the alarm is the fact that we don't even have the full picture of exactly how far it has gone. Again, that is why full access was and is such a critical component of any deal.

As the original deal was being negotiated, we started from a place of anywhere, anytime inspections that we wanted—anywhere, anytime—but that is not where the deal landed.

While I recognize that other factors have contributed to Iran's efforts to block inspectors, simply put, I was not satisfied in 2015 with the level of visibility the agreement afforded.

Today, indeed, the IAEA readily states it does not have the necessary level of access. In fact, in September of 2021, the IAEA Director, Rafael Grossi, warned that “Iran’s failure to fully cooperate and communicate with the IAEA ‘is seriously compromising’ the IAEA’s ability to have full insight into Iran’s program.” IAEA inspectors were denied access three times to the Karaj centrifuge component production facility in their efforts to install new surveillance cameras to monitor Iranian activities.

In addition, Iran is not cooperating with the IAEA’s ongoing 2-year-old investigation into the presence of nuclear materials found at four locations outside of Iran’s declared nuclear program sites. Iran has a lot of access to two of those locations but has denied and delayed access to the other two.

The IAEA has further warned Iran multiple times that their “lack of substantive engagement” in resolving these issues “seriously affects the agency’s ability to provide assurance”—assurance—“of the exclusively peaceful nature of Iran’s nuclear program.”

But Iran’s obstruction has gone far beyond reneging on the inspection protocols agreed to in the JCPOA. As I mentioned previously, in February of last year, Iran suspended implementation of the Additional Protocol. Following that suspension, the IAEA managed an arrangement where Tehran agreed to certain surveillance activities. But even though there was an agreement, it refused to transmit any data from that surveillance until it got all the sanctions relief the regime felt entitled to under the JCPOA—never mind their own repeated failures to meet their obligations under the JCPOA.

We are not dealing with a good-faith actor here. Iran’s consistent obfuscation, continued stalling, and outlandish demands have left us flying blind, especially when it comes to verifying that Iran is not engaged in activities related to the weaponization process, activities related to the design and development of a nuclear explosive device, activities which were explicitly banned in section T of the JCPOA. I am talking about utilizing computer models to simulate nuclear explosions, developing the diagnostic equipment for nuclear testing, and researching conventional explosives for triggering a nuclear explosion.

The JCPOA banned these activities because substantial evidence indicated that Iran had, in fact, pursued them in the past. Yet we cannot verify whether Iran is pursuing them again. We cannot know for sure because the Iranian Government has repeatedly stated the IAEA lacks the authority to inspect the very military sites where these activities took place—the activities where the IAEA has wanted to go to but has been denied.

With Iran’s breakout time now less than a month, we must be able to

verify the scope of Iran’s weaponization research, and this must include Iran’s ballistic missile program. We already know that Iran has ballistic missiles that could carry a warhead to the Middle East and parts of Europe. Indeed, given how far Iran’s enrichment capabilities and research and development have advanced, the only element left is preventing Iran from weaponizing its stockpile.

All of this contributes to why we have a well-founded, deep mistrust of Iran’s willingness to seriously curtail its nuclear program. And, of course, Iran keeps reminding the United States and our Arab Gulf partners that its missile program presents its own unique threats outside of the nuclear file.

I remain highly skeptical it will suspend any of its other threatening and destabilizing activities, from ballistic missile development to support for terrorist proxies. Even as the United States, our P5+1 partners, and Iran convened in Vienna for indirect negotiations about returning to the JCPOA, Iran’s leaders took it upon themselves to antagonize all parties and show, my view, their true intentions.

In December, they launched a rocket with a satellite carrier into space to remind us all that even as they dragged out diplomatic negotiations, their ambitions remain acquiring the ability to eventually deliver a nuclear warhead. This launch was yet another provocation like those we have seen over the past several years, some of which directly—directly—violate the terms of U.N. Security Council resolution 2231. That resolution codified the JCPOA, our agreement with Iran, and plenty of others that are far outside of the limited scope of the deal.

Beyond this failed launch into space, Iran’s dangerous behavior has hit closer to home. In recent years, Iran has increased direct threats to U.S. personnel and assets and continued providing weapons to terrorist proxies throughout the Middle East.

The U.S. intelligence community last year assessed that “Iran and its militant allies continue to plot terrorist attacks against U.S. persons and interests. . . . Iran has the largest ballistic missile force in the region . . . [and] is increasingly active in using cyberspace to enable influence operations.”

The Center for Strategic and International Studies reports that Iran not only has the largest and most diverse ballistic missile program in the region, but it has also used those ballistic missiles to attack U.S. personnel stationed in Iraq—personnel who, let’s be clear, have been there at the invitation of the Iraqi Government. While our last President made light of what he called headaches, the fact is, nearly a dozen servicemembers suffered from traumatic brain injuries during the attack on Al Asad Air Base in 2020.

Already this year, there have been 3 rocket and drone attacks, with public reports of 14 rockets hitting an Iraqi

air base hosting U.S. forces and wounding 2 American servicemembers.

Allow me to share an article in the New Yorker by Robin Wright entitled “The Looming Threat of a Nuclear Crisis with Iran.” She writes of a conversation with CENTCOM commander Gen. Kenneth McKenzie in which he said the following:

The lesson of Al Asad . . . is that Iran’s missiles have become a more immediate threat than its nuclear program. For decades, Iran’s rockets and missiles were wildly inaccurate. At Al Asad, “they hit pretty much where they wanted to hit”. . . . Now they “can strike effectively across the breadth and depth of the Middle East. They could strike with accuracy, and they could strike with volume.”

The article continues:

The regime has concentrated on developing missiles with longer reach, precision accuracy, and greater destructive power. Iran is . . . one of the world’s top missile producers. Its arsenal is the largest and most diverse in the Middle East, the Defense Intelligence Agency [has] reported.

Now, as President Biden’s Special Envoy on the question of negotiations on a potential return to the JCPOA, Robert Malley, has said, “Iran has proven that using its ballistic-missile program as a means to coerce or intimidate its neighbors” is a real challenge.

Now, Iran can fire more missiles than its adversaries—more missiles than its adversaries, including the United States and Israel—can shoot down or destroy.

Tehran has achieved what General McKenzie calls overmatch, a level of capability in which a country has weaponry that makes it extremely difficult to check or defeat.

“Iran’s strategic capacity is now enormous,” McKenzie said. “They’ve got overmatch in the theatre—the ability to overwhelm.”

Iran now has the largest known underground complexes in the Middle East housing nuclear and missile programs. Most of the tunnels are in the west, facing Israel, or on the southern coast, across from Saudi Arabia and other Gulf sheikhdoms.

This fall, satellite imagery tracked new underground construction near Bakhtaran, the most extensive complex. The tunnels, carved out of rock, descend more than 1,600 feet underground. Some complexes reportedly stretch for miles. Iran calls them “missile cities.”

A recording of deceased General Suleimani echoes in the background: “You start this war, but we create the end of it.”

An underground railroad ferries Emad missiles for rapid successive launches. Emads have a range of a thousand miles and can carry a conventional or a nuclear warhead.

The Islamic Republic has thousands of ballistic missiles, according to U.S. intelligence assessments. They can reach—we see on this map that there are different missiles. But how far they can reach? Its farthest: 2,000 kilometers. They can reach as far as 1,300

miles in any direction—deep into India and China to the east; high into Russia in the north; to Greece and other parts of Europe to the west; and as far south as Ethiopia, in the Horn of Africa, and dozens of countries in between. About a hundred missiles could reach Israel.

The Biden administration has hoped to use progress on the nuclear deal to eventually broaden diplomacy and include Iran's neighbors in talks on reducing regional tensions.

Ms. Wright then again quotes Special Envoy on Iran Rob Malley as saying:

Even if we can revive the JCPOA, those problems are going to continue to poison the region and risk destabilizing it. If they continue, the response will be robust.

Well, it may be too late. Tehran has shown no willingness to barter over its missiles as it has with its nuclear program.

She also quotes Jeffrey Lewis, an expert on missile proliferation at the Middlebury Institute of International Studies at Monterey, who said:

Once you have spent the money to build the facilities and train people and deliver missiles to the military units that were built around these missiles, you have an enormous constituency that wants to keep them. I don't think there's any hope of limiting Iran's missile program.

And President Raisi, of Iran, told reporters after his election: "Regional issues or the missile issue are non-negotiable."

Nonnegotiable. Now, the U.S. military is still vastly more powerful than anything built or imagined in Iran. Yet Iran has proven to be an increasingly shrewd rival. It has trained a generation of foreign engineers and scientists to assemble weaponry. It has dispatched stateless dhows loaded with missile parts for Houthi rebels, who have fired missiles at military and civilian targets in Saudi Arabia. It has provided the older "dumb" rocket technology to Hamas and Islamic Jihad.

The majority of the "precision project" kits crossing at Abu Kamal go to Lebanon, where Hezbollah upgrades its short-range rockets and missiles to hit more accurately and to penetrate more deeply inside Israel. Hezbollah is now estimated to have at least 14,000 missiles and more than 100,000 rockets, mostly courtesy of Iran.

As McKenzie says, "they have the ability to strike very precisely into Israel in a way they've not enjoyed in the past."

I shared this article on the floor today because I believe it captures the gravity of our present reality, and I encourage all of our colleagues to read it.

Beyond what Ms. Wright has laid out above with excellent sources and details, let's also not forget that Iran continues to be a steady fighting partner for the murderous Bashar al-Assad regime in Syria, all the while expanding its military footprint along our ally Israel's northern border.

And, let's not forget, all of this beligerent behavior has escalated despite the ballistic restrictions under U.N. Security Council resolution 2231.

Madam President, resolution 2231 of the United Nations was the framework that endorsed the JCPOA and imposed other restrictions. So just think of where Iran will go when these restrictions expire next year. They expire, under existing law, next year.

Beyond this alarming aggression throughout the region, within its borders Iran continues to remind the world it has no respect for human rights. It is a country where dissidents and activists who want a better future are persecuted and killed. Indeed, just last January, Baktash Abtin, a prominent Iranian poet and human rights activist who was jailed for "propaganda against the state," died in the notorious Evin prison from COVID-19.

Iran's judicial system is a sham that denies basic human rights like freedom of expression and condones torture and extrajudicial killings. Last year—get this—the U.S. Justice Department indicted four Iranians for conspiring to kidnap and kill an Iranian-American journalist, Masih Alinejad, surveilling her daily activities in Brooklyn, NY, here on American soil.

And we cannot forget the four American citizens who Iran continues to wrongfully detain—Babak and Siamak Namazi, Emad Shargi, and Morad Tabhaz—who are suffering in prison and whose family members are desperately seeking their return.

It is against this backdrop of bad behavior that Iran is ostensibly negotiating a return to the JCPOA—or maybe just dragging out the time. It took years of crushing U.S. and international sanctions to bring Iran to the negotiating table in the first place. I know because I was the author of many of them. And we had to remain united in order to bring them to the table, and now we have to remain united as well.

Now, I have been cautiously optimistic about the Biden administration's initial efforts. I waited for the last year to see results.

Before the Foreign Relations Committee, the Secretary of State and others—senior members of the administration—insisted that they would look for a "longer and stronger" agreement. I have a pretty good sense of what I think "longer and stronger" means. Longer is obvious: more time. Stronger: dealing with elements that had not been previously dealt with.

However, a year later, I have yet to hear any parameters of longer or stronger terms or whether that is even a feasible prospect. And even when it seemed that a constructive agreement might be possible last summer, upon taking office, the Raisi government abandoned all previous understandings and, as I mentioned, made absolutely clear that Iran's ballistic missiles and regional proxy networks are "not negotiable"—his words: "not negotiable."

Moreover, at this point, we seriously have to ask: What exactly are we trying to salvage? What are we trying to salvage?

Iran has moved so far out of compliance with so many of the terms of the

JCPOA and of the terms of the U.N. Security Council resolution 2231. Meanwhile, the arms embargo that we had has already expired, and restrictions on Iran's missile program are about to expire next year.

To quote again Rob Malley, the President's Iran negotiator, trying to revive the deal at this point would be "tantamount to trying to revive a dead corpse."

I think he is right. It is time to start thinking out of the box and consider new strategies for rolling back Iran's nuclear program and addressing its dangerous and nefarious activities. These new efforts should include creative diplomatic initiatives, stricter sanctions enforcement, and a steely determination from Congress to back up President Biden's declaration that Iran will "never get a nuclear weapon on my watch"—his words.

One critical first step is vigorously enforcing the sanctions we have in place.

A few weeks ago, the Washington Post reported on the Iranian Revolutionary Guard Corps' extensive oil smuggling operations throughout the Persian Gulf: "Smuggled Iranian fuel and secret nighttime transfers: Seafarers recount how it's done."

Now, I was pleased to see the Department of the Treasury dispatch a senior official to the United Arab Emirates, which has been part of this, to help stop it. More significantly and despite what it says publicly, numerous reports also suggest that China continues to buy Iranian crude oil at a discount—a lucrative lifeline for the Iranian regime that both subverts international oil markets and gives China yet another inroad into the Middle East.

Using a sophisticated web of shipping, delivery, and tanker flagging techniques, private energy analysts—here is where we see their abilities, in this space right in here, to make these transfers that ultimately go to China, through tanker flagging techniques—private energy analysts estimate that China bought an average of 350,000 to 650,000 barrels per day—per day—last year.

And according to United Against Nuclear Iran, this amounted—that reality of how many barrels they are buying per day amounted—to about \$10 billion going to the Iranian regime, in violation of existing sanctions.

We can't turn a blind eye to these violations. The Biden administration must rigorously enforce our sanctions, including targeting Chinese entities in a way that will impose a serious cost. We must use our sanctions to crush the illicit, underground economy of Iranian oil shipments throughout the world.

The international community must also leverage a full range of tools. We have to urge our P5+1 partners to call for snapback sanctions on Iran under the parameters of the JCPOA, and we should be urging the EU to reimpose its pre-JCPOA sanctions on Iran.

Now, of course, we have to be realistic here. Former President Trump's disastrous withdrawal from the JCPOA hampered our ability on the sanctions front. Indeed, when former Secretary of State Mike Pompeo went to the U.N. in the summer of 2020 and attempted to invoke the snapback mechanism, our European partners and the rest of the P5+1 roundly rejected him and pointed out that the United States, from their view, did not even have the standing to do so having exited the deal.

That was then. That said, I believe the Biden administration has diligently worked to build back trust and cooperation with our partners, and I believe the remaining partners must look at the facts and officially invoke the snapback mechanism to send a strong signal to the Iranians.

We must also be thinking beyond the JCPOA. It is worth noting that even though President Trump's withdrawal, from my view, was a strategic, serious error, nothing technically constrained his ability to do so. Iran's leaders insist they want a guarantee that the United States will not withdraw from any future agreement.

As these negotiations continue, the best guarantee of a sustainable diplomatic agreement with Iran and the international community is to build one that garners bipartisan political support. One such idea that I have been working on with Senator GRAHAM is a regional nuclear fuel bank that would provide Iran with access to fuel on the condition that it forgoes all domestic uranium enrichment and reprocessing.

Now, that idea may sound lofty, but it is worth noting that the IAEA already runs a nuclear fuel bank that provides access to members in the case of a disruption to their existing fuel arrangements.

Iranian leaders have long maintained their nuclear program is for domestic energy development, and yet it belies logic that Iran would need to highly enrich uranium or undertake any number of the steps they had been taking over the past few years for a purely peaceful nuclear energy program, to say nothing of the fact that Iran was the fifth largest crude oil producer in OPEC in 2020 and the third largest natural gas producer in the world in 2019. So it has an abundance of natural resources for energy purposes within its own country.

It doesn't need nuclear fuel for domestic energy consumption. But if you accept that—well, we want to keep our oil and gas to sell, and we want nuclear power for the purposes of domestic energy consumption, fine, then why do you bury your program thousands of feet under a mountain? Why do you hide what you are doing? Why are you enriching to a grade that even the IAEA says has no civilian purpose whatsoever? Why won't you show us that, in fact, your previous actions that we believe may lead to weaponization exist? Why won't you show us, dispel it?

The kind of arrangement we are talking about would truly satisfy the need for a peaceful nuclear program. Now, while we understand that there are both political and logistical challenges regarding this proposal in the past, we don't believe we should close any potential doors. We believe, actually, that our proposal opens new doors because while we are just now talking about Iran—and we have been having this conversation with our P5+1 allies and Iran in a bilateral arrangement because of our concerns about Iran's nuclear program—we could be talking about the entire region.

We have successfully negotiated nuclear cooperation agreements with a number of countries in the region on a bilateral basis, including Jordan and the United Arab Emirates. In the future, such a fuel bank—a regional fuel bank—could even be expanded to guarantee that any Iranian Gulf state—or further beyond in the Middle East for that matter—can peacefully fuel its commercial nuclear reactors through the IAEA fuel bank. That means you don't enrich, but you get the fuel necessary if you want domestic energy consumption.

Of course, regional investment into any diplomatic solution—from Gulf countries and Arab neighbors and Israel—is absolutely critical for success. Just as we know our sanctions are most effective when we work with our international partners, multilateral cooperation is critical to finding a successful outcome.

But, particularly, what would be attractive to the Iranian regime? Well, what is attractive—or should be attractive—to the Iranian regime is this arrangement would decouple the view that the West is only seeking this arrangement from Iran.

Iran would not have to give up its right to enrich, but would, without a loss of national pride, delegate that right to a multilateral nuclear fuel bank. And by including other Gulf countries in such a reasonable natural fuel bank with the same terms and conditions, Iran would not have to worry about other Gulf countries attaining nuclear weapons and posing a security threat to them.

And finally, if we can succeed at a regional nuclear fuel bank, would we stop a nuclear arms race in what is already a tinderbox of the world? Because if Iran can acquire a nuclear weapon, you can be sure that the countries in the Gulf—Saudi Arabia, Emirates, and others—they are going to say, under the theory of mutual self-destruction, We have to have nuclear weapons too. And now, we begin an arms race in a part of the world that can ill-afford it.

As we look to a new approach, I also believe that we should revisit a number of proposals I laid out in 2015. First, we should seek the immediate ratification by Iran of the Additional Protocol to ensure that we have a permanent international agreement with Iran for access to suspect sites.

Second, we need a ban on centrifuge R&D—research and development—for the duration of such an agreement because it is that advanced R&D that allowed Iran to be 4 weeks away from crossing the nuclear threshold so that Iran could not have the capacity to quickly break out, just as the U.N. Security Council Resolution and sanctions and snapback is off the table.

Third, Iran should close the Fordow enrichment facility. After all, the sole purpose of Fordow was to harden Iran's nuclear program to a military attack. But if Iran has nothing to hide and it is all for peaceful purposes, why do you put it deep underneath a mountain?

Fourth, the world needs full resolution of the possible military dimensions of Iran's program. We need an arrangement that isn't set up to whitewash this issue. The world needs to be able to go to sleep at night saying Iran has not achieved the ability to weaponize its desires. Iran and the IAEA must resolve the issue before permanent sanctions relief takes place. Should Iran fail to cooperate with a comprehensive review into the military dimensions of their program, then automatic sanctions must snap back.

Fifth, rather than extend the duration of the agreement, we need a permanent agreement. One of the single most concerning elements of the original deal is its 10- to 15-year sunset of restrictions on Iran's programs, with off-ramps starting after year 8.

Well, think about it: 2015–2022—7 years—this shows you how quickly that, in fact, Iran can be proceeding in a way that we would not want it to be able to proceed.

And sixth, we need an agreement about what penalties will be collectively imposed by the P5+1 for Iranian violations, both small and midsize, as well as a clear statement as to the so-called grandfather clause which exists in paragraph 37 of the JCPOA, to ensure that the U.S. position about not shielding contracts entered into legally upon reimposition of sanctions is shared by our allies. Everybody should be in the same boat. We are seeing that. And without these elements clearly delineated, there is room for interpretation admission.

I believe there is space for a deal with Iran. And I believe that one that garners bipartisan support would be the best guarantor of the political longevity the Iranians insist they want.

Our goal must be the right deal, not just any deal. We must not agree to an arrangement that merely delays the inevitable.

As we think about broader diplomatic options, we must be clear about what a good negotiation entails: Getting more, obviously, requires giving more. If Iran were willing to make greater concessions on halting uranium enrichment, destroying nuclear infrastructure, and seriously constraining its ballistic missile program, the United States and the international community should consider lifting a

broader scope of sanctions, potentially including some primary sanctions.

While Iran's leaders are scraping by in the resistance economy, the truth is that the whole country would be better off if the regime abandoned their enrichment and weaponization efforts and focused on providing everyday Iranians with real economic opportunity.

At the same time, Iran must also fully understand that the United States will not hesitate to take any action necessary to protect our interests and those of our allies, and that includes the use of military force where appropriate and necessary. One of our greatest strengths is our enduring security partnerships with nearly every country in the Middle East region.

Last month, a group of senior bipartisan diplomats, military officers, and former Members of Congress on both sides of the aisle issued a statement to the Washington Institute for Near East Policy about the importance of a credible military threat should Iran breach certain red lines. Let me quote from their statement. They said:

Indeed, the Vienna negotiations are in danger of becoming a cover for Iran to move toward achieving a threshold nuclear weapons capability. . . . While the United States has recognized Iran's right to civilian nuclear power, Iran's behavior continues to indicate that it not only wants to preserve a nuclear weapons option but is actively moving toward developing that capability. Indeed, as the director-general of the International Atomic Energy Association, Rafael Grossi, has stated, Iran's decision to enrich uranium to 60 percent and to produce uranium metal has no justifiable civilian purpose. . . . Without convincing Iran it will suffer severe consequences if it stays on its current path, there is little reason to hope for the success of diplomacy.

This is all from their statement.

Therefore, for the sake of our diplomatic effort to resolve this crisis, we believe it is vital to restore Iran's fear that its current nuclear path will trigger the use of force against it by the United States. The challenge is how to restore U.S. credibility in the eyes of Iran's leaders. Words—including formulations that are more pointed and direct than "all options are on the table"—are also necessary but not sufficient.

In that context, we believe it is important for the Biden administration to take steps that lead Iran to believe that persisting in its current behavior and rejecting a reasonable diplomatic resolution will put to risk its entire nuclear infrastructure, one built painstakingly over the last three decades.

Such steps may include orchestrating high-profile military exercises by the U.S. Central Command, potentially in concert with allies and partners, that simulate what would be involved in such a significant operation, including rehearsing air-to-ground attacks on hardened targets and the suppression of Iranian missile batteries.

Also important would be to provide both local allies and partners as well as U.S. installations and assets in the region with enhanced defensive capabilities to counter whatever retaliatory actions Iran might choose to make, thereby signaling our readiness to act, if necessary.

Perhaps most significantly, fulfilling past U.S. promises to act forcefully against other Iranian outrages, such as the drone attack by Iran-backed militias against the U.S. base

at al-Tanf in Syria and Iran's illegal capture of merchant ships and killing unarmed seamen, might have the salutary impact of underscoring the seriousness of U.S. commitments to act on the nuclear issue.

Again, I encourage everyone to read this statement from colleagues, congressional colleagues, military leaders, and diplomats on both sides of the aisle.

Last year, following years of quiet cooperation and the narrowing of shared security concerns, the United States and our partners and allies welcomed Israel into the U.S. Central Command area of responsibility. We have a number of shared interests—from maritime security to confronting a growing threat of ballistic missiles and UAVs—and we must continue to strengthen our bilateral and regional partnerships to ensure that we have all the means necessary to protect our interests.

Moreover, we must forcefully and proportionately respond to Iran's ongoing attacks on our diplomatic and military facilities in Iraq and Syria. We will not fail to respond against direct attacks on the United States that threaten our diplomat and service-members. Full stop.

Let me close by saying that the Iranian nuclear threat is real, and it has grown disproportionately worse by day. It is becoming a clear and present danger. The time is now to reinvigorate our multilateral sanctions efforts and pursue new avenues, new ideas, new solutions for a diplomatic resolution.

But today, I call on the Biden administration and international community to vigorously and rigorously enforce sanctions, which have proven to be among the most potent tools for impacting Iran's leaders and the IRGC. We cannot allow Iran to threaten us into a bad deal or an interim agreement that allows it to continue to build its nuclear capacity, nor should we cling to the scope of an agreement that it seems some are holding on for nostalgia's sake.

As I said 7 years ago, hope is not a national security strategy. In the words that I spoke in 2015, I said:

Whether or not the supporters of the agreement admit it, this deal is based on "hope"; hope that—when the nuclear sunset clause expires—Iran will have succumbed to the benefits of commerce and global integration . . .

Well, I hate to say, they have not.

. . . hope that the hardliners will have lost their power and the revolution will end its hegemonic goals . . .

They have not.

. . . and hope that the regime will allow the Iranian people to decide their own fate.

The hardliners are more entrenched, and they have not allowed the Iranian people to decide that future.

Hope is part of human nature, but unfortunately it is not a national security strategy. The Iranian regime, led by the Ayatollah, wants above all to preserve the regime and its Revolution—

Unlike the Green Revolution of 2009. This is still true.

So it stretches incredulity to believe they signed on to a deal that would in any way weaken the regime or threaten the goals of the Revolution.

They will not.

I understand that this deal represents a trade-off, a hope that things [might] be different in Iran in 10–15 years.

Maybe Iran will desist from its nuclear ambitions.

But it has not.

Maybe they'll stop exporting and supporting terrorism.

But it has not.

Maybe they'll stop holding innocent Americans hostage.

But they have not.

Maybe they'll stop burning American flags.

But it has not.

Maybe their leadership will stop chanting "Death to America" in the streets of Tehran.

But it has not. Or the hope was maybe that they won't do those things. Well, they have continued to do all of those things.

While there are so many crises brewing across the world, we cannot abandon our efforts to prevent a nuclear-armed Iran and the arms race it will surely set off in the Middle East. We cannot ignore Iran's nefarious support for terrorism or accept threats to American interests and lives. We must welcome legitimate and verifiably peaceful uses of nuclear power but remain true to our nonproliferation principles and our unyielding desire to build a more stable, safer, prosperous world for the American people and for all peace-loving people to thrive. In order to do so, Iran cannot and must not possess a nuclear weapon.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS CONSENT AGREEMENT—S. RES. 502

Mr. MENENDEZ. Madam President, I ask unanimous consent that with respect to S. Res. 502, the preamble be agreed to.

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

The preamble was agreed to.

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

ORDERS FOR WEDNESDAY, FEBRUARY 2, 2022

Mr. MENENDEZ. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, February 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Puttagunta nomination

postcloture; further, that notwithstanding rule XXII, all postcloture time on the nomination expire at 11 a.m. and upon disposition of the nomination, the Senate vote on the motions to invoke cloture on the Scott and Tunnage nomination; further, that at 2:15 p.m., the Senate vote on confirmation of the Lopez and Staples nomination and on the motion to invoke cloture on the Howard nomination; further, that if cloture is invoked on any of the nominations, the confirmation votes be at a time to be determined by the majority leader in consultation with the Republican leader; finally, if

any nominations are confirmed during Wednesday's session, that the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's actions.

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

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. MENENDEZ. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:59 p.m., adjourned until Wednesday, February 2, 2022, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 1, 2022:

THE JUDICIARY

BRIDGET MEEHAN BRENNAN, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO.

CHARLES ESQUE FLEMING, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO.

DAVID AUGUSTIN RUIZ, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO.