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Senate

The Senate met at 10:31 a.m. and was called to order by the Honorable ELIZABETH WARREN, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

Eternal Spirit, grant to this Nation and to all people a social conscience built on the vision of the ancient prophets who saw sufficiency for people and a time when anxiety would be overcome by goodwill.

Lord, hasten the day when the small and weak can make their contributions alongside the great and powerful. Lead us to the day when we will see peace among the nations of the Earth, when swords shall be beaten into plowshares. Use the Members of this body to do Your will. Let Your glory cover the Earth as the waters cover the sea.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 13, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ELIZABETH WARREN, a

Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MINORITY LEADER

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

INFLATION

Mr. MCCONNELL. Madam President, this morning, this all-Democratic government produced yet another absolutely terrible, terrible inflation report. Inflation during the month of June shattered the experts' predictions. We are now—listen to this—at 9.1 percent annual inflation; yet another fresh 40-year high, the most out-of-control inflation that American families have seen since the early 1980s. Food costs are up more than 10 percent. Energy costs are up more than 40 percent. The costs of the fuel that drives us to work, delivers our goods, and drives our economy are all up over 60 percent.

These are staggeringly—staggeringly—bad numbers. And they were fueled directly by the reckless spending spree that the Democrats rammed through on party lines just last year.

Remember, right before the \$2 trillion spending spree, President Biden said:

The biggest risk is not going too big . . . it's if we go too small.

The Senate Democratic leader said:

I do not think the dangers of inflation, at least in the near-term, are very real.

These were gigantic—gigantic—unforced errors. One leading economist recently said the so-called American Rescue Plan was “arguably the biggest fiscal policy mistake in several decades.”

Our core inflation rate here in America is more than 2 percentage points higher than in Europe. Inflation is uniquely bad here because our all-Democratic government has made uniquely bad choices. And now American families are dealing with the fallout every single day.

It is no secret how much the American people disapprove of the course Washington Democrats have put us on. They say so in poll after poll after poll. So you might think by now that our colleagues would be ready to try a different approach.

Well, guess again. President Biden and his party, fresh off of spending America into inflation, now want to tax-hike us into recession. They are behind closed doors playing around with what may amount to the single largest tax increase in American history. Tucked inside are exactly the sort of radical ideas that working families can least afford right now.

They want a giant tax hike on pass-through small businesses, a category—listen to this—that encompasses 95 percent of all businesses in the country—95 percent of them. Take it from a constituent of mine in Mount Sterling, KY, who put it this way:

Small business is already in a struggle to survive with all the taxes and regulations we have to deal with. Adding another tax is only making things worse.

Democrats also want a so-called “methane fee” that amounts to a big new tax hike on domestic natural gas, while their inflation has pushed American families' natural gas prices and electricity costs up through the roof already.

If following reckless spending and runaway inflation with a gigantic, painful tax hike sounds like a bad idea to you, believe me, you are not alone. Even some House Democrats are lighting their hair on fire over what a terrible idea these discussions are.

One House Democrat from New Jersey is telling reporters that she is “not

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



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for any type of legislation that raises taxes . . . especially right now, as my constituents are facing inflation, cost of living [increases] . . . [and] housing prices."

Well, let me put it this way. When House Democrats from the Northeast start trying to sound more like Ronald Reagan running against Jimmy Carter, you know they have gotten themselves into a fix.

Too bad every single House Democrat except one and every single Senate Democrat voted for the \$2 trillion mistake that brought us to where we are. The Democrats complaining about inflation today voted in lockstep for the bill that brought us here. And now their answer to picking families' pockets once is to now pick the families' pockets yet a second time. The same Democrats that spent us into inflation now want to tax us into recession.

U.S. SUPREME COURT

Mr. McCONNELL. Madam President, now on an entirely different matter, this week, I have been discussing the historic term the Supreme Court just concluded—the most consequential and pro-Constitution term since Brown overturned Plessy almost 70 years ago.

Back in 2015, in one fell swoop, the Obama-Biden administration took aim at domestic energy production, harmed the separation of powers, and attacked the rule of law.

Remember, after Americans elected Republicans in 2010 to place a check on the leftwing agenda, President Obama infamously said he would just ignore the will of the people and work around Congress. Here was his quote. He said, "I've got a pen." He said, "I've got a phone."

Thus began a whole series of unconstitutional power grabs by the executive branch, a sort of crime spree against the Constitution. For example, when Democrats could not get harmful and unpopular environmental restrictions through Congress because the people's duly elected representatives did not support them, the bureaucrats at the Obama EPA decided to pretend that some obscure lines in an old law actually gave them enormous sweeping regulatory powers to manage our economy which nobody had ever noticed before.

The EPA effectively wrote and passed a giant piece of legislation, the so-called Clean Power Plan, as one branch of government acting alone. They tried to make law without involving actual lawmakers. The Obama EPA just up and decided they could start giving orders and issuing edicts and remake our country's electricity grid by brute force.

Of course, the pretext was simply false.

As Justice Scalia once wrote, "Congress . . . does not alter the fundamental details of a regulatory scheme in vague terms or ancillary provisions—it does not, one might say, hide elephants in mouse holes."

When the legislative branch actually intends to hand over giant chunks of our power to unelected bureaucrats, we make it pretty darn clear. The Obama-Biden EPA had no lawful authority to grab control of electricity generation all across America. And that is exactly what the Supreme Court affirmed last month.

The ruling was a huge win for American ratepayers and anybody who wants affordable and reliable energy; but it was also a landmark legal victory for our very system of government. The Supreme Court applied the plain text of the law and reaffirmed that the unelected administrative state is not allowed to reach way beyond the powers that Congress has actually given it. With any luck, this will be part of a sea change that has been a long time coming.

Remember a few months ago, a young district judge in Florida applied the plain, straightforward text of a statute and overturned the administration's illegal and unilateral mask mandate for public transportation. That was the Centers for Disease Control stepping way, way over its boundaries.

And this past January, the Supreme Court put the brakes on President Biden's blatantly illegal attempt to have the Occupational Safety and Health Administration, OSHA, force 84 million American workers to get the COVID vaccine whether they wanted it or not.

As Justice Gorsuch wrote in concurrence back then:

The central question we face today is: Who decides? The only question is whether an administrative agency in Washington . . . charged with overseeing workplace safety may mandate the vaccination or regular testing of 84 million people . . .

Justice Gorsuch continued:

Or whether . . . that work belongs to state and local governments across the country and the people's elected representatives in Congress.

On issue after issue, our courts are beginning to answer that question the way the Constitution commands. "Who decides?" is the question. The answer: The people decide and the Members of Congress they elect.

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

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

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 to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Michael S. Barr, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2018.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

NOMINATION OF MICHAEL S. BARR

Mr. BROWN. Madam President, I urge my colleagues to join me in supporting the nomination of Michael Barr to be a member of the Board of Governors of the Federal Reserve System and the Vice Chair for Supervision.

His confirmation is expected today, but we hold votes on these things to find out for sure. His confirmation will mean that the Federal Reserve, for the first time in years, will have a complement of all seven members.

I credit the Biden administration for being aggressive in doing that. I credit the committee, which I chair. The Acting President pro tempore is a prominent member of that committee, Senator WARREN, and I thank her for her work on this. It is a big deal.

Mr. Barr is a qualified nominee who came out of the Banking, Housing, and Urban Affairs Committee with strong bipartisan support. Five Republicans, including Ranking Member TOOMEY, and all 12 Democrats supported his nomination. It is clear why. He is a leading expert with decades of experience in helping to guide and protect our economy, including having experience with financial institutions and financial regulation.

He has served this country at the Departments of Treasury and State as well as at the White House. At the Treasury Department, as Assistant Secretary for Financial Institutions, Mr. Barr played a critical role in responding to the 2008 financial crisis when Wall Street greed and recklessness crashed our economy.

I know especially, as I said on the floor, what it did to my community, even to my neighborhood. The ZIP Code in which Connie and I live in Cleveland, 44105, had more foreclosures in the first half of 2007 than had any ZIP Code in America, and we still live with that.

We passed the Dodd-Frank Wall Street Reform Act back then. Among the many steps the legislation took to prevent another crisis, we created the Vice Chair for Supervision to identify and to stay ahead of risks to our country's financial system, like cyber threats, volatile cryptocurrency, or the climate crisis. We created this job to hold the biggest banks accountable so

that Wall Street wouldn't put working families and businesses on Main Street at risk again.

We know Wall Street puts its own interests first always. We know, too often, it is at the risk of small businesses, at the risk of working families, at the risk of the middle class, and at the risk of low-income people. We understand that that is their behavior, and the purpose of Dodd-Frank was as far as we could go to fix that.

Mr. Barr has worked for a quarter century to make our financial system safer and fairer. He has focused on developing and evaluating financial regulatory policies. Most importantly, he has a keen understanding of the type of risks that pose threats to our financial stability. Mr. Barr will join the Federal Reserve Board of Governors at a critical time for our economy, maintaining Federal Reserve independence along the way.

In response to a question for the record, Mr. Barr told us the following:

Independence is critical for the Federal Reserve to effectively carry out its congressional mandate to promote maximum employment and price stability. Politics should play no role in setting monetary policy. . . . I am committed, if confirmed—

He wrote—

to adhere strictly to a non-political, data-driven, independent approach to policy making.

I support Mr. Barr's nomination in this critical role. Once confirmed, as I said, we will have a full Federal Reserve Board, with all seven members. It has been almost a decade since we have been able to do that. It has taken this new President and this new majority in the Senate to do that, and I thank all of my colleagues who have played a role in that.

I urge my colleagues to support the nomination of Michael Barr.

NOMINATION OF OWEN EDWARD HERRNSTADT

Madam President, I urge my colleagues to support another nominee out of the Senate Banking, Housing, and Urban Affairs Committee, Owen Herrnstadt, who is the nominee to be a member of the Board of Directors of the Export-Import Bank of the United States.

Like Mr. Barr, Mr. Herrnstadt received bipartisan support out of the Banking Committee. We now have four of the five members of the Ex-Im Bank. We will have, after today, after this week—I am hopeful—four of the five members of the Export-Import Bank confirmed and in place. We are still waiting for Senator McCONNELL to tell the White House and offer the fifth nominee, a Republican nominee, so we can fill out that Board.

Our foreign competitors operate more than 100 export credit agencies and credit programs supporting their manufacturers. China's export finance activity is larger than all of the export credit that G7 countries collectively provide, and China will continue to use export credit to win manufacturing business in critical sectors.

I would point out, parenthetically, that under this new leadership in the Senate and new leadership in the White House, for the first time in 20 years, our economy is growing faster than China's. Our GDP growth is actually faster than that of the People's Republic of China—something we haven't seen in 20 years.

Mr. Herrnstadt will help lead our Nation's official export credit Agency as it supports American workers and manufacturers throughout our country. He has served some 30 years in senior roles at the International Association of Machinists and Aerospace Workers, and he has served on Ex-Im's Advisory Committee. He is more than qualified to join the Ex-Im Board.

He will be a voice for American workers. He understands, as the majority of this Senate does, that we put workers at the center of our economy, workers at the center of our economic policy, and workers at the center of policy-making in this institution. Too often, American workers, as Mr. Herrnstadt fully understands, have been forced to compete with unfair foreign competition for far, far too long.

The Banking Committee reported his nomination by voice vote twice—last fall and again earlier this year. Again, as a 30-year-long labor activist, fighting for workers, he is supported by the U.S. Chamber of Commerce, the National Association of Manufacturers, and other advocates for American businesses and workers.

Yet, despite his receiving broad support, a small number of Senators continues to oppose anything—anything—related to the Ex-Im Bank, so we are forced to have a cloture vote today on his nomination.

Our competitors are not going to stop financing their business sales. We need Ex-Im to compete, and Mr. Herrnstadt is needed on that Board to help the Ex-Im Bank deliver results.

He will join Ex-Im President Reta Jo Lewis; my fellow Ohioan and first Vice President, Judith Pryor; and Ex-Im Board member and former Congressman Spencer Bachus, a Republican from Alabama, who have been working on a bipartisan basis to carry out the mission given by Congress in the 2019 reauthorization to help American exporters compete with China.

We know—and the Acting President pro tempore has been very engaged in this in her Senate career—that bad trade agreements and bad tax policy have led to far too many companies shutting down production in Worcester, MA, and Wooster, OH, and to their moving overseas and selling those products back into the United States while exploiting cheap labor and exploiting weak environmental laws and weak worker safety laws but gaining from bad American trade policy and bad American tax policy.

The Ex-Im Bank helps us to correct that. So does Brown-Wyden and what we have done to level the playing field on those issues that this new majority

in the Senate, with this new President, has finally decided to enact, making a real difference in not just our balance of trade but making, fundamentally, the most important difference—a real difference—for American workers who are the most productive in the world.

I strongly urge my colleagues to join me in supporting Owen Herrnstadt's nomination to the Export-Import Bank Board.

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

INFLATION

Mr. THUNE. Mr. President, inflation numbers came out this morning, and, once again, they were not good. Inflation in June was 9.1 percent—9.1 percent, the highest level since November of 1981.

Groceries are up 12 percent, on average. Baby food is up 14 percent, milk up 16 percent. Chicken is up 18 percent. And the list goes on. Household cleaning products are up 11 percent. Gas prices are up nearly 60 percent. Furniture and bedding are up 13 percent. Utility gas service is up 38 percent. Health insurance is up 17 percent and on and on and on.

Everywhere Americans look, they are facing price increases, price increases on the most essential items: groceries, gas, their utility bills. And on top of all this, real average hourly earnings are currently declining at the fastest pace in 40 years. Fifty-eight percent of Americans are living paycheck to paycheck. Price increases on the most essential items—groceries, gas, their utility bills—all these things are forcing Americans to dig into their savings, when they have them, to try and make ends meet.

Others are relying on things like credit cards or visits to food banks. Demand for food assistance has soared in recent months. One organization in my hometown in South Dakota received 600 more calls for food assistance in May of this year than it had received in the same month a year ago. Food banks often have fewer resources to meet the need, thanks to declines in donations and the high price of groceries. And there is no end to this pain in sight.

A recent Joint Economic Committee analysis found that inflation will cost the average household \$7,620 over the next year or \$635 per month—\$635 per month. That is an unsustainable burden for working families.

By now, most Americans are familiar with how we got here. When President Biden took office, inflation was at 1.4 percent, well within the Fed's target inflation rate of 2 percent. And it might have stayed there had Democrats not decided to pass a massive and

partisan \$1.9 trillion spending spree under the guise of COVID relief, mere weeks—mere weeks—after Congress had passed a fifth bipartisan COVID bill that met essentially all current pressing COVID needs.

The Democrats' so-called American Rescue Plan sent a lot of unnecessary government money into the economy, and the economy overheated as a result. You don't have to take my word for that on the damaging effects of this legislation. Here is what one Democratic economist who worked in the Obama administration had to say on the subject:

The \$1.9 trillion American Rescue Plan passed in the early days of the Biden administration will go down in history as an extraordinary policy mistake.

Another former Obama adviser noted:

The original sin was an oversized American Rescue Plan. It contributed to both higher output but also higher prices.

Those are warnings that came from Democrats that their so-called American Rescue Plan ran the risk of overheating the economy, but Democrats here in Congress passed it anyway. The President signed it.

What is also worse is that even after they saw the inflation that resulted from their \$1.9 trillion boondoggle, they spent months last year trying to double down on the reckless spending that helped cause so much inflation in the first place. Even as inflation was steadily increasing, Democrats spent months working to pass their so-called Build Back Better bill—a multitrillion-dollar—trillion-dollar—reckless tax-and-spending spree that would have dumped more unnecessary government money into an already overheated economy. But, fortunately, their efforts ultimately failed last December.

But like a zombie, Democrats' Build Back Better tax-and-spending spree just keeps coming back from the dead. That is right. Despite the fact that our inflation crisis is even worse—worse now than it was last fall—Democrats are once again considering a version of their Build Back Better tax-and-spending spree. We don't know all the details yet, but what we do know—what we do know—is cause for alarm.

Democrats are planning to raise taxes by a trillion dollars—\$1 trillion—and a substantial part of that tax increase would come in the form of new taxes on small businesses. That is right, on small individually and family-owned businesses or what are often called passthrough businesses; in other words, Main Street America, the businesses that create jobs.

In South Dakota, passthroughs, such as sole proprietorships, S corporations, and partnerships, employ an estimated 68 percent of the private sector and represent almost 100 percent—99 percent or thereabouts—of all businesses in my home State of South Dakota. Nationwide, more than 90 percent of American businesses are passthroughs, and these businesses employ tens of millions of Americans.

Small business owners' expectations for better business conditions recently hit an alltime low. Business owners are struggling with the high cost of everything, from inputs to electricity, as inflation continues to soar and global supply chains continue to be sluggish.

I recently read a comment from one small business owner in South Dakota who noted:

It's hard when you're working so hard but you're not making money. . . . We are right there right now.

"It's hard when you are working so hard but you're not making money." Yes, it is.

And if Democrats have their way, life for small business owners—and their employees—is going to get even harder because raising taxes on businesses will lead to a combination of lower wages for workers, lower returns for business owners, and higher prices for goods and services. It is just intuitive.

Think about it. If you are a small business owner, you are paying more for inputs and all the supplies that you need to run your business, and then government says: Oh, we are going to hand you a big, fat tax increase on top of that, what happens? Well, you can take lower profits—and some of them certainly, I am sure, will, but inevitably that gets passed on in the form of higher cost to the consumers, to the people they serve, their customers, or in the form of lower wages to their employees. That is what it is going to do. It will also make it more challenging for small business owners to reinvest in and grow their businesses.

As I said, altogether, Democrats are contemplating raising taxes by \$1 trillion in their new Build Back Better tax-and-spending spree. And those tax hikes and their economic impacts are not going to be limited to small businesses, nor are they going to be limited to families bringing home more than \$400,000, despite the fact that the President has repeatedly pledged not to raise taxes on families making less than that.

The nonpartisan Joint Committee on Taxation studied the tax-and-spend provisions that Democrats are discussing, and its analysis shows that lower and middle-income taxpayers will face significant hits from the proposed tax hikes.

The Joint Committee on Taxation analysis—again, bipartisan, nonpartisan organization studies the implications of taxing-and-spending provisions on our economy and on classes of different people in this country—that JCT analysis found that more than half of Americans earning between \$100,000 and \$200,000 would see a tax hike next year as well as a quarter of Americans making between \$75,000 and \$100,000 a year.

Raising taxes on small businesses, including passthroughs in South Dakota and across this country, is a reckless—reckless—approach to the economy.

Mr. President, we have an economy that is wobbling. I just mentioned that

the inflation numbers are historic: 9.1 percent. We haven't seen that kind of inflation since 1981, back when I was in college.

We have an economy that some argue is already in a recession, depending on what ultimately the numbers are for the second quarter of this year. But some people—economists—are expecting negative GDP growth for the second quarter, which, by the clinical, technical definition, would put the country already into a recession. But most economists and people who study this suggest that there is certainly a likelihood of a recession within the next year.

So we have the prospect of a recession. We are looking down at the possibility of record inflation, coupled with a recession, and what do the Democrats want to do? Raise taxes. Raise taxes and grow government. Spend more. Flood the zone with more spending. Hit businesses with higher taxes, which will get passed on in the form of lower wages and higher prices.

So the Democrats apparently are content with the idea of a recession. They almost want to seem to guarantee that we want to get there, and I am at a loss to understand any other reason why they would be contemplating increasing the tax burden on small businesses and middle-class Americans during an inflation crisis.

Mr. President, Democrats tried their hardest last fall to double down on the spending strategy that helped plunge us into this inflation crisis in the first place. Mercifully—and I say "mercifully," and I thank God for a couple of discerning Democrats who saw otherwise—mercifully, they failed.

Let's hope that common sense will once again prevail and the Democrats' latest reckless tax-and-spending proposal will come to nothing. American families are already suffering. They should not—not—have to deal with the economic consequences of yet another ill-advised piece of Democratic legislation.

I yield the floor.

The PRESIDING OFFICER. The gentleman from Texas.

BORDER SECURITY

Mr. CORNYN. Mr. President, during my time in the Senate, I have spent a lot of time learning from folks who live and work along our 1,200-mile border with Mexico about the challenges that region and that border present. I have worked with local leaders who know the advantages and the challenges of living along an international border better than anyone else in the country. Of course, I have spoken with a number of Border Patrol agents—these, of course, are frontline law enforcement officers—as well as our local sheriffs and others, who have come face-to-face with human tragedy, exploitation, and many other forms of heartbreak and hardship. I have learned a great deal from the nongovernmental organizations—the so-called NGOs—that go above and beyond the call of duty to

care for the migrants who often arrive sick, abused, and malnourished. When it comes to border security and commonsense immigration policies, the input of these experts is invaluable. It is irreplaceable.

Later this week, I will be traveling back home to the Rio Grande Valley along with a number of my Republican colleagues so that they, too, can learn from the true experts about the border crisis. Senator CRUZ and I are leading a visit to the Rio Grande Valley to receive an update on the current state of circumstances at the border.

I know, with everything happening here in Washington, DC, and around the country, it is easy to lose sight of what is happening on the border, the humanitarian crisis that is occurring at the border, so I want to remind anybody who is listening about what we have seen over the last 2 years during—well, actually, it is the first year and a half of the Biden administration. For a year and a half now, border communities have been overwhelmed by the sheer number, the volume, of migrants crossing the border. Since President Biden took office, the Border Patrol has encountered nearly 3 million—3 million—people along the southwest border. That is almost an incomprehensible figure, and it is far from the normal situation.

Let me provide a little historical context. At this point during the Obama administration, an average of about 46,000 migrants were apprehended each month along the border—46,000 during the Obama administration. During the Trump administration, that number was cut in half to 24,000 migrants every month. But during the Biden administration, so far, that figure has skyrocketed. On average, more than 185,000 migrants cross our southern border every month. That is 7½ times more than we were seeing just a few years ago.

And there is no question—certainly in my mind—and I don't think any rational review of the facts would lead to another conclusion other than that President Biden's policies are the driving force for this crisis. The President ran on the promise of policies that would lead to this exact result, and we have heard stories from migrants who explicitly came to the United States because of the signals the Federal Government is sending that if you can make it to the border, you are going to be able to make it into the interior of the United States.

But even though the President's policies have encouraged many people to make this dangerous trip from their homes across the border—particularly in temperatures like we are encountering in Texas now, where for the last 33 days we have seen 100-degree-plus temperatures—these migrants are coming from their home, traversing huge expanses of land, and showing up at the border—if they do show up—as I said, sick, dehydrated, suffering from assault.

The fact is, if you visit Brooks County, TX, where Falfurrias is located, they have a Border Patrol checkpoint. What the coyotes do—that is the name given to the human smugglers—is they will transport people from the stash houses on this side of the border, up the highway, but then, before they get to the border checkpoint where the Border Patrol is, they will tell all the migrants to get out of the vehicle and here is a jug of water and maybe a power bar, and we will see you on the north side. They will have to walk around the checkpoint and then reconnect with the coyote, with the smuggler, on the north side. But the fact is that a number of these individuals don't make it; they die in Brooks County from exposure. Certainly, the coyotes care nothing about humanity but only about money. If someone is sick or lame or can't keep up, they get left behind to die.

Well, it is clear, too, that this administration has failed to prepare for what I think most people could have predicted given the green light that the Biden administration has posted at the border welcoming anybody and everybody who wants to come to the United States from anywhere in the world without complying with our immigration laws. When thousands of people are crossing the border every day, it overwhelms the Border Patrol's capabilities. That is part of the plan, because when thousands of people overwhelm the Border Patrol at the border, many of them have to go away from the border for paperwork, to process unaccompanied children and perform other tasks. So they are not there when—guess what—here come the drugs.

Last year alone, 108,000 Americans died of drug overdoses. Virtually all of those came across the southern border. The one that we are most concerned about now—but we are concerned about all of them—is opioids, synthetic opioids like fentanyl, which are enormously powerful and have resulted in the death of far too many Americans. Part of that is because of the border crisis.

Now, the drug cartels make a lot of money doing this. The human smugglers charge \$5-, \$10-, \$15,000 a head to bring people across the border. This is a huge moneymaking criminal enterprise. But, in response, the Biden administration has failed to prepare and failed to embrace policies that would deter people from making this dangerous trip in the first place.

Last fall, I visited the Del Rio Sector with a group of about 30 Border Patrol agents at their muster. That is their meeting right before they are deployed out into the field. When they were asked to raise their hand if they would be working out in the field that day patrolling, not a single hand was raised. These men and women who would normally be out on the frontlines stopping dangerous people and drugs from sneaking across the border—they are

filling out paperwork, they are watching unaccompanied children, and they are transporting migrants.

This is part of the cartel's plan. It looks like, to coin a phrase, we are playing checkers when they are playing three-dimensional chess. The cartels have simply adapted their policies to exploit what they see as weakness at the border. This is a dangerous situation. If Border Patrol agents are caring for unaccompanied children, obviously they can't patrol the frontlines. If they are knee-deep in paperwork, they can't stop criminals and drugs from coming across the border.

The chaos at the border provides an excellent camouflage and disguise for dangerous people coming across. Gangs, cartels, criminal organizations are paying close attention. They see the gaps, some of which they create themselves, and they are taking full advantage. Every day, criminals attempt to sneak across our border. The dedicated men and women of the Border Patrol arrest a number of them if they can locate them. Many of them get away. Since October, agents have apprehended more than 450 gang members. But, as we know, they are outnumbered and overwhelmed, meaning that countless others slip through the cracks.

According to some reports, more than 300,000 migrants evaded Border Patrol between October and the end of March. That is 300,000 on top of the 3 million whom I mentioned a moment ago who have been encountered during the Biden administration. So that is 300,000 additional who have evaded Border Patrol in just 6 months. These are known as "got-aways," the ones Border Patrol sees on surveillance cameras. But the number could well be significantly higher.

The cartels and the human smugglers who help people illegally enter our country are not fools. They pay close attention to the rhetoric of the President and politicians here in Washington, and they watch television from their home country and see that people who show up at the border can by and large enter the country without any consequences. They know our immigration laws better than the average American, better than the average Member of Congress, and they know how to exploit them to their advantage. They will flood the system in one area to distract the Border Patrol and take advantage of the security gaps.

This is an important point. These cartels and criminal organizations are what one Border Patrol agent called commodity agnostic; in other words, they are in it for the money. If they can make money by smuggling—by trafficking in young girls or in economic migrants or drugs, they will do it because that is why they exist: because of the money they derive from their crimes.

As I suggested, one of the biggest moneymakers is drug trafficking. Since October, Customs and Border

Protection has seized more than 7,700 pounds of fentanyl and more than 120,000 pounds of methamphetamine. Add the other drugs—cocaine, heroin, and other dangerous drugs—that have been seized, you have 440,000 pounds of drugs that came into our country in only 8 months, and that is just the drugs we were able to locate and confiscate.

These criminal groups also profit off the backs of migrants. Again, to them, a migrant is not a human being. It is a commodity; it is a moneymaker, a way to wring a dollar out of somebody else's misery.

And a couple of weeks ago, we received a tragic reminder of how ruthless these criminals are. Smugglers abandoned a tractor-trailer packed with migrants in San Antonio, my hometown, leaving the truck to bake in the Texas heat. Fifty-three migrants died in what has been described as the deadliest human smuggling incident in U.S. history. It is a devastating reminder that this isn't about politics. Lives are actually on the line.

President Biden has talked about the need to treat immigrants humanely. I agree. This isn't about treating them inhumanely, but 53 migrants dying in the back of a tractor-trailer rig in 100-degree Texas temperature is not humane either.

Migrants are dying. Drugs are pouring into our country. And all the while, these criminal organizations are getting richer and richer.

I don't know how President Biden and Vice President HARRIS look in the mirror knowing that this is happening on their watch. I do know that President Biden and Vice President HARRIS have not been down to the border and talked to the same experts that I have learned from over the years. I think they would learn a lot. I would welcome them if they decided to come.

Instead, the President has sent a signal to the cartels and human smugglers that they can continue to abuse, rape, and get rich off of vulnerable migrants. We have even seen some in the administration villainize the dedicated law enforcement officers who are trying to keep our communities and our countries safe. And despite the record-breaking levels of migration, we know the President still refuses to visit the border.

He is in the Middle East. He is visiting Muhammad bin Salman and other officials in Israel and elsewhere, but he won't go to the border where this crisis is happening, in large part because of his failed policies.

As I have said, throughout my time in the Senate, I have learned a lot from these dedicated leaders in border communities who deal with this crisis firsthand. Their input has been invaluable to my work in the Senate. And I look forward to seeing some of these folks later this week and introducing them to a number of our Senate colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I ask unanimous consent that I be allowed to speak for up to 5 minutes prior to the scheduled votes.

The PRESIDING OFFICER. Is there objection?

Hearing none, without objection.

SOCIAL MEDIA

Mr. TILLIS. Mr. President, I will be brief. But I do want to talk about a serious subject. You know, 30 years ago, we wouldn't have been talking about email or social media or other things that we now rely on to receive communications, to be informed on political choices, and to potentially even support candidates that we want to support. But the reality is, today, we all have two or three email accounts, probably most of them based on Gmail. We have got access to Twitter, Instagram, Facebook—a number of social media platforms. And I have a concern that maybe it is not a level playing field for political views.

We have always had that argument, but recently NC State issued a report that seems to find that—particularly with Gmail—we have an imbalance between how information is disseminated, how candidates are able to reach out for support. What the study found is a potential political bias against Republicans in favor of Democratic candidates.

Now, I am a technology person, and I think my staff called me a bit of a nerd. I have been in technology for almost 40 years. I am not willing to jump to the conclusion that Google has necessarily created a strategy for benefiting Democrats over Republicans, but a study seems to suggest that there are legitimate questions that need to be answered.

I, for one, don't think any platform should favor either policy. I think more speech, more access is better; more informed voters, more people participating in elections. But the study seems to suggest that there is a bias in the way that we receive our information through Gmail.

I joined a letter with Senator DAINES to say: Take a look at that report, take a look at your operations, and give us your response to the assertions in the report.

I know that this is very important for the future of elections, for the future of participation in elections. And, again, I don't want a platform that biases itself toward conservatives any more than I want one that biases itself towards liberals. But I did have an opportunity to talk with technologists at Google, who dismissed the report. But that is not enough. The report has findings. And I think—in this case Google, but there are other platforms we can ask the same question.

Incidentally, Twitter 2 months ago informed me that I was not who I said I was, so they suspended my account. I tried to go through an appeal process and finally just decided I don't need that Twitter account. I am wondering if that was a result of an algorithm or

the result of somebody in Twitter who didn't like what I had to say about my mother and my wife and my kids on my Twitter account because I happen to have an official account that, for some reason, it is OK.

We have got to get this straightened up, and Google can help us start by taking a look at the findings in this report and providing us hard answers for it and identifying others who may actually be responsible for the outcomes that we are, at this point, assuming are the responsibility of Google.

I think it is very important for us to go through the report, give us the information we need because we may find out that Google is, in fact, not responsible for what some of my colleagues believe is the vast majority of appeals from conservatives going into their spam filter and never being reached. There may be other reasons. We already know that Russia, China, other state actors influence public opinion in the United States through their views and exploitation of social platforms.

So the reason I come to the floor today is to basically reassert what I did in the letter to Google. Do the homework. Prove to us that there are no operations or conscious decisions made by the management or individuals in the organization to actually bias towards one ideology or the other. I need that information so that we can figure out how we can have more speech and more engagement in the political process.

But I will say this: If there is any social media platform that has an employee or an organization that is biased, those folks should no longer be working for those platforms. And if I find any evidence to that effect, I will be pursuing it aggressively. But I come to the floor to encourage Google to do the homework, know that I will be objective. And I would like to get a response soon.

VOTE ON BARR NOMINATION

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

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

Mr. TESTER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. LUJÁN), the Senator from Vermont (Mr. SANDERS) and the Senator from New York (Mr. SCHUMER) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

The result was announced—yeas 66, nays 28, as follows:

[Rollcall Vote No. 248 Ex.]

YEAS—66

Baldwin	Grassley	Portman
Barrasso	Hassan	Reed
Bennet	Heinrich	Romney
Blunt	Hickenlooper	Rosen
Booker	Hirono	Rounds
Brown	Inhofe	Schatz
Cantwell	Kaine	Scott (SC)
Capito	Kelly	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Lummis	Stabenow
Cassidy	Manchin	Sullivan
Collins	Markey	Tester
Coons	McConnell	Toomey
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Ernst	Murray	Whitehouse
Feinstein	Ossoff	Wicker
Gillibrand	Padilla	Wyden
Graham	Peters	Young

NAYS—28

Blackburn	Hagerty	Risch
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Cotton	Johnson	Shelby
Cramer	Kennedy	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Tuberville
Daines	Marshall	
Fischer	Paul	

NOT VOTING—6

Blumenthal	Lujan	Sanders
Leahy	Moran	Schumer

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HICKENLOOPER). 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. 976, Michael S. Barr, of Michigan, to be Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System for a term of four years.

Charles E. Schumer, Richard J. Durbin, Ben Ray Lujan, Jack Reed, Jacky Rosen, Tina Smith, Angus S. King, Jr., Patrick J. Leahy, Robert P. Casey, Jr., Christopher A. Coons, Alex Padilla, Chris Van Hollen, Margaret Wood Hassan, Elizabeth Warren, Jeff Merkley, Catherine Cortez Masto, Tim Kaine.

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

The question is, Is it the sense of the Senate that debate on the nomination of Michael S. Barr, of Michigan, to be Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System for a term of four 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 Connecticut (Mr. BLUMENTHAL), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. LUJAN), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

The yeas and nays resulted—yeas 66, nays 28, as follows:

[Rollcall Vote No. 249 Ex.]

YEAS—66

Baldwin	Hassan	Reed
Barrasso	Heinrich	Romney
Bennet	Hickenlooper	Rosen
Blunt	Hirono	Rounds
Booker	Inhofe	Sanders
Brown	Kaine	Schatz
Cantwell	Kelly	Scott (SC)
Capito	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lummis	Smith
Casey	Manchin	Stabenow
Cassidy	Markey	Sullivan
Collins	McConnell	Tester
Coons	Menendez	Toomey
Cornyn	Merkley	Van Hollen
Cortez Masto	Murkowski	Warner
Durbin	Murphy	Warnock
Ernst	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wicker
Graham	Peters	Wyden
Grassley	Portman	Young

NAYS—28

Blackburn	Hagerty	Risch
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Cotton	Johnson	Shelby
Cramer	Kennedy	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Tuberville
Daines	Marshall	
Fischer	Paul	

NOT VOTING—6

Blumenthal	Leahy	Moran
Duckworth	Lujan	Schumer

The PRESIDING OFFICER. On this vote, the yeas are 66, the nays are 28.

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 Michael S. Barr, of Michigan, to be Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System for a term of four years.

The PRESIDING OFFICER. The whip from Illinois.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate vote at 2:30 p.m. on the confirmation of Executive Calendar No. 976.

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

ORDER OF PROCEDURE

Mr. DURBIN. Mr. President, for the information of the Senate, there will be two rollcall votes starting at 2:30 p.m. today. They will be on the confirmation of the Barr nomination to be

Vice Chair of the Federal Reserve and the motion to invoke cloture on the Herrnstadt nomination to be a member of the Export-Import Bank.

Senators can expect two additional votes in the 5:30 p.m. range today. Those votes will be on confirmation of the Herrnstadt nomination and cloture on the Heinzelman nomination to be general counsel of the CIA.

HIGHLAND PARK SHOOTING

Mr. President, earlier this week, I introduced the Senate and those who follow our proceedings to an 8-year-old boy who lives in Highland Park, IL. His name is Cooper Roberts. He is a twin. His twin brother's name is Luke.

Cooper and Luke and Mom and Dad decided a few days ago—last weekend, as a matter of fact—to attend the Fourth of July parade in Highland Park. It was a natural choice: beautiful day, salute to our country, a parade passing by, American flags, in one of the nicest communities in the State of Illinois.

We all know what happened that day: A shooter took an assault-style weapon to the roof of a downtown business and, in a matter of a minute or two, discharged 90 rounds into the crowd. As a result of that gunfire, Cooper Roberts, this 8-year-old boy, was left paralyzed after being shot in the Highland Park Fourth of July parade mass shooting. He has undergone a series of surgeries since.

I tell this story on the floor of the Senate for two reasons: The family has spoken to the press and been open about Cooper's struggle, and I am glad they have because he has a cheering section now that has reached far beyond Illinois and is around the Nation, and secondly, because this poor little boy's situation is a reflection on what assault rifles can do to the human body.

I am not an expert on firearms. I don't pretend to be. But I watch programs and have read a lot on the subject, and I know that the assault rifles—the AR-15 and those in that same class—are not your ordinary firearms. They discharge their bullets and ammunition at two to three times the velocity of an ordinary firearm, and when that ammunition hits the body of a person, it starts tumbling and tearing apart the body as it goes through.

Cooper, this 8-year-old boy, had his spinal cord severed by a bullet, leaving him paralyzed from the waist down. Sadly, the family reported yesterday that he is back in critical condition at the University of Chicago's Comer Children's Hospital. He showed some improvement last Friday, but things are not going well—at least they weren't yesterday, according to his family.

The bullet which entered this little boy's abdomen injured his liver, his abdominal aorta, and his esophagus near his stomach. A hole in the esophagus was sewn shut by surgery, the family has said. Well, they reported yesterday that Cooper's esophagus has reopened,

in a written update. As a result, he is facing an urgent, complex, and lengthy surgery today to again attempt to repair his torn esophagus. This will be his seventh surgery since last Fourth of July, and it is particularly high risk given his age and his current condition.

By Tuesday evening, the family provided additional updates, saying the doctors were able to find and close the leak in his esophagus. "This is a good outcome—Cooper is still fighting," the family said. The next few days will be critical.

One of Cooper's lungs is partially collapsed, according to the family. His heart rate is elevated, and he is spiking a fever due to a new infection and complications he must face.

Cooper was one of dozens of people shot at the parade. Seven have died. An individual is being held on murder charges in the mass shooting. Cooper and others in Highland Park were shot with a military-style Smith & Wesson M&P 15 semiautomatic rifle. For those who weren't aware, "M&P" in the name of this rifle suggests it is for military and police use. But it was purchased by the individual charged with these murders, who was neither a member of the military nor police.

In an interview with WGN-TV in Chicago, Dr. Ana Velez-Rosborough, a trauma surgeon who is treating Cooper at Highland Park Hospital, said the injuries were "devastating," in her words. "They create very large wounds," Velez-Rosborough told the station. "They basically destroy organs. They destroy soft tissue. They destroy bone."

Cooper received what we call a massive transfusion—enormous amount of blood—in order to keep him alive during the operation. The boy's aorta injury was so severe that a portion of it was removed and replaced with a synthetic graft, according to the family.

The family is praying for a miracle that this little boy survives. We should join them in that prayer, but we need to go beyond that.

Yesterday, Senator DUCKWORTH and I had a meeting with residents from Highland Park who, on their own, spontaneously came to Washington to plead with Congress to do something about these military-style weapons that are being sold in the United States and did such devastating damage to this beautiful little boy. Joining those from Highland Park was a group from Uvalde, TX. They certainly know this story individually and personally. They lost 19 kids at their grade school. They came in with pictures of prayer cards from the funeral parlors. The point they were making to us and to everyone is that this is madness. To allow individuals to have this type of weapon who are not members of the military, not policemen, and to use these weapons on other Americans is unthinkable.

What in the world is America thinking to believe this has something to do with a constitutional right? A constitutional right? What were Cooper's

constitutional rights to go to a parade on the Fourth of July in Highland Park and come home safely? Where was the respect for them? And, of course, when you are discharging 90 rounds into a crowd, it is a wonder even more people weren't injured.

I bring this to the attention of the Senate because—I raised it earlier in the week—I think it is time for us to focus on the reality of mass shooting in America. While this was going on in Highland Park, that same weekend, dozens were being shot and some killed in the city of Chicago and cities across America.

It is impossible for me to believe that we can do nothing to deal with this. The families from Highland Park and Uvalde, TX, were shaking their heads as I explained to them the problems with the filibuster rules in the Senate. Do you think a filibuster rule makes any difference to the family of this wonderful little boy? They couldn't care less about the rules of the Senate and wonder why the Congress can't respond to this clear and present danger in our streets that has resulted in over 300 mass shootings this year so far—sadly, more to come.

I said before when I came to the floor, when I left for the Fourth of July recess, I had no idea that I was going to personally join this fraternity of grief—Senators and Congressmen from cities and towns all across America—who have endured these mass shootings, who then have to sit down with families in tears and explain to them why their Congressman and their Senator can do nothing.

Well, I refuse to accept that. I believe that we can do something. We came to our senses to pass a gun safety bill after Uvalde. I voted for it. It didn't touch the issue of these military weapons per se, although it did call for deeper background checks for those under the age of 21.

I support that, but let's go further and be honest about this. There is no need for anyone to own this military-style weapon, and for it to be sold to the average individual, who has no training whatsoever on the weapon to prove that he is eligible to own it and who can use this weapon under these circumstances which cannot be controlled, is unacceptable.

What would our argument be if someone said: I want to buy a grenade launcher. I think I have Second Amendment rights to own one.

We would say to him: That is ridiculous. Grenades are for war.

Well, these military weapons are for war as well, and I don't believe they should be sold in this country. I believe the military assault weapon ban that I voted for in 1994 was the right thing to do. It was a 10-year ban. We should have extended it. During the period of that ban on assault weapons, there was a lot of controversy, but there were far fewer deaths from mass shootings. It is an indication of the truth of this issue.

I hope that we continue to tell the story of the victims and their families

so that our colleagues in the Senate of both political parties will come to understand it is time for us to step up, accept our responsibilities of office, and protect children like Cooper Roberts.

(Ms. ROSEN assumed the Chair.)

FOOD AND DRUG ADMINISTRATION

Madam President, the Food and Drug Administration of the United States is one of the most important Agencies. It is not one of the largest, but it has the responsibility to determine the safety and effectiveness of more products than most Americans can imagine.

I have been a big fan of the Food and Drug Administration in the years that I have served in Congress. I have seen some wonderful things happen there. They are the ones who decide whether drugs are safe and effective before they can be sold in America, and they have regulatory authority over so many different issues.

But it is sad to say the Food and Drug Administration of the United States of America today is at a crossroads. In fact, it may be in free fall. The Agency's missteps, its close connection with the industries it regulates, its delayed response to formula safety and decisions that fuel the opioid epidemic have shaken public confidence and endangered public health. But the FDA's ongoing incompetence and failure to regulate tobacco products stands in its own distinctive, grim category.

Last month, the Food and Drug Administration announced a long-awaited decision to remove all e-cigarettes produced by the JUUL company from the market after 2 years of scientific review of data that had been submitted by the company JUUL to the Food and Drug Administration. Numerous health studies have determined that JUUL is one of the most popular e-cigarettes used by children.

Let's get down to the bottom line. When the tobacco companies found their cigarettes falling into disfavor, they needed a replacement product. Their marketing proposal and strategy has always been: addict children. They did it with cigarettes. They did it with tobacco products, whether they were spit tobacco or smoking products, and, unfortunately, millions of Americans—particularly children—became addicted to their products.

When those tobacco products fell out of favor, the industry needed a new replacement. They found one in vaping and e-cigarettes. Today, at least 2 million American kids are hooked on e-cigarettes and vaping. If you don't believe me, ask a student in high school or middle school what is going on with vaping, and you are going to be told the grim reality.

Numerous Federal health studies have determined that JUUL is among the most popular e-cigarettes used by kids in America. More than 2 million children in America are using them, including 750,000 kids who picked up these addictive products in the 9 months since the Food and Drug Administration missed a court-ordered

deadline to regulate their products. That is right. The court ordered the Food and Drug Administration to regulate these products, and, unfortunately, for 9 months the FDA refused to do it.

To put a new tobacco product on the market, an e-cigarette company has the burden to prove to the Food and Drug Administration that it is “appropriate for the protection of public health” before they could put the product on the market. That is the law. It makes sense. You can’t sell a tobacco product in America at this point without FDA authorization. And that is what the authorization requires. It has to be appropriate for the protection of public health. Tobacco products can’t prove that, neither can e-cigarettes. But FDA and JUUL ignored this law for years as JUUL sold its products without FDA authorization.

I was relieved when FDA finally announced it was going to ban JUUL’s addictive, kid-friendly products after determining that the company could not prove they presented a public health benefit.

For anyone who has spoken to a teenager, parent, or teacher in the last 5 years and seen the powerful addiction to nicotine that JUUL causes, FDA’s finding makes sense. So imagine my surprise when after FDA Commissioner Califf called to tell me the good news, the Agency a few days later suddenly reversed course. Not 2 weeks after ordering JUUL off the market, the FDA backtracked and halted its own decision.

JUUL sued the FDA. Well, you expect that. These tobacco companies have more lawyers than sense. Big Tobacco loves nothing more than lawsuits to preserve its ability to addict children to their products. Now, FDA and JUUL have jointly asked the DC Circuit Court to suspend the litigation now pending on their products while the FDA resumes its regulatory review.

But here is what baffled me. Health experts and parents across America wonder, Why is FDA in a legal free fall at this moment? One day they are banning the product. A week later they are putting them back on the market. When we need the Agency the most, it is proven to be adrift. And lives are at stake.

JUUL is now free to continue selling its deadly products again, and FDA has not stated how long they are going to suspend this litigation while they review information.

FDA has a choice: rely on science and public health to protect America’s kids or cower to Big Tobacco’s lawyers. Adding to the chaos on Friday—listen to this—we learned that the FDA is neglecting to enforce still another part of the law, which I passed this spring, that clarified the authority to cover synthetic nicotine.

The tobacco companies thought they had found an escape hatch. They wouldn’t have to justify their products if the nicotine wasn’t derived from to-

bacco but was derived from a synthetic source. We changed the law and made it clear that was not going to be a loophole.

FDA sounded the alarm over this emerging public health challenge of e-cigarette companies trying to evade oversight, including the No. 1 e-cigarette used by children today. It is called Puff Bar. FDA has another deadline today to clear the market of unauthorized synthetic nicotine e-cigarettes, and I hope the Agency doesn’t repeat its history of failed enforcement.

The FDA is a cop on a beat. They are supposed to protect all Americans and our children, in particular. They know there is a product on the market that is addictive to kids and leads them into a tobacco addiction. That product is e-cigarettes and vaping. The law says you can’t sell the product until you prove it is effective for public health. The tobacco companies could never prove that, but yet the FDA allows them to continue to sell the product, to ignore the law, to ignore the court order and does nothing.

I don’t know what it takes. I am calling on the FDA to finally come to its senses. If you are going to err, err on the side of public health and public safety, err on the side of kids, not tobacco companies.

This free fall in the legal department at the FDA is unimaginable. It is not safe for America, and it is not safe for our future.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Vermont.

USICA

Mr. SANDERS. Madam President, at a time of massive income and wealth inequality, the American people are sick and tired of the unprecedented level of corporate greed that we are seeing right now. The American people are sick and tired of paying outrageously high prices at the gas pump and at the grocery store while at the same time oil companies and food companies are making recordbreaking profits.

The American people are sick and tired of struggling to pay for the basic necessities of life while at the same time 700 billionaires in this country became \$2 trillion richer during the pandemic. And income and wealth inequality today is worse than it has been for 100 years—people on top doing phenomenally well, middle class working families fall further and further behind.

The American people are sick and tired of seeing multibillionaires, like Mr. Musk and Mr. Bezos and Mr. Branson, taking joyrides to outer space in their spaceships, buying \$500 million superyachts, and living in mansions all over the world while some 600,000 people in our country are homeless. In other words, we are looking at two worlds. People on top never did better, middle class is continuing to decline, and the poor are living in abysmal conditions.

And in the midst of all of this, the American people want Congress, want their elected officials, to address corporate greed, to address income and wealth inequality, and end a tax system in which some of the wealthiest people in this country in a given year do not pay a nickel in Federal taxes, where large, profitable corporations do not pay a nickel in Federal taxes. And they want a tax system which is fair, where the wealthy and large corporations pay their fair share.

The last poll that I saw had Congress—the U.S. Congress—with a 16-percent approval rating—16 percent. And to me, this was shocking, really quite shocking, because I suspect that the 16 percent who believe that Congress was doing something meaningful really don’t know what is going on.

So what is Congress doing right now at a time in which we face so many massive problems, not to mention climate change, not to mention a massive housing crisis where 18 million families are paying half of their income in housing, not to mention the student debt that 45 million Americans are carrying? What is Congress about? What are we working on right this minute? And the answer is that for 2 months, a 107-member conference committee has been meeting behind closed doors to provide over \$50 billion in corporate welfare, with no strings attached, to the highly profitable microchip industry.

No, we are not talking about healthcare for all. No, we are not talking about making higher education affordable. No, we are not talking about making sure that young people can earn decent salaries when they become teachers. No, we are not talking about leading the world in combating climate change. We are talking about giving \$50 billion in corporate welfare, with no strings attached, a blank check, to the highly profitable microchip industry.

And, yes, if you can believe it—and I am talking to the 16 percent of Americans who have a favorable opinion of Congress—if you can believe it, this legislation may also provide a \$10 billion bailout to Jeff Bezos, the second wealthiest person in America, so that his company Blue Origin can launch a rocket ship to the Moon.

For all of my colleagues who tell us how deeply, deeply concerned they are about the deficit—oh, my goodness, we cannot help working families with a child tax credit; we cannot expand Medicare to cover dental and hearing aids and eyeglasses; we can’t build the affordable housing; Bernie, we don’t have the money to do that; we have a big deficit—well, what about the deficit when it comes to giving \$52 billion in corporate welfare to some of the most profitable corporations in America? I guess, when you are giving corporate welfare to big and powerful interests, the deficit no longer matters.

There is no doubt in my mind that there is a global shortage in microchips and semiconductors, which is making

it harder for manufacturers to produce the automobiles and cell phones and the electronic equipment that we need. This shortage is costing American workers good jobs and raising prices for families. I don't think there is a debate about that reality, which is why I—and I think many other others here in the Senate—fully support efforts to expand U.S. microchip production.

But the question that we should be asking is this. Should American taxpayers provide the microchip industry with a blank check of over \$50 billion at a time when semiconductor companies are making tens of billions of dollars in profits and paying their executives exorbitant compensation packages? My answer to that question, and I think the American people's answer to that question, is a resounding no.

Let's review some recent history about the microchip industry, which I do not hear discussed very often here on the floor. Over the last 20 years, the microchip industry has shut down—has shut down—over 780 manufacturing plants in the United States. It shut down over 780 manufacturing plants in the United States and eliminated 150,000 American jobs while moving most of their production overseas after receiving some \$91.5 billion in government subsidies and loans. Got that? They have shut down over 780 plants, thrown 150,000 American workers out on the street as they have gone abroad. In other words, in order to make more profits, these companies took government money and used that money to ship good-paying jobs abroad.

And what are we doing about that? You shut down plants in America; you jeopardize the production of microchips here in America; you throw 150,000 workers out on the street; and what is our response? Hey, here is \$52 billion. Thank you very much for your patriotism and your respect for American workers.

Now, that approach may make sense to some people, maybe people who got a lot of money from the microchip industry in campaign contributions. I don't know. But it sure as hell does not make sense to me. In total, it has been estimated that five major semiconductor companies will receive the lion's share of this taxpayer handout. Those companies are Intel, Texas Instruments, Micron Technology, GlobalFoundries, and Samsung.

These five companies, my friends, made \$70 billion in profits last year. So if you are a worker in America trying to get by on \$12, \$13 an hour, nothing we can do for you. If you can't afford the outrageous cost of healthcare in America, can't do anything for you. Can't buy the prescription drugs that your doctor prescribes because they are too expensive? Can't do anything for you. But if you are an industry where the top five companies made \$70 billion in profits last year, well, we have some good news for you. Keep the campaign contributions coming. We are there for you, and we are going to give you a \$52 billion handout.

The company that will likely benefit the most from this taxpayer assistance is Intel. I have nothing against Intel. I wish them the best. But let's be clear. Intel is not a poor, struggling company. It is not a company which is going broke. In 2021, last year, Intel made nearly \$20 billion in profits. That is not a bad year, \$20 billion in profits. During the pandemic, Intel had enough money to spend \$16.6 billion not on research and development, not on starting new plants in America but on buying back its own stock to reward its executives and wealthy shareholders. That is what Intel did with its \$20 billion in profits.

Last year, Intel could afford to give its CEO, Pat Gelsinger, a \$179 million compensation package—\$179 million compensation package. Does that sound like a company that needs a corporate bailout, that needs taxpayer money to survive?

Over the past 20 years, Intel has spent over \$100 million on lobbying and campaign contributions—that is the definition of the corrupt political system under which we live—while at the same time shipping thousands of jobs to China and other low-income countries. And that is a company that the American people should be bailing out, really?

Another company that would receive taxpayer assistance under this legislation is Texas Instruments. Last year, Texas Instruments made \$7.8 billion in profits. In 2020, that company spent \$2.5 billion buying back its own stock while it also, like Intel, has outsourced thousands of good-paying American jobs to low-wage countries.

Who else is in line to receive corporate welfare under this bill? Well, how about the Taiwan Semiconductor Manufacturing Company, TSMC? It is in line to potentially receive billions of dollars in Federal grants under this bill. It might be interesting to note who the largest shareholder of TSMC is. Well, if you guessed the Government of Taiwan, you would be correct, which should come as no surprise to anybody who studies how other countries throughout the world conduct industrial policy. Let us be clear. When we provide TSMC money, we are giving that taxpayer money directly to the Government of Taiwan.

Samsung, another very large corporate entity from South Korea, is also in line to receive Federal funding under this bill. In other words, not only would this bill be providing corporate welfare to profitable American corporations, but we would literally be handing over U.S. taxpayer dollars to corporations that are owned or controlled by other nations. And on and on it goes.

Let me be very clear. I believe in industrial policy. I do. I believe that it makes sense, on certain occasions, for the Federal Government and the private sector to work together to address a pressing need in America, to sit down and say: OK. You want to make some

money. We have national needs that have to be addressed. How do we work well together so that you as a corporation do OK and so that taxpayers of this country do OK? That is called sensible industrial policy.

Industrial policy means cooperation between the government and private sector—cooperation. It does not mean the government providing massive amounts of corporate welfare to profitable corporations without getting anything in return. That is not industrial policy. That is just giving the money to large, profitable corporations that make a lot of campaign contributions.

The question is, Will the U.S. Government develop an industrial policy that benefits all of our people or will we continue to have an industrial policy that benefits the wealthy and the powerful?

In 1968, Dr. Martin Luther King, Jr., said:

The problem is that we all too often have socialism for the rich and rugged free enterprise capitalism for the poor.

I am afraid that what Dr. King said 54 years ago was accurate back then, and it is even more accurate today.

We hear a lot of talk in the Halls of Congress about the need to create public-private partnerships, and that all sounds very nice. But when the government adopts an industrial policy that socializes all of the risk and privatizes all of the profits, that is not a partnership; that is crony capitalism.

Some of my colleagues make a point that the microchip industry is enormously important for our economy and that we must become less dependent on foreign nations for microchips. I agree. There is no argument about that. But we can and must accomplish that goal without simply throwing money at these companies while the taxpayer gets nothing in return. In my view, we must prevent microchip companies from receiving taxpayer assistance unless they agree to issue warrants or equity stakes to the Federal Government.

If private companies are going to benefit from generous taxpayer subsidies, the financial gains made by these companies must be shared with the American people, not just wealthy shareholders. That is what a real partnership—private-public partnership—is about. In other words, if microchip companies make a profit as a direct result of these Federal grants, the taxpayers of this country have a right to get a reasonable return on that investment.

Further, if microchip companies receive taxpayer assistance, they must agree that they will not buy back their own stock, outsource American jobs, repeal existing collective bargaining agreements, and must remain neutral in any union organizing effort. This is not a radical idea. In fact, all of these conditions were imposed on companies that received taxpayer assistance during the pandemic and passed the Senate by a vote of 96 to 0. These are not radical demands.

Moreover, I know this may be a radical idea in the Halls of Congress, but, no, I do not believe that this legislation should approve a \$10 billion bailout for Jeff Bezos to fly to the Moon. I know that is a very radical idea, but maybe, just maybe, a middle class which is struggling, which is falling behind, should not see their taxpayer dollars go to the second wealthiest person in America. Radical idea, I know, but that is my view. Mr. Bezos is worth some \$138 billion. He became \$33 billion richer during the pandemic, and in a given year, Mr. Bezos has paid nothing in Federal income taxes because he and his friends write a tax system that benefits the wealthy.

I say to Mr. Bezos, if he wants to go to the Moon, let him go to the Moon. That is OK. But he should do it on his own dime, not that of the U.S. taxpayers.

This is where we are. This country faces enormous issues. We are not dealing with those issues. Instead, we are talking about a massive bailout for profitable corporations and a \$10 billion check for the second wealthiest guy in this country. I would hope that Members of Congress listen to the American people, stand up for the working class and the middle class of this country and not give a massive amount of corporate welfare to people who don't need it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

BIDEN ADMINISTRATION

Ms. ERNST. Madam President, 200 years ago, the Senate went about their business without computers, without cell phones, and any of our other modern conveniences that run on electricity, including the very lights in this room. Working by candlelight might sound quaint today, but many Americans may find themselves doing just that in the not too distant future because the Biden administration is taking the country back to the era of no electricity.

Folks, with President Biden and his same team of advisers who created a nationwide baby formula shortage and out-of-control inflation overseeing their "energy transition," what could possibly go wrong? You don't have to look any further than your energy bills to get an answer.

Prices at the pump have nearly doubled since Biden's first day in office when he started signing Executive orders to turn off American energy supplies. And home electricity prices have increased more than 20 percent since just last summer. What is worse than these expensive energy bills? Well, folks, how about no power at all? Most of the Nation is currently in danger of experiencing power outages due to energy shortages caused by the closure of power plants as part of the Democrats' push towards renewables. These Biden blackouts will make it impossible to even run fans and air conditioners on the hottest days of the summer.

But not to worry, folks, Biden's Energy Department has issued some tips of what to do in case of an outage, which include stocking up on candles, keeping an ice chest on hand, and having a gallon of water available for every person in your house for each day you are without electricity.

Folks, that is not the most reassuring advice since no one knows how many days we could be kept in the dark during a Biden blackout.

The reality is these power outages pose a bigger problem than just the inconvenience of being uncomfortably warm or unable to watch TV for a few hours or possibly days.

Extended outages could be a matter of life or death for many folks who depend upon electronic medical devices or temperature-sensitive medicines.

You are probably wondering how it is even possible in 2022 for there to be an energy shortage right here in the United States of America. It is simple math: Democratic policies.

The ongoing closure of traditional power plants is reducing our capacity to supply enough electricity for millions of homes and renewables are not yet producing enough energy on their own to make up the difference.

The Democrats are predictably blaming global warming, but the truth is the rolling blackouts and rising prices are really being caused by man-made energy change. Just this year, the Biden administration has reduced domestic oil and gas leasing, created regulatory barriers for building pipelines, and taken administrative actions that put hundreds of solar energy projects across the U.S. on hold.

We can't just turn off the power sources we depend upon without having reliable, abundant, and affordable alternatives readily available. Yet that is exactly what the Democrats, at President Biden's direction, are doing.

I am proud that my home State of Iowa was the first State in the Nation to adopt a renewable portfolio standard nearly 40 years ago.

Today, Iowa generates most of our energy from renewables, with wind power being our primary source. Iowa also leads the Nation in the production of ethanol and biodiesel. And despite what critics say, the use of corn ethanol and soybean biodiesel reduce greenhouse gas emissions while helping to keep our Nation energy independent and our State green and clean.

However, renewables still only produce a fraction of the total electricity the Nation relies on to run, making it impossible and irresponsible to simply unplug our traditional energy sources.

Just look at California, which has set a goal of achieving a carbon-free power grid. The State is forecasting that energy shortages could leave as many as 4 million California residents without power this summer.

The State's utility provider wants to build five new fossil-fuel power generators to ensure the availability of reli-

able electricity in the future. But the challenge is more than just making up for the reduction in power production because the transition to renewables is creating new demands for electricity.

For example, our increasingly unreliable power grid will face even greater strains as more and more electric vehicles are plugged into it. To drive just 100 miles, an EV requires about the same amount of electricity as it takes to run a home for an entire day, including lights, heating and air-conditioning, and appliances. Tesla, the world's top EV carmaker, is already asking EV owners to not charge their cars during certain hours of the day to better ration the use of electricity.

And while President Biden and the Democrats keep telling Americans to buy an electric vehicle to cut down on the cost of gas, the high sticker price makes EVs unaffordable.

Folks, the cold, hard truth is electric vehicles are not as economical, environmental, or ethical as the Democrats want us to believe. Proponents of the Green New Deal portray themselves as heroes in a fairy tale riding to the rescue—on an EV, of course—to defeat the greedy corporations polluting the planet for profit so we can all live happily ever after. But the truth is it ain't that easy being green.

Consider the component parts used in both EVs and solar panels. Well, they are largely produced by Communist China's State-supported corporations, often using slave and child labor.

As a result, the world will be more dependent on Communist China for some energy products in a post-carbon economy than we are on OPEC for petroleum today.

President Biden's own Energy Department admits that "U.S. decarbonization goals are reliant on both Chinese firms and the Chinese government."

And while we will rely on China for the technology, the communist regime will rely more heavily on the forced labor of children and modern-day slaves to produce it. Consider, almost half of the world supply of polysilicon used in solar panels is made in Communist China, often by the hands of forced labor of ethnic and religious minorities. And nearly every silicon-based solar panel is likely to contain components that originated in the area of China where forced labor camps are widespread. China also has significant financial control over the world's supply of cobalt, which is an essential element used in the batteries of EVs.

The Congo produces 70 percent of the world's cobalt, and Chinese-backed companies own or have a financial interest in most of the African nation's cobalt mines. These Chinese corporations are subjecting the miners to physical abuse and hazardous conditions in exchange for very little money. Tens of thousands of children—some as young as 4 years old—are exploited to work in the mines with few safety protections.

President Biden promised to create green jobs, but he didn't mention that they would be done by children in Africa or slaves in China. These poor kids are mistreated and malnourished and even drugged to suppress their hunger so they can work for longer hours. Breathing in toxic fumes causes long-term health problems, including lung disease and heart failure, as well as birth defects. And miners are often buried alive when tunnels cave in.

These are some of the kids who mine the cobalt to make an EV run. And in the other photo are some of the folks who produce ethanol for motor vehicles. I know which photo I would rather see. Who powers your vehicle?

In addition to the toxic harm to humans, the extraction of cobalt also causes severe environmental pollution to the water, air, and to the soil.

Just take a look at this picture. This is a mine in Congo where cobalt is extracted to make batteries for EVs. Nothing about this landscape looks like an environmental success story to me. By contrast, the picture over here is a beautiful farm in Iowa where corn is grown to make fuel for motor vehicles. Every year, I drive through mile after mile of cornfields on my 99-county tour. It is the type of scenic drive that reconnects you with nature and reminds you of the importance of proper stewardship of the land we live off of.

Folks, we can all have a cleaner conscience knowing that energy made in Iowa is creating economic opportunities for our neighbors, while keeping our communities green, rather than exploiting children or creating a toxic wasteland. Can the same be said about the initiatives that are being pushed by the Biden administration? Like begging OPEC to pump more oil, sending our Nation's strategic oil reserves to China, or subsidizing China's market in slave and child labor.

Are we going to tell the truth to the children that riding the electric school buses that the Biden administration is spending \$5 billion on to purchase, what really makes the wheels on these buses go round and round is the exploitation of other children who are their age or even younger? Or are we just going to tell them more green fairy tales?

It is time to come clean about the Democrats' Green New Deal. Just like President Biden's other policies, this radical agenda is creating problems, not solving them, including greater dependency on foreign adversaries like China and Russia, reliance on child and slave forced labor, harm to human health and the environment, higher costs, and energy shortages and blackouts. Democrats are literally trying to keep America in the dark about these inconvenient truths.

Folks, the Biden blackouts will be the latest unneeded reminder that the Democrats' Green New Deal can't hold a candle to the Republicans' record of producing an abundant supply of af-

fordable energy right here in the good old United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, it is so interesting being home for July 4 and talking with Tennesseans, and it sounds like Senator ERNST heard some of the same things from her constituents there in Iowa.

But what came up a lot in our conversations was the feeling and the awareness that the Democrats and the media have spent the last few months trying to convince the American people that oil companies are to blame for Biden's energy crisis.

At one point, they even tried to blame the people running the local gas stations, all the moms and pops, but Tennesseans know whose fault it is. Tennesseans are smart. They are watching very closely. And they know that President Biden became responsible for their pain the moment he chose a radical, environmental agenda over the fully realized vision of American energy independence.

That is right, we were energy independent the day he took office.

So President Biden canceled the Keystone Pipeline. He canceled leases and energy infrastructure, and he got behind dozens of regulations that have made it almost impossible for American energy producers to do their job.

At the time, Democrats claimed this was all for the greater good. It is temporary. It is transitioning to the liberal world order. But I think any reasonable person would agree that what has happened is things have gotten worse—terribly worse.

If you don't want to take my word for it, talk to the local leaders who are responsible for keeping the lights on in their communities. City budgets are stretched thin. School budgets aren't doing any better. Parents want to know if the buses will keep running and what will happen in August if the schools can't afford to turn the air-conditioning on. Everyone wants to know what will happen to public transportation, to emergency services, and to law enforcement if the price of a gallon of gas gets too expensive. They have no idea how far the Biden administration will allow this to go, and that is what concerns them the most.

Joe Biden hasn't just failed "we the people," he has sabotaged the pocketbooks of millions of Americans and given our adversaries a huge advantage.

The Democrats gambled on the Green New Deal. It is evident they lost. Their gas holiday was a gimmick, and that failed. Energy prices are through the roof, but they still pulled a million barrels of oil out of the Strategic Petroleum Reserve, and they sent it to communist China.

Now the President of the United States has gone hat in hand to Saudi Arabia so that he can beg for oil. He is even trying to cozy up to the Iranians

with a new Iran nuclear deal, begging for oil. Our hard-fought energy independence is gone, along with our Nation's credibility on this issue.

The world is watching Joe Biden. They are watching the Biden blackouts that are really taking a toll on American energy and American consumers, and you and I both know that all the wrong people are seeing this as an opportunity to profit.

If the Biden administration continues to squander our country's resources, we will lose even more ground to the axis of evil. Russia still has a stranglehold on European energy. American supply chains are still hopelessly entangled with China. Iran is ready to steamroll Biden for that new nuclear deal. North Korea is deploying hackers to the West at an alarming rate. I don't think a Civilian Climate Corps has a chance in this match-up.

I would admonish the President to remember that the new axis of evil is playing by a different set of rules. Their only goal is to find our vulnerabilities and exploit them to try to take us down.

I would remind my Democratic colleagues that Biden's energy crisis is a vulnerability, and it is your duty to help lead the country out of it. Don't be complicit. Restart the Keystone Pipeline, open up those leases on Federal lands, get the regulators out of the way, and unleash American energy before it is too late.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, before I speak, I have been asked to make a unanimous consent request that Senators SCOTT, HOEVEN, BARRASSO, and I be permitted to speak for up to 5 minutes each prior to the votes and that Senator BENNET be permitted to speak for up to 10 minutes prior to the votes.

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

BIDEN ADMINISTRATION

Mr. GRASSLEY. Madam President, over the July 4 recess of Congress, I held Q&A's in 17 counties as part of my annual 99 county meetings. The need for energy independence and the concerns over soaring gas prices were raised at nearly every meeting. As an example, at Woodford Equipment in Emmetsburg, IA, farmers raised their concerns over the high cost of diesel and their pricey commutes to work at that business caused by President Biden's failed energy policies.

Today is a very difficult time for American families and businesses, with gas and diesel prices at record highs—more than doubling since President Biden took office. Americans who drive every day are feeling the impact of an administration that is making it harder to drill and refine fossil fuels.

President Biden has stated that it is the administration's goal to have half of the Nation's vehicles be electric by the year 2030. The Energy Secretary

has said that to beat the high gas prices, Americans should purchase electric vehicles. Now, that is practically impossible for most families because the average price of an electric vehicle, according to Kelley Blue Book, is \$56,000. That happens to be roughly equivalent to Iowa's median family income.

Even if having half of all cars be electric by 2030 were attainable—which, of course, it isn't—that presents yet another real problem. Large swaths of the United States' electrical grid are at risk for shortfall this summer. In May, the North American Electric Reliability Corporation released its summer reliability assessment. They identified the West and Midwest as being at heightened risk for energy shortfalls. The farm where I live near Cedar Falls, IA, is served by Cedar Falls municipal electricity, and this is the first time in my life that I have ever gotten a warning from that electric company that we could have brownouts. So if all cars were electric, the United States would need roughly 25 percent more electricity than it does today. We simply cannot add that many electric vehicles to the grid.

While gas prices have gone through the roof, energy prices are not far behind. From June last year until May this year, the Consumer Price Index for electricity rose 12 percent. That is the largest increase in the past 15 years.

With reliability concerns increasing this summer and energy prices rising, Democrats still continue to pursue their Green New Deal agenda. There continue to be rumors of another massive tax-and-spending spree passed on a partisan vote that would push prices even higher.

It is past time for Democrats in Congress and the White House to rethink our Nation's energy policy. Instead of becoming more like Europe, the United States must have an "all of the above" strategy. Our country has bountiful resources for energy generation. I am very proud of Iowa, a State that produces over 60 percent of its electricity from wind, but I know that this does not work in every State of the Nation. Fossil fuels still account for 60 percent of electricity generated in the United States.

Instead of focusing on domestic energy production, the President and his administration have caved to environmentalists in shaping our energy policies. Utilities and energy companies are up to the task to provide affordable energy to all Americans. Every year, these companies are becoming cleaner and reducing our carbon footprint. Nevertheless, Washington continues to layer regulation upon regulation, making costs go up.

Between new requirements on banking, blocking new oil leases, and blocking key pipelines, Democrats in Congress seem determined to inflict pain at the pump and also on our energy bills. The world has dramatically changed since President Biden took of-

fice. Democrats need to adjust their priorities and stop this madness.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, I am here today, along with my Republican colleagues, because American families are suffering. Florida families are suffering at the hand of the Biden administration's war on energy independence.

Last month, I heard about a church in St. Petersburg—just south of Tampa—that makes hot meals for those who have fallen on tough times. Like many other churches across the country, they started making the meals for Thanksgiving, but this church decided to keep it going, and since, they have made thousands of hot meals for families. Here is the problem: Fewer people are coming because those families who need the food now can't even afford to make the trip because gas is so expensive. The poorest families in my State are having to make the impossible choice of sacrificing a hot meal because they can't afford to put gas in their cars.

I want to reiterate this point because I want my Democrat colleagues who, like Joe Biden, think inflation is a "high-class problem" or some "incredible transition" to understand the gravity of this administration's inflation crisis. Families in my State of Florida are having to turn down an opportunity for a free hot meal because they can't afford the gas to get over to the church and get it.

It makes me furious to see this happening in my State and all across our country, all the while, while Joe Biden does nothing to fix it. He has done nothing.

As of today, the average price of a gallon of gas is \$4.63. The day Joe Biden took office, gas was averaging \$2.37 per gallon. According to the U.S. Energy Information Administration, in 15 different months of Joe Biden's Presidency, the national average for gas prices has risen. But the Democrats up here don't seem to care.

You all remember how last month the senior Senator from Michigan explained during a hearing of the Finance Committee that, unlike her constituents, she doesn't worry about gas prices because she has the means to afford an electric car. She actually said that. Then, when she gets to work in Washington, she gets to charge her car at the Capitol for free, while taxpayers foot the bill. Good for her, but that is not a realistic solution for the millions of Americans suffering under the Biden administration's failed energy policy.

Democrats in Washington know the effect these high prices are having, and they are celebrating because their radically progressive campaign against energy independence is working. But Americans are not celebrating; they are struggling.

Unlike the liberal elites running our government, I am not going to stand

for it. That is why earlier this year I introduced the FREE American Energy Act, to expedite the Federal Agencies' review process of applications for permits, waivers, licenses, or other authorizations related to energy production. It is why I have introduced the GAS PRICE Act. It would direct the Energy Information Administration to report to Congress any policy or rule set by the Biden administration which raises energy costs for American families. I even asked the Senate to pass the GAS PRICE Act by unanimous consent this past October, but Senate Democrats blocked its passage. It is as if they want to keep Americans in the dark on why energy prices are rising.

We also need to speed up the approval process for oil permitting, and Americans need to know that this administration is purposely trying to make life more difficult and more expensive. We have the resources within our borders to be energy independent and for every-day life to be affordable.

While we are ramping up American production, we need to completely halt sales of U.S. oil to communist China. That is right—while gas prices remain sky-high here, the Biden administration is still giving a green light for American oil to be sold to our enemies, like communist China. That is hard to believe.

I was proud to join with my friend and fellow Floridian, Senator MARCO RUBIO, to introduce the China Oil Export Prohibition Act last month to stop these sales. We shouldn't be helping our enemies or asking foreign nations to increase supply. We should be increasing our American supply within our borders. We did it during the Trump administration, and we can do it again.

Joe Biden can roll back the countless regulations he instituted that are hurting our domestic production. The White House, the EPA, and the Department of the Interior, and the Department of Energy can end their campaign against American oil producers and start working to create an agenda of energy independence.

Congress can pass my legislation to make oil permitting faster and give greater transparency into the impact legislation from Congress has on energy prices. We don't have to throw up our hands and do nothing and give up. Joe Biden and the Democrats who control Washington can and must take real action to start producing energy within our borders safely once again. Our future is bleak if we don't.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I come to the floor today, along with my colleagues, because Americans are continuing to take a financial hit with more expensive, less reliable energy resulting from the Biden administration's harmful energy agenda.

In the middle of the summer travel season, drivers are paying record-high

prices at the gas pump. Gas is now \$4.63 a gallon nationwide and an average of \$4.57 per gallon in my home State of North Dakota. Sky-high energy prices are fueling record inflation, driving up the cost of goods across the entire economy.

The current CPI rate came out this morning—9.1 percent—9.1 percent, the highest in over 40 years. And it hurts every single American—at the gas pump, at the grocery store, everything they buy. Unbelievable.

Of course, energy is a big part of that inflation. There is an energy component in every good and service that you get. Electricity prices have risen 13.7 percent. Natural gas and heating oil prices have ballooned by 38.4 percent and 98.5 percent, respectively, over the last year.

In addition to higher prices, the North American Electric Reliability Corporation, or NERC, warned that homes and businesses across much of the country are facing higher risk of blackouts and brownouts this summer. President Biden's energy policies are threatening the economic well-being of Americans and our national security.

Just a few years ago, our country was producing almost 13 million barrels per day of oil and consumers benefited from historically low energy prices. Production has remained down under this administration at about 11½ million barrels of production per day. American families are paying record prices because the Biden administration is continuing its regulatory onslaught on domestic energy production.

President Biden's energy crisis began with the administration's moratorium on new energy leases, closing off access to our abundant taxpayer-owned energy reserves on Federal lands. And for leases that the energy companies have on Federal lands, they are being held up either by the administration's bureaucratic redtape that doesn't allow them to get drilling permits or held up by litigation in the courts. And this administration continues to hold up our ability to move more oil and gas across the country by blocking pipelines like the Keystone XL Pipeline. In 2015, I led a bipartisan effort in Congress to approve the Keystone XL Pipeline. If the Obama-Biden administration hadn't vetoed our bill which passed both Houses of Congress, this pipeline would be operating today and bringing almost a million barrels of oil a day to our country from our closest friend and ally Canada.

We need to unleash more of our vast energy, our oil and natural gas reserves, all the energy that this Nation produces—our most critical, economic, and national security assets. And if we want to truly cut off the Russian war machine and support our allies, we need to cut off Putin's ability to sell Russian energy.

A good start would be by passing legislation like my American Energy Independence From Russia Act, bicameral legislation that I introduced

with nine of my colleagues in the Senate. Our commonsense approach takes immediate action to encourage more U.S. energy production, including things like increasing access to taxpayer-owned energy reserves on Federal land, authorizing the construction and operation of the Keystone XL Pipeline—vital infrastructure to move energy safely around the country—and removing regulatory hurdles to increase liquefied natural gas facilities and exports.

Each additional barrel of oil we produce here at home replaces production from Russia and other adversaries, countries that also have little to no environmental standards. Each additional barrel we produce at home helps reduce prices and lower inflation for the American people.

Instead of asking Saudi Arabia for help—and as you know, the President is on a trip to do that right now—or going to places or asking for help from adversaries like Iran or for energy from Venezuela, President Biden should be empowering our domestic producers to restore and grow our supply of energy here at home.

The solution is simple. The Biden administration needs to take the handcuffs off domestic energy production because more supply is needed to bring down prices. That is just common sense, and the American people know it. The American people need that relief now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, first I would like to associate myself with the remarks from the distinguished senior Senator from North Dakota who spoke so well about the issues that are facing the American people, both in terms of inflation and in terms of energy.

So I join my colleagues today on the floor to talk about this crisis that we are facing under the Presidency of Joe Biden and the Democrats in this body.

We found out this morning that inflation hit another record high, a 40-year high, and we are now entering a summer of suffering by the American people, suffering brought on by the Democrats and their reckless spending and policies.

The inflation numbers themselves are shocking. The impact on families is so, so disturbing. In my home State of Wyoming, the people that normally volunteer to drive meals to shut-ins on Meals on Wheels—who run some of those rural routes and drive around and drop off meals—these are volunteers with time on their hands, senior citizens who do the driving. They are no longer able to do it because they cannot afford the gas under Joe Biden and the Democratic policies.

The day Joe Biden came into office, gas was \$2.38 per gallon—plenty of volunteers paying their own gas. Today, the price has almost doubled what it was when Joe Biden came into office.

That is what the American people are seeing: pain at the pump and pain at the grocery store. And the numbers are disturbing, and people are falling further and further behind. Inflation is up 9 percent, but wages are only up 5 percent, so that gap is growing and people are hurting.

It doesn't seem the President even understands it or can conceive of it, but that is who we have representing the people in the White House today.

Over the last 4 months, working families have paid the highest gas prices in American history. The price of natural gas has also tripled since the day Joe Biden took office. In total, the average American family paid an additional \$1,000 last year just for energy compared to the year before, and this year it is going to be a lot worse.

Now, it is the summer. Most Americans are facing the real possibility of blackouts. Two-thirds of Americans are likely to face energy blackouts. That is not me saying it; it is the energy specialists who analyze where the energy is coming from, how much is needed, and where it is going.

During a summer heat wave, blackouts threaten people's lives. To the climate purists and elitists and extremists who are running the administration, they don't seem to care. So why is it happening? America still has plenty of energy—the best energy in the world—and the most. We have some of the largest energy reserves anywhere. States like Wyoming, where I am from, are sitting on a gold mine of energy. The Biden energy crisis is a direct result of the administration's energy policies.

From the day Joe Biden took office, he has waged an all-out war on American energy. He killed the Keystone XL Pipeline—actually bragged about the fact that he did that on his first day in office. He stopped the exploration of oil in Alaska and bragged about it. It wasn't something he was trying to hide. No, he bragged about the fact that he was going to war with America. American energy was in his targets.

Joe Biden has raised the cost to produce energy on Federal land by 50 percent. This is the largest increase in what they call the royalty rate in 100 years—100 years. Does Joe Biden understand that? Does he know that? Does he care that people are suffering all around the country? No wonder we are still producing 1.1 million fewer barrels of oil today than we were at the beginning of the pandemic.

Joe Biden refuses to do the things that would work. He refuses to produce more American energy.

What did the administration say about it? What did the economists say? This is the cost of the liberal world order. This is the price we have to pay for the liberal world order. That is the White House's statement. I don't even know people who talk that way anymore, but that is what we got coming out of this White House and this President who today, at this very moment,

is heading to Saudi Arabia to beg for oil when we have it right here. It is more than disturbing. It is disgraceful. That is what we have with the President of the United States today.

So now what is happening? Joe Biden throwing another Hail Mary pass, hoping something will happen. His Hail Mary passes are uncatchable.

Since November, Joe Biden has released more oil from our strategic reserve than any President in American history. The Strategic Petroleum Reserve is designed to be there for emergencies. He is releasing it because he is trying to bring down the cost of oil and the cost of gas. And he caused the problem. It is not an emergency. This was a Joe Biden-caused problem. Previous Presidents only used the Strategic Reserve during wartime or after natural disasters. But Joe Biden is spending down our savings to pay for his anti-American energy policy. He seems to be proud of it. Well, gas prices are still near record highs.

Let's recount: the day Joe Biden came into the White House, \$2.38 a gallon; today, in many places, over \$5 a gallon and on average, \$4.60 a gallon. And the peak summer driving season isn't even here yet.

Today, the Strategic Reserve is at the lowest level since 1986. So what if there is a real emergency? Then what do we do? This last week, we found out that some of this energy, the oil he has reserved—a million barrels of oil—went to an energy company owned by the Chinese Government. Thank you, Mr. President. Surrender to China. Give it to them. Joe Biden is sending our oil to China in the middle of an energy crisis that he created.

So, on Monday, Joe Biden's National Security Advisor practically admitted that Joe Biden is going to beg the Saudis to sell us more oil. He left for Saudi Arabia last night, and he is going as a weakened President.

He wrote an editorial in the Washington Post about why he was going. I will tell you how he is going: He is going as a weakened President, weakened at home and weakened in the eyes of the world.

Rather than send oil to China and money to the Saudis, let us use the energy we have right here in the United States in the ground, where we do it in the finest environmental ways compared to the rest of the world and we have the energy workers who know how to do it.

What is he thinking?

At the same time, astonishingly, Joe Biden decided to spend the time around the Fourth of July tweeting threats to gas stations. For the moms and pops who are running little gas stations in our communities and our neighborhoods, this is basic economic illiteracy. Prices aren't set by the local gas stations; prices are set by supply and demand. If you want low prices, you need more supply, more American energy.

The prices may have ticked back a little bit now because people cannot af-

ford to drive. They can't afford to fill their tanks. They cannot afford to fill their tanks.

I was at a gas station the other day in Casper, WY, and I talked to a couple.

One of them said: I have \$100. That is as far as I can go. I can only fill it with \$100 worth. I can't fill the tank. I will see how much gas I get.

What have we come to?

Joe Biden brags about killing the Keystone XL Pipeline, which would have brought over 800,000 barrels of oil a day to the United States. He killed it on day 1 in office and bragged about it.

The Democrats in the Senate are now proposing to make the Biden energy crisis even worse. Senate Democrats in this very body, in this very room, are talking about raising taxes on energy production. This is going to raise energy prices for half of the households in America. It will raise prices for thousands and thousands of businesses. Higher prices will get passed on to customers.

If Democrats pass another reckless tax-and-spending bill—and it looks like they are all lined up to do it, save one or two—inflation is going to get much worse, and working families will be paying more. If I were one of those Democratic Senators and were on the ballot this November, I would be shaking in my boots, knowing that the people of my State are mad at me for adopting policies that are hurting them directly in their wallets.

What they are talking about is \$300 billion for more of the old Green New Deal. It is going to give more power to the climate alarmists, to the climate elitists, and to the climate extremists, who run the Democratic Party and are running it into the ground. The professional climate activists will never be satisfied. The activists will never stop. You can never go far enough for them. They weren't satisfied a year ago when they started this inflation crisis, and with the liberal world order, they will never be satisfied. The professional activists want energy prices to remain high. They are happy with \$5 gas. They want to punish us for using fossil fuels.

Joe Biden's advisers keep telling us about this incredible transition. They call it an incredible transition. Well, ask people around the country and in your home State. It has been a transition to a crisis: a transition to higher prices, a transition to a lower quality of life, to pain at the pump, and to pain at the grocery store. It has been a transition to stress for working people and families who feel stuck and squeezed. If Democrats don't change their energy policies, there is going to be an incredible transition. It is going to be a transition of power right here in Washington this November.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

(The remarks of Mr. BENNET pertaining to the introduction of S. 4513 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BENNET. I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

ORDER OF PROCEDURE

Ms. BALDWIN. Madam President, I ask unanimous consent that if cloture is invoked on the Herrnstadt nomination, the vote on confirmation occur at 5:30 p.m. and that the Senate recess from 4 p.m. until 5:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. BALDWIN. Madam President, Senators can expect two votes at 5:30 p.m. Those votes would be on the confirmation of the Herrnstadt nomination and cloture on the Heinzelman nomination to be general counsel of the CIA.

VOTE ON BARR NOMINATION

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

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

Ms. BALDWIN. Madam 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. LUJÁN), the Senator from Washington (Mrs. MURRAY), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICE (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 28, as follows:

[Rollcall Vote No. 250 Ex.]

YEAS—66

Baldwin	Grassley	Reed
Barrasso	Hassan	Romney
Bennet	Heinrich	Rosen
Blunt	Hickenlooper	Rounds
Booker	Hirono	Sanders
Brown	Inhofe	Schatz
Cantwell	Kaine	Scott (SC)
Capito	Kelly	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Lummis	Stabenow
Cassidy	Manchin	Sullivan
Collins	Markey	Tester
Coons	McConnell	Toomey
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Ernst	Ossoff	Whitehouse
Feinstein	Padilla	Wicker
Gillibrand	Peters	Wyden
Graham	Portman	Young

NAYS—28

Blackburn	Cotton	Daines
Boozman	Cramer	Fischer
Braun	Crapo	Hagerty
Burr	Cruz	Hawley

Hoeven	Marshall	Shelby
Hyde-Smith	Paul	Thune
Johnson	Risch	Tillis
Kennedy	Rubio	Tuberville
Lankford	Sasse	
Lee	Scott (FL)	

NOT VOTING—6

Blumenthal	Luján	Murray
Leahy	Moran	Schumer

The nomination was confirmed.

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. 676, Owen Edward Herrnstadt, of Maryland, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2025.

Mazie K. Hirono, Brian Schatz, Alex Padilla, Benjamin L. Cardin, Jack Reed, Robert P. Casey, Jr., Tammy Duckworth, Angus S. King, Jr., Patrick J. Leahy, Chris Van Hollen, Catherine Cortez Masto, Gary C. Peters, Elizabeth Warren, Jacky Rosen, Ben Ray Lujan, Sherrod Brown, Tina Smith.

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 Owen Edward Herrnstadt, of Maryland, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2025, 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 Connecticut (Mr. BLUMENTHAL), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. LUJÁN), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

The yeas and nays resulted—yeas 51, nays 44, as follows:

[Rollcall Vote No. 251 Ex.]

YEAS—51

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

NAYS—44

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

NOT VOTING—5

Blumenthal	Luján	Schumer
Leahy	Moran	

The PRESIDING OFFICER (Mr. HICKENLOOPER). The yeas are 51, the nays are 44.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Owen Edward Herrnstadt, of Maryland, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2025.

RECESS

The PRESIDING OFFICER. The Senate stands in recess until 5:30 p.m.

Thereupon, the Senate, at 4:33 p.m., recessed until 5:30 p.m., when called to order by the Presiding Officer (Ms. SMITH).

EXECUTIVE CALENDAR—Continued

VOTE ON HERRNSTADT NOMINATION

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

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

Mr. CARDIN. Madam 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 Connecticut (Mr. BLUMENTHAL), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. LUJÁN), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

The result was announced—yeas 51, nays 44, as follows:

[Rollcall Vote No. 252 Ex.]

YEAS—51

Baldwin	Cantwell	Collins
Bennet	Cardin	Coons
Booker	Carper	Cortez Masto
Brown	Casey	Cramer

Duckworth	Markey	Schatz
Durbin	Menendez	Shaheen
Feinstein	Merkley	Sinema
Gillibrand	Murkowski	Smith
Hassan	Murphy	Stabenow
Heinrich	Murray	Tester
Hickenlooper	Ossoff	Tillis
Hirono	Padilla	Van Hollen
Kaine	Peters	Warner
Kelly	Reed	Warnock
King	Romney	Warren
Klobuchar	Rosen	Whitehouse
Manchin	Sanders	Wyden

NAYS—44

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

NOT VOTING—5

Blumenthal	Luján	Schumer
Leahy	Moran	

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Alaska.

CHANGE OF VOTE

Ms. MURKOWSKI. Madam President, on rollcall vote No. 252, I voted no. It was my intention to vote yea. Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

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

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

The PRESIDING OFFICER (Mr. OSSOFF). 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 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. 908, Kate Elizabeth Heinzelman, of New York, to be General Counsel of the Central Intelligence Agency.

Mazie K. Hirono, Brian Schatz, Tim Kaine, Richard J. Durbin, Margaret Wood Hassan, Tammy Duckworth, Patrick J. Leahy, Christopher A. Coons, Jacky Rosen, Tina Smith, Angus S. King, Jr., Martin Heinrich, Robert P. Casey, Jr., Alex Padilla, Christopher Murphy, Catherine Cortez Masto.

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 Kate Elizabeth Heinzelman, of New York, to be General Counsel of the Central Intelligence Agency, 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 Connecticut (Mr. BLUMENTHAL), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. LUJÁN), the Senator from Vermont (Mr. SANDERS), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER) and the Senator from Kansas (Mr. MORAN).

The result was announced—yeas 51, nays 42, as follows:

[Rollcall Vote No. 253 Ex.]

YEAS—51

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

NAYS—42

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

NOT VOTING—7

Blumenthal	Luján	Schumer
Cramer	Moran	
Leahy	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 42. 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 Kate Elizabeth Heinzelman, of New York, to be General Counsel of the Central Intelligence Agency.

The PRESIDING OFFICER. The Senator from West Virginia.

REMEMBERING HERSHEL WOODROW "WOODY" WILLIAMS

Mr. MANCHIN. Mr. President, I rise today to speak on the life and legacy of my dear friend, the last surviving World War II Medal of Honor Recipient, West Virginian, and one of the last of

the "greatest generation," Woody Williams of Quiet Dell, WV.

Before I begin today, I want to recognize members of Woody's family who are here today with us in the Gallery, and in recognizing all of them, I want to say thank you. Thank you for being here and thank you for sharing Woody all those years with me and Shelley and all of our West Virginians.

We are here today to respect Woody's wishes of honoring all veterans and their families and to pay respects to our Nation's last living World War II Medal of Honor recipient.

To the family, I want to say this: You are the legacy he was most proud of, all of you, and I am honored to welcome—Senator CAPITO, both of us, are welcoming you, which is Woody's legacy, still here, and thank you.

But we are going to respect his wishes, and his wishes, basically, were honoring veterans and their families and to pay respects to the Nation's last living World War II Medal of Honor recipient.

It has been 77 years since Woody Williams quieted those enemy machine-guns on the sands of Iwo Jima, and while he is now sadly gone, the ideals that he lived by are not: the love of his family, his friends and his faith and service to country above all.

GEN George Patton once said:

It is foolish and wrong to mourn the men who died. Rather, we should thank God that such men lived.

Woody lived every day as if he were given a second chance, and we are all so much better for it.

And, boy, did Woody live for a long time. His grandson Brent Casey passed along Woody's recipe for a long life. I hope I have got all this right. He would say when asked:

It's Bragg's apple cider vinegar, and it has to have the "mother," and, you know, the cloudy stuff in the bottom of the bottle, mixed with local honey, and 6 ounces of warm water. You can add some pure maple syrup for extra flavoring if you'd like.

And Woody said:

I've been drinking it every morning since the early 1960s.

About 3 years ago, he got it printed on a business card because he said he was so tired of reciting it every time someone asked, and he handed out quite a few of those cards too.

One of my favorite Woody quotes is the one he cited when his great-grandson Cedar graduated from Marine boot camp. When Woody was asked what it meant to be a marine, he said:

By taking that oath, you can take my life, but you cannot take my country or my freedom.

You cannot take my country or my freedom. That says it all about Woody.

During the ceremony in West Virginia last weekend, Woody's grandson Chad said:

We must remember what Woody taught us. There are few things in the world that we can do alone. It is only through the support of others that we can truly reach our goals. So look to your left and look to your right.

We are all a part of his legacy, and it is up to us to carry it forward. In the words of Woody, "The cause is greater than I."

One of Woody's last wishes was lying in state at the U.S. Capitol, and it wasn't for himself. We spoke about this years ago. It wasn't for himself, but he wanted to make sure that we represent all Medal of Honor recipients from World War II, and there were only 472—of the whole war, 472.

Tomorrow, the West Virginia farm boy from Quiet Dell will lie in honor in the U.S. Capitol Rotunda, laying to rest the sacrifices of a generation of heroes. That is what we do tomorrow.

Woody can rest in peace knowing his mission is complete.

I will miss Woody because he was my wingman or may I say this: We maybe were all his wingmen, and I think that is what he would have preferred.

Woody always had a project for everyone around him. Everyone sitting up there, he had projects for you. He had projects for me and projects for Shelley. He made sure that we understood exactly what he wanted done.

As his grandson Bryan Casey said, "If you met with Woody, you know he always had a project for everyone. He would magically produce napkins and sharpies with his projects—typically with him diagramming the project while we watched and listened. They were not always unused napkins, but they always became works of art."

Woody came to me a few years ago and said that we needed to help the Gold Star families in West Virginia and across the whole country. So we started a motorcycle ride for fallen service heroes. We did six of those rides—and Woody was in his nineties—and he was there every time in that sling shot, just giving it all he had, and he stayed right with us.

We raised hundreds of thousands of dollars for the Gold Star families. Some of those funds, as you know, went into monuments across the Nation, including the one that sits at the Capitol we honored also with the laying of the wreath.

I know how many good things Woody and I worked on together. If you multiply that by all the other people he worked with, you will fully realize Woody's incredible impact on West Virginia and the entire country.

That is why he got a ship, a VA hospital, and a National Guard Reserve Center named after him.

Most recently, because of Woody, our VA medical centers were saved. His testimony ended the AIR Commission, which would have turned three of our four West Virginia VA medical centers into urgent care centers, as well as countless others across the Nation. And, really, in rural America, rural veterans would not have been served.

Every veteran in the Nation can thank Woody for saving their VA hospital.

Woody was with me when I was Governor and helped so much as we stood

up to the Cabinet Secretary for Veterans Affairs. Then he was the founding member of my Senate Veterans Advisory Group, where he led efforts to clean up the Clarksburg and Beckley VAMCs.

He helped get the first Fisher House. I remember we called Ken Fisher. Ken came in, met with Woody, and it was over. It was going to be done. It was that quick. It was unbelievable, and I know it gave so much solace to the family when they got to spend a few moments in that beautiful place. It was really something very, very special.

Woody has been there every step of the way, making sure that families of the fallen receive death gratuities during government shutdowns. That was the time that he said: JOE, we have to do something. He said: The shutdown is preventing us from giving the gratuities the families need.

That is when we called Ken Fisher, and that is when we all became very good friends with Fisher House. Ken Fisher was the leader of that. That is how that all began, and Ken was happy to step up.

Naming the first Gold Star Children's Day, August 1—he was instrumental in that.

It was also amazing that so many people from across the country and each of our States that we represent in this great deliberative body had so many good things to say about Woody because his legacy runs farther than just West Virginia, as you know.

I didn't realize the magnitude of Woody's impact until I traveled with him to California and also in Virginia when his ship was commissioned and it was christened. And, when that happened, I mean, from the brass all the way down to the ensigns on this ship, the marines learned about being a marine because of studying Woody Williams.

I didn't realize the impact that he had. It was unbelievable. I am there, and I had all of these people coming to me and telling me the impact that he had on them and how much they admired him.

But I am always remembering the one general telling me how they studied Woody Williams in the Marine Corps. I never forgot that. He said: Let me tell you, I know you know him as a friend. I know you know him as representing your State. Let me tell you how he represented the Marine Corps.

So when marines learn how to be marines, they learn about Woody Williams.

I always knew that West Virginia had a treasure with Woody, but what I didn't know is that he was their treasure also. I will forever be grateful that Woody and his family gave me the gift of spending time with him in Huntington. And when Mara and I were able to go down that Sunday morning before he passed, it was such a special day. He was as chirpy and bright as ever. You would not think that anything was really that much different.

And I said: Woody, I think someone wants to speak to you.

It was Denis McDonough, who is the Secretary of the VA for the United States of America. He wanted to speak to Woody, and Woody was so thrilled. It was a great conversation. And just as true to form as Woody, he said, "Mr. Secretary, I have to tell you just a couple of things," and he went into exactly what needed to be done. It was just classic. Denis called me afterward to explain the conversation, and he was so tickled.

It took a Woody, also, to be able to have that conversation. And he was just full of life. He was still full of life, and he was still full of ambition to get things accomplished.

In his final days, he stayed the same as I always knew him. As you know, he was quick as a whip, kind, selfless, and concerned for his fellow veterans and the families and all of you. He was concerned about everybody.

And he was ready. It was a moment that I will cherish the rest of my days being able to spend that little bit of time at the end there. But in true Woody fashion, he gave me marching orders that day. He said that one of his last wishes was enclosing the committal shelter at the Donel C. Kinnard Memorial State Veterans Cemetery. Senator CAPITO got the same order I got. It is on our to-do list, and it will get done so that the families will be protected from the elements when paying their final respects. It is something that should be done in every shelter and every VA burial ground, in every VA cemetery.

But, of course, this project was bigger than just West Virginia for Woody. It will probably lead to a national effort. I can promise you this: that we are going to get that done. It was a commitment we made to Woody, and it will happen.

As President Biden said upon Woody's passing, "I don't throw the word 'hero' around lightly, but if I'm going to use it, I'd use it for a guy like Woody Williams. . . . Heroism—like it did for Woody—can come in all shapes and sizes."

Woody Williams was far more than just a hero. He was the greatest of the "greatest generation" and a model for future generations.

From what I know, Woody's greatest wish was for all of us to continue his mission, to give back to each other, to love our country. As his grandson Bryan said last week, "I have the project that he wants each of you to work on. A couple of them, actually."

And, today, I will ask each of you to work on these projects, too. If Gold Star families in your area are traveling more than an hour to one of the Gold Star Family Memorial Monuments, they are traveling too far. Your project is to get a project working in your backyard.

Second, if you have a monument in your area, your project is to ensure the legacy that Woody helped create by

working to recognize these families. Become part of the project. Become part of the process to bring people back to that monument, lest we never forget these Gold Star families.

As we celebrate the life and legacy of Woody Williams and all our veterans of World War II this evening and tomorrow, let us all do our best to continue Woody's mission.

May God rest the soul of our dear friend, our leader, our national hero, Woody Williams.

I yield the floor to my colleague Senator CAPITO.

The PRESIDING OFFICER (Ms. SMITH). The Senator from West Virginia.

Mrs. CAPITO. Madam President, I thank Senator MANCHIN for such a great tribute to our good friend Woody Williams and his family, to his generation, and to his love of our country and the love of freedom. Thank you for the leadership that you showed to make sure that tomorrow could happen.

I know we worked on this together, but this is not an easy lift, to lie in honor, as you know, in the U.S. Capitol. But to me, it is so symbolic of a generation, and I have encouraged everybody I have seen to please come and pay their respects to Woody or to that "greatest generation" that Woody symbolizes in his passing.

I also want to thank the family. I can't see them from where I sit over here. I am right underneath you guys. Woody has two daughters, Travie and Tracy, and five grandsons and three great grandchildren, one of which is a great granddaughter. And I have had the pleasure of spending time with them over the last several days.

So I rise today to honor and celebrate the legacy of an American hero and proud son of West Virginia. He was always a proud son of West Virginia. On June 29, Hershel "Woody" Williams, the last remaining Medal of Honor recipient from World War II, passed away at the grand age of 98, and, tomorrow, rightfully, he will become just the seventh American and the first West Virginian to lie in honor in the U.S. Capitol Rotunda. It is a well-deserved recognition for a man from humble beginnings.

Woody was the youngest of 11 children, and I am going to tell one of my favorite encounters that I had with Woody.

He traveled everywhere. We would come on planes, and Woody would be on the plane coming to DC, and you would ask him: Where is he going?

Oh, he is going to San Francisco or he is going to Seattle to do something for Gold Star families or to flip the coin in the Super Bowl. He had more energy than all of us put together.

But he told me a lot of stories about his early life when I sat on the plane with him. And he did tell me that, during World War II, when he was very anxious to sign up—as so many of them were at those young ages of 18, 19 and 20—he had a problem because he didn't really have a birth certificate.

He was born in Quiet Dell, WV, which is a little spot on the road, on a farm. But he told me that his mother had a really good friend, and his mother's really good friend would come over and help her deliver her 11 children, and then Woody's mother would go over and help her friend deliver her 7 or 8 children, or however many she had. So there was no official documentation.

I think he told me in the end—I have to make sure that I am telling this right to Tracy. He told me, in the end, that they had to drag his mother's friend down to the bureau in the county, when he wanted to sign up to join, to make sure that he was actually as old as he said he was.

So being the youngest of 11, he made a lot of sacrifices for his family. But his acts of heroism would eventually help the United States capture the pivotal island of Iwo Jima, a world away from that dairy farm in Quiet Dell, WV.

Many Americans recognize the iconic image of our marines raising the American flag atop Mount Suribachi. It emotes an enormous sense of pride for all of us of patriotism, of triumph. On that same day that the iconic photo was taken, February 23, 1945, a young Marine corporal by the name of Hershel "Woody" Williams was on that same island risking his life for our freedom.

That day was under constant fire, and every time I heard him tell the story, he mentioned the folks that had his back. And some of them didn't make it.

Woody, who was a member of the 21st Marines, 3rd Marine Division, alone stormed multiple enemy pillboxes with limited cover, neutralizing one after another, saving countless American lives behind him.

He went on to fight throughout the entire 5 week campaign on Iwo Jima until our forces finally took the Japanese stronghold, marking a key turning point for the Allied cause. His actions that day and throughout the war are the reason why, when West Virginians think of the "greatest generation," we think of Woody Williams.

But what would set Woody apart, I think, more than those acts of valor on the battlefield, was what he did after that, how he carried himself in the more than 75 years since the Second World War.

Through the Hershel "Woody" Williams Foundation he advocated for Gold Star families. I was able to attend a couple of the openings of the memorials with him, and it was quite moving. He worked to ensure that the memories of loved ones lost would go on forever.

Today, Woody and his foundation have installed 104 Gold Star Family Memorial Monuments across this country, with about 70 additional monuments underway in every State. Through public appearances and his seemingly unending energy and passion, Woody shared his story with the world.

And he was quite the speaker. I think Senator MANCHIN would agree with me: That guy could give a speech. It was always very captivating whenever Woody was on the program. His mission was to inspire those—especially younger—Americans, to answer the same call to service that he did as a teenage boy.

As he said years later, "the people need to remember, if we ever lose our freedom, we will never be able to regain it." He believed that to every core of his body. There is no doubt in my mind that because of Woody, there are more people who answered the call and chose to serve the United States in some way, shape, or form—what an incredible legacy to leave.

He also never forgot his fellow veterans, serving as a veterans' service rep for 33 years at the VA, and I am proud that legacy of care lives on forever in the Hershel "Woody" Williams VA Medical Center outside Huntington, WV. As a matter of fact, Senator MANCHIN told me that was one of Woody's requests: that we need another exit for that hospital.

Joe, could you arrange that?

But Woody did all this with the same trademark humility that we came to know and love about him. For instance, several years after President Truman awarded him the Medal of Honor, Woody says he remembers asking himself in that moment: "Why was I selected to receive our Nation's highest award when marines right beside me didn't make it home?"

And that just tells you everything you need to know. That shows you the kind of man that Woody Williams was—always for putting his country and comrades first and never concerned with who got the credit.

I count it among one of my life's lessons to have had that airline flight in close contact with him, but also through the years seeing him that I was able to learn from him and laugh with him.

I asked him: Why the Marines? Why not the Army?

Well, he said he was walking down the street—this was before he joined—and he saw a guy walking down the street, and, man, did he look great in that uniform. He said: That is what I want to be. I want to be a marine.

But one of his family members told me at the funeral over in West Virginia, several days ago, that you need to add on there that he thought it would attract more women at the same time. So he was thinking ahead. He was thinking ahead, and I have to agree with him: That Marine uniform is something quite special, and so are the Marines.

The last thing I would say, on a personal note, is that the many times that I saw Woody, being born in 1923, was a reflection of not just him. In his eyes and in the way he carried himself, I saw that whole "greatest generation"—from my dad, who was also born in 1923, who served in World War II, who left this country for a cause great-

er than themselves, who believed in protecting our freedoms, who went and fought for people they had never met, known, or seen. And when you think about it in the context of where we are today, you think how special that was for our Nation, for that "greatest generation."

So when I say good-bye to Woody tomorrow, when we have the ceremony tomorrow, we are saying good-bye and thank you to that "greatest generation" that my dad was a part of. It has a lot of nostalgia and remembrance in all of our hearts and admiration for their passion and love for our country.

So, tomorrow, as we honor a great man and tell his story, Woody will still be doing what he has always done, and that is inspire us. So here is to a well-lived life and a country well-served, even long after he wore the Marine uniform he loved so dearly. Hoorah. Woody, rest peacefully, and thank you.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I know that both of us want to thank Speaker NANCY PELOSI, Majority Leader CHUCK SCHUMER, and the ranking member of the Republican Party, MITCH MCCONNELL, and all the people who were so instrumental in making this happen.

There have only been 35 people lying in state in this Capitol—35 out of millions and millions and millions. And it is a tremendous tribute for us, coming from our wonderful, patriotic, beautiful State of West Virginia, to have the "greatest generation" being represented.

And as we have said, this is not him; it is for everybody and, I hope, for all the families and anybody who had anybody who served.

SHELLEY's dad was wounded in World War II and received a Purple Heart. He became our Governor three times and was a friend of mine. And my father and all of my family served in World War II.

But to have so many people, and Woody is doing that for them. Tomorrow is for every person who has sacrificed and given their all and the families who have sacrificed also.

So we want to thank them for making that happen. It was a great tribute and a great honor, I know, for the family and all of us. God bless you all and thank you for coming.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, before I turn to other business, let me just say how grateful I am to have had the chance to be here and to hear the West Virginia Senators discuss this distinguished gentleman and to join them in welcoming his family to the U.S. Senate. My father, too, was a World War II marine, and it is a sad thing as the tides of time sweep that generation through its dying years.

U.S. SUPREME COURT

Madam President, I rise today now for the 16th time to call out the dark

money scheme to capture and control our Supreme Court.

The last time I rose to shine a light on this scheme, I sounded a warning about a case then pending at the Supreme Court called *West Virginia v. EPA*. I discussed how the Court the dark money built was primed to smash through precedent and weaponize fringe legal theories to deliver for the scheme's big donors. I am sorry but not surprised to report that the Supreme Court's Federalist Society Six did exactly what the polluters asked. Not only did the Court deliver for polluters, it delivered big.

Before we dive into that, let's recap what we knew going into this case.

First, the case never should have made it this far in the first place. A handful of States, with fossil fuel-funded attorneys general and an armada of rightwing front groups that were propped up by dark money from the fossil fuel industry, asked the Supreme Court to strike down an EPA rule regulating greenhouse gas emissions from existing coal-fired powerplants. The problem was that the rule no longer existed. So there wasn't actually an operating EPA rule to challenge, meaning there was no constitutional case or controversy and no reason for a legitimate Court to entertain the industry's invitation.

But this is the Court that dark money built, and it wasn't going to let this constitutional guardrail stand in its way of pleasing the big donors who packed the Court.

Supreme Court precedent had repeatedly rejected the polluters' arguments outright. The polluters argued that Congress, not the EPA and the so-called administrative state, needed to do the regulating here. It is a matter of common sense that Congress delegates authorities to the EPA. It is also well known that polluters want to knock questions away from expert regulators and over to Congress, where their dark money political power—also a creature of the Court that dark money built—can be brought to bear to buy delay and obstruction. The power of Congress to legislate broadly and let Agency experts fill in the gaps has been upheld for decades against persistent attacks from regulated industries.

Well, no more. No matters of law or fact had changed since the last time similar questions were answered by the Court. The thing that changed is who is on the Court: a majority, selected by polluters, using hundreds of millions in dark money, which brings us to the decision itself. There is good news, and there is very, very bad news.

The good news is that the Court's ruling is actually very narrow as to the EPA's authority to regulate greenhouse gases in the power sector. It is limited to deliberate generation shifting. So there is lots left to work with, and the EPA needs to pull up its socks and get to work on regulating carbon emissions and other forms of air pollution. So far, in 18 months of the Biden

administration, the EPA has managed to produce one carbon emissions regulation and not a very strong one at that. The EPA needs to move now as fast as possible. There is not a second to waste. That is the good news.

The bad news, however, is grim. The Federalist Society's Justices loaded up their opinions with polluter talking points and hothouse-grown polluter legal doctrines, paving the way for polluters to block or delay regulations for years to come.

Start with the polluter talking points, rife throughout Justice Gorsuch's concurrence, which spends 20 pages decrying the dangers of government regulation. He calls regulators a "ruling class of largely unaccountable 'ministers.'" This is not even remotely true. If there is an unaccountable ruling class in America right now, it is the Court that dark money built and the dark money forces behind it.

Compare that to the EPA. The EPA's leadership is selected by the President, approved by the Senate, and can be fired at will should they deviate from the elected President's priorities. They are all directly accountable, and the White House's Office of Management and Budget reviews every EPA regulation to make sure it is consistent with the elected President's priorities.

Congress retains complete control over the EPA's funding and has entire committees dedicated to oversight. It is Congress that provided the EPA with its instructions through laws like the Clean Air Act and the Clean Water Acts. Congress also created the Administrative Procedure Act to assure that Agencies like the EPA carry out their duties fairly, according to the facts, under proper procedure, and under rigorous judicial supervision, and we passed the Congressional Review Act so Congress is able to swiftly undo any rules that it doesn't like.

In actuality, in the real world, there is direct accountability and oversight over the EPA by all three branches—by all three branches—over the supposedly unaccountable ruling class. By comparison, Justice Gorsuch and his colleagues wield their unaccountable power without even the bare minimum of an enforceable ethics code.

This argument by Justice Gorsuch may not be founded in fact, but it has a foundation. The idea that the biggest threat to freedom is an administrative state full of unaccountable bureaucrats is a longstanding talking point of the fossil fuel industry constantly trotted out by Republican politicians and fossil fuel front groups. Here is just a taste of what I mean.

Here is the Heritage Foundation—a key fossil fuel front group:

[T]he administrative state's functionaries are powerful. . . . They are unelected, unknown, and, for all practical purposes often unaccountable.

Sound familiar?

Here is the minority leader himself responding to a speech by a Republican Senator who is decrying unelected bu-

reaucrats. The minority leader called this the "single biggest problem confronting our country . . . the single biggest thing holding this country back from reaching its potential." And in the wake of this very decision, he went back to their go-to talking point: "unelected, unaccountable bureaucrats."

It just is not true. The foundation of Gorsuch's screed is not fact; it is political fossil fuel talking points, and we should not be surprised that those talking points made their way into an opinion by a Supreme Court Justice. That is exactly what the Court that dark money built was built for.

Aside from the talking points are legal doctrines hatched in polluter-funded hothouse doctrine factories, a web of phony think tanks, scheme-friendly scholars, and conservative conferences designed to cultivate and legitimize fringe legal theories—reverse engineered to produce the results the polluters want.

One of these is the so-called major questions doctrine, which—guess what—makes its maiden appearance in *West Virginia v. EPA*.

Let's look at how the major questions doctrine traveled from the doctrine factory into a Supreme Court decision.

The Trump administration, fully in tow to the fossil fuel industry, took this rare specimen of legal theory and pumped it up into a powerful weapon against the functioning of the Federal Government. From day one, Trump's top adviser, Steve Bannon, vowed that the Trump administration would carry out the "deconstruction of the administrative state." Trump's White House Counsel Don McGahn—the same Don McGahn who oversaw the confirmation of the scheme's hand-picked Justices—admitted that the "judicial selection and the deregulation effort are really the flip side of the same coin."

Think about that. In his own words, the Trump White House had a "larger plan" to wipe out government regulations by using judges.

For 4 years, the Trump lawyers argued in court for this major questions doctrine that had been previously unmentioned in any Supreme Court decision. The Trump team urged courts to deploy the doctrine to strike down Agency laws, including in this case, *West Virginia v. EPA*. Now, while the Court had never mentioned the doctrine, it had been mentioned. Brett Kavanaugh, on the DC Circuit, did while he was auditioning himself for a seat on the Supreme Court, to catch the eye of the scheme donors and to telegraph to them how eager he was to do their bidding. Kavanaugh wrote a dissent in a case about net neutrality—a case with many of the scheme's dark money front groups—Cato, Competitive Enterprise Institute, Pacific Legal Foundation—present as amici. They were the right audience for Kavanaugh's "major questions" audition tape, and he aimed to please.

Payday for scheme donors came in *West Virginia v. EPA*. At least 14 polluter front group amici showed up to push in chorus for their major questions doctrine—the usual suspects—funded by fossil fuel dark money, like Cato, the Koch flagship Americans for Prosperity, and the Competitive Enterprise Institute.

Justice Gorsuch's concurrence is rife with citations legitimizing doctrine factory "scholarship." He cites articles written by the founder and president of the Free State Foundation, a member of the dark money State Policy Network; by a member of the dark money Federalist Society's Administrative Law Group executive committee; and by the former president of the Koch-funded American Enterprise Institute.

The scheme is all about boosting corporate power and rolling back government regulations. It is not just about building a dark money Court; it is about front groups by the dozen which operate in coordinated flotillas; it is about faux scholarship—reverse-engineered in a parallel universe of faux academia—to give polluters power over government; and it is about more than a half a billion dollars in dark money spent to set up and run the whole sham enterprise.

The attack on regulation began with an effort to revive the so-called non-delegation doctrine discarded by the Supreme Court almost 100 years ago. Like the major questions doctrine, the nondelegation doctrine allowed courts to strike down Agency rules when Congress wasn't explicit enough in delegating power. Polluters loved it. Scheme front groups like the Cato Institute—propped up by the dark money from the fossil fuel billionaire Koch family and from companies like ExxonMobil—sponsored research that argued for reviving the nondelegation doctrine. They organized conferences and seminars, lobbied legislators, and funded law groups designed to spread the idea far and wide.

But "major questions" had one advantage. Years ago, on the DC Circuit Court of Appeals, Justice Breyer had used those two words once, in passing, in a lengthy law review article. They could seize that camouflage. And guess what. "Major questions" is just "non-delegation" in disguise. If you don't believe me, let's go back to Justice Gorsuch in a concurrence from another case earlier this year:

[T]he major questions doctrine is closely related to what is sometimes called the non-delegation doctrine. Indeed, for decades, courts have cited the nondelegation doctrine as a reason to apply the major questions doctrine. . . . Whichever the doctrine, the point is the same.

Indeed. The point is that a Court captured by polluter interests will find any way it can to import polluter doctrine—cooked up in polluter-funded doctrine factories—into the law of the land, and that is just what they just did in *West Virginia v. EPA*. For the polluters, mission accomplished.

The Court that dark money built had already wreaked havoc in our law. Even before they got to six, they had run up 80 5-to-4 partisan decisions benefiting big Republican donor interests—80 5-to-4 partisan decisions benefiting big Republican donor interests. Now with six Justices, they have set about destroying precedent left and right, taking away the constitutional right of women to control their own reproductive decisions, blocking efforts to reduce gun violence, and now adopting new theories to empower polluters against public health regulation.

The FedSoc Six's hatred for regulation isn't shared much outside the polluter-funded parallel universe. Most Americans appreciate regulations. They appreciate regulations that help make sure food and water are safe, that their air is clean to breathe, that medicines actually work, that markets operate honestly, that investors have real information, and that car seats protect you in a car wreck. The American people are right to sense that something is deeply amiss at the U.S. Supreme Court.

A captured Court presents an unprecedented challenge to the other branches of government, but we aren't helpless.

First, we need to start telling the truth about what is going on. The pattern is unmistakable, and people across the country need to understand this is not right; this is not normal. We can also pass laws like my DISCLOSE Act, which I hope will be coming up for a vote shortly, to shine light on the dark money donors who captured our Court in a long scheme.

We can require real ethics requirements for Supreme Court Justices, just like all other Federal judges already have. Remember the ongoing ethics investigations against Judge Kavanaugh? They were dropped, not because they were resolved, not because they ended, not because he was found not culpable; they were dropped against Judge Kavanaugh because he escaped to the Supreme Court, where ethics investigations don't exist, so they had to shut down the ongoing investigations. That is a terrible signal.

We can also require Justices to report gifts and hospitality, as all other judges do and all senior government officials do in the executive and legislative branches.

There are many ways to push back against the new "ruling class" of "unaccountable ministers" occupying the captured Court and to assure the American people that fairness and justice, and not the Court's deep-pocketed special interest friends, are what drives Court decisions.

There is a lot to be done, and we need to begin. To be continued.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

AFGHANISTAN

Mr. HAWLEY. Madam President, following my submission yesterday, I ask unanimous consent to have printed in the RECORD the next part of an investigation directed by the U.S. Central Command concerning the Abbey Gate bombing in Afghanistan in August 2021.

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

ACTS-SCK-DO

Subject: Findings and Recommendation—Attack Against U.S. Forces Conducting NEO at Hamid Karzai International Airport on 26 August 2021

(i) Throughout the NEO, USFOR-A FWD spent a significant amount of time coordinating special evacuation requests on behalf of the interagency, congressional representatives and senators, and the White House (exhibits 13, 15, 18, 20, 21, 22). The USFOR-A FWD staff estimated they received over 4000 such requests during the nine days ECPs were operating (exhibits 13, 20, 21, 22). (TEXT REDACTED) USFOR-A FWD Deputy Commanding General, referred to these evacuees as privileged personnel exhibit 21). USFOR-A FWD's (TEXT REDACTED) and Embassy (TEXT REDACTED) worked with subordinate staffs to action many of these requests. They would coordinate with the potential evacuees for challenge and password or other identification, visit gates, seek out the evacuees, physically pull them from the crowd, and get them processed through DoS and the Evacuation Control Center (ECC) (exhibits 17, 20, 22, 100, 108, 122).

(ii) (TEXT REDACTED) along with members of the JTF-CR staff, were primarily responsible for coordinating multi-national activities and requests through the Multi-National Coordination Cell (MNCC) (exhibits 15, 18, 20, 21, 22). The MNCC met daily, along with other Ambassador groups, to coordinate air and lift requirements for partner nations, and Afghans sponsored by those nations to depart (exhibits 20, 21, 22). Many of the other nations working out of HKIA and conducting NEO were completely dependent on the U.S. for airlift (exhibit 21). USFOR-A FWD, with JTF-CR, formed the International Coordination Cell (ICC), which was a broader forum for handling the extensive privileged persons' requests from partner nations (exhibit 21). (TEXT REDACTED) USSFOR-A FWD Chief of Staff, and Commander. 3/10 IBCT, was responsible for working these issues (exhibits 21, 126). The ICC also provided a forum to synchronize bulk movement and arrival of passport holders or cleared individuals from all nations through South Gate (exhibit 126). This included building and allocating movement tables and coordinating with Taliban commanders for passage of vehicles (exhibit 126). (TEXT REDACTED) coordinated with 1/82 IBCTs (TEXT REDACTED) to request TF Wild Boar support for receiving these coordinated arrivals at the various gates (exhibit 247). TF Polar Bear was a force on the ground

at HKIA scheduled to conduct relief in place/transfer of authority (RIP/TOA) with TF Wild Boar. The RIP was delayed based on conditions, to retain both forces for the approaching NEO (exhibit 126). After 17 August, both forces were at HKIA and made TACON to 1/82 IBCT during the NEO (exhibits 128, 247). TF Polar Bear operated as the HKIA quick reaction force (QRF) and had liaison officers (LNO) in the JTF-CR Joint Operations Center (JOC) (exhibit 247). TF Wild Boar also served as a QRF, but executed targeted recovery missions with the MNCC and ICC when operations permitted (exhibits 10, 126, 247).

(iii) USFOR-A FWD was responsible for coordination with adjacent military, paramilitary, and former adversary forces (exhibits 13, 20, 21, 22, 23). On 16 August, RADM Vasily coordinated with other governmental agencies (OGA) for NSU assistance with airfield security. NSU took over large swaths of the perimeter on the South, West, and North of HKIA (exhibits 13, 15, 181, 20, 21, 22, 23). Shortly after, RADM Vasily began coordinating with (TEXT REDACTED) the regional Taliban Commander and Taliban-designated LNO, for Taliban assistance with clearing the airfield and providing security along the southern perimeter of HKIA (exhibits 13, 15, 18, 20, 21, 22, 23). Finally, RADM Vasily and his staff coordinated with the Turkish Military to relieve them of security and airfield operations responsibilities (exhibits 13, 15, 18, 21).

(iv) USFOR-A FWD, and subordinate units, continued to coordinate with the Taliban throughout the NEO, however, only USFOR-A FWD and MG Donahue had authority to release threat reporting to the Taliban (exhibits 13, 15, 18, 20, 21, 22, 23). Prior to the Abbey Gate attack, on 25–26 August, USFOR-A FWD was continuously updating the Taliban with information necessary to improve their security posture and provide effective screening for exposed forces at the gates (exhibits 13, 15, 18, 20, 21, 22, 23). USFOR-A FWD and MG Donahue frequently provided updates in person to the Taliban at the South Terminal and by phone (exhibits 13, 21, 23, 125).

(3) Task Force—Medical (TF MED).

(a) TF MED was initially located at Bagram Air Base and served as the most capable US Role III medical facility in Afghanistan (exhibits 14, 131). On approximately 15 June, the facility at Bagram closed and TF MED moved to North HKIA to continue to provide medical support to remaining U.S. Forces, but with a reduced capability (exhibits 14, 128, 131). TF MED co-located with Norwegian medical personnel at the HKIA Role II military treatment facility (exhibit 14, 128, 131). (TEXT REDACTED) USAF, commanded TF MED during the period of the move to HKIA and throughout the NEO (exhibits 14, 131). The facility at HKIA was a Role II Enhanced (Role II-E), with lab, pharmacy, two operating rooms (ORs), and computed tomography (en scan capability (exhibits 14, 128, 131).

(b) During the NEO, the capabilities of this facility swelled, eventually supported by nine surgical teams arriving 20–23 August (exhibits 131). These teams came from various locations and nations: one Norwegian Special Operations Surgical Team (SOST), two U.S. SOSTs, two U.S. Forward Resuscitative Surgical Detachments (FRSD), surgical teams organic to TF MED, one U.K. Military surgical team, and those organic to the 82nd, which operated from the Role II at Camp Alvarado (exhibits 14, 128, 131, 149). In addition to surgical teams, TF MED also had an Aeromedical Evacuation Liaison Team (AELT), responsible for medical airlift from HKIA rearward. To synchronize efforts, (TEXT REDACTED) conducted daily huddles

with the various contingents to discuss threat reporting, posturing medical assets and supplies, and patient flow (exhibits 131, 149). TF MED created and exercised a mass casualty (MASCAL) plan for medical response in June 2021, which included Norwegian capabilities and participation (exhibits 14, 131). During the NEO, (TEXT REDACTED) made the decision to consolidate higher-level medical care at the Role II-E and not push any assets to the gates (exhibit 131). The units at the gates had medics/corpsmen and the Role I capability had already pushed forward (exhibits 66, 100, 104).

(c) On 25–26 August, Role II-E personnel were aware of increased credible reporting for a vehicle-borne improvised explosive device (VBIED) or suicide vest IED (SVIED) at a gate (exhibits 14, 131). The USFOR-A FWD (TEXT REDACTED) contacted approximately 26 August and warned him a MASCAL event was imminent (exhibit 131). (TEXT REDACTED) placed medics and surgical teams on stand-by until 1700, and then released them on immediate recall (exhibit 14, 131). At the time of the blast (TEXT REDACTED) was in the Joint Operations Center (JOC) and a Role I facility reported significant numbers of casualties, which triggered the MASCAL response (exhibit 131). (TEXT REDACTED) Trauma Team Leader, was in the emergency room (ER) and did not hear the blast, but was notified within minutes to prepare for a MASCAL (exhibit 128). TF MED received its first patient within 12 minutes and treated patients for the next 10–12 hours (exhibits 14, 128 131, 149). The most seriously wounded patients arrived first, a result of proper triage at the Role I facilities and casualty collection points (CCPs) (exhibits 14, 128, 131 149). The Role II-E expanded its operating room to accommodate four patients at a time and used hallway space to provide additional required care (exhibits 128, 131, 149). Patients with less severe injuries, not requiring immediate care, were staged outside or in ambulances with medics to stabilize injuries (exhibits 14, 128, 131, 149). Of the 13 killed in action (KIA), every medical professional interviewed concluded that no amount of additional measures, equipment, or treatment could have saved their lives (exhibits 14, 128, 131, 149). By approximately 0700 on 27 August, the Role II-E was empty of patients, with three flights taking personnel to Qatar or Germany, to include 19 U.S. casualties (exhibit 14, 131, 236). The Role II-E had a small morgue, capable of handling only eight deceased (exhibits 68, 131). Because the MASCAL overwhelmed the hospital morgue capacity, the KIA were moved to a pre-coordinated refrigerated shipping container for preparation and movement back to continental U.S. (CONUS) (exhibit 68, 131).

(4) JTF-CR.

(a) JTF-CR is a command and control organization derived from a joint manning document, manned by TF 51/5th Marine Expeditionary Brigade (MEB) personnel, stationed in Bahrain, and augmented with personnel from the CENTCOM area of responsibility (AOR) (exhibits 15, 17, 18). TF 51/5th MEB began initial planning in April for the potential NEO, convened two operational planning teams, coordinated with USFOR-A, CENTCOM, and MARCENT, and attended operations and intelligence updates with USFOR-A FWD (exhibits 15, 17, 18). JTF-CR activated in May and was TACON to USFOR-A FWD for NEO planning (exhibits 15, 17, 18). In May and June, JTF-CR conducted a pre-deployment site survey (POSS) to Afghanistan to assess possible evacuation sites and coordinate with stakeholders, specifically USEK (exhibits 15, 17, 18). Initial planning accounted for two aerial ports of embarkation (APOEs), HKIA and Bagram Air Base.

In early June, Bagram transitioned to ANDSF control and was no longer considered for planning (exhibits 15, 17, 18). JTF-CR deployed three LNOs forward in May, along with a small three person quartering party to HKIA in late May to set conditions for a possible NEO (exhibit 15, 18).

(b) JTF-CR deployed to HKIA on 19 July, starting with the Early Entry Assistance Team (EEAT), followed by the JTF-CR staff as a robust quartering party (exhibit 15). The staff continued to coordinate with USEK while in Afghanistan, in an attempt to plan the NEO, but to little effect (exhibit 18). With the fall of Afghanistan districts to the Taliban throughout July and August, the JTF-CR continuously took steps to prepare HKIA for NEO, such as building supply stocks on HKIA to handle evacuees' basic needs (exhibit 18). During early August, DoS began processing Special Immigrant Visas (SIVs) and sending out evacuees by commercial air. They evacuated approximately 750 before the NEO was called on 13 August (exhibits 18, 8, 24).

(c) During execution of the NEO, JTF-CR had initial responsibility for securing HKIA and processing evacuees designated eligible by DoS (exhibits 15, 17, 18). In the early morning hours of 14 August, 24th MEU arrived with nearly 200 personnel that included some of the headquarters staff, snipers, ECC personnel, and a single rifle company (exhibits 15, 100, 102, 104). At this time, elements of TF Polar Bear and TF Wild Boar, who were subordinate elements of 3/10 IBCT providing security for USEK and HKIA, arrived to HKIA (exhibits 15, 126, 247). 24th MEU later closed additional capability during 14 August, with a similar mix of personnel as the first lift (exhibits 15, 100, 102, 104). The Turkish Military was providing security on North HKIA, with approximately 400 troops, and the ANDSF were securing the southern perimeter of HKIA, specifically the routes into the commercial terminals (exhibit 15). Approximately a battalion of U.K. Forces was also facilitating their own evacuation operations out of the airport (exhibits 15, 18, 126). U.S. Air Force C-17s were slow to arrive throughout 14–15 August (exhibit 15). By the end of 14 August, there were approximately 1600 U.S. and coalition forces at HKIA (exhibits 13, 15, 18).

(i) On 15 August, Afghanistan's President Ghani departed Kabul in a helicopter, abandoning the capital and the government. Soon after, ANDSF leaders also fled (exhibits 13, 15, 18, 20, 21, 22, 23). This precipitated the dissolution of the ANDSF, leaving the southern perimeter of the airport unsecured. Simultaneously, USEK was evacuating personnel to HKIA (exhibits 13, 15, 18, 20, 21, 22, 23). Ghani's departure and the Embassy evacuation created a panic in the Kabul population, and civilians began to rush the airfield in an attempt to board departing or stationary aircraft (exhibits 13, 15, 18, 20, 21, 22, 23). On three separate occasions, on 15 August and into the hours of darkness of 16 August, large crowds pushed across the HKIA flight line and near the North HKIA footprint, forcing JTF-CR to empty their operations center of personnel to push back the crowds (exhibits 15, 18). The presence of large crowds of civilians on the runways halted air operations continuously throughout 16 August.

(ii) Three solutions to the airfield security problem manifested during the next 24–48 hours. 1/82 IBCT forces arrived on C-17s during the hours of darkness on 15–16 August, and JTF-CR immediately tasked them with airfield security (exhibit 15). On 16 August, an OGA offered to bring the NSU's approximately 1200–1300 personnel to provide security at HKIA (on the condition of evacuating NSU families) (exhibits 13, 15, 18, 21, 23).

Later on 16 August, the Taliban offered to help remove civilians from the airfield. RADM Vasely accepted the Taliban's offer, and Taliban forces began clearing and securing the airfield (exhibits 15, 18, 21, 23). The addition of these three forces was sufficient to clear the runway and resume flight operations (exhibits 15, 18).

(iii) Once the perimeter was reestablished on 16 and 17 August, the Taliban took the South, the NSU took the North and West, and 1/82nd took the West and overall security responsibilities (exhibits 15, 18, 53, 103). JTF-CR continued to manage the flow of combat forces into HKIA and into the line to hold the tenuous status quo (exhibits 15, 18, 53, 103). Force flow over the next two days delivered the remainder of the 1/82 IBCT, all of the 24th MEU Command Element, the remainder of 1/8 Marines, the MEU Combat Logistics Battalion (CLB), 2/1 Marines with enablers from the CENTCOM SPMAGTF, and the TAC of the 82nd Airborne Division (exhibits 15, 18, 53, 100, 102, 104, 121, 125). JTF-CR had TACON of all forces providing security of HKIA until 17 August, when Gen McKenzie, CENTCOM Commander, tasked the 82nd Airborne Division with security of HKIA (exhibits 8, 10, 11, 13, 15, 18, 21, 238). The JTF-CR retained sole responsibility of NEO tasks and duties (exhibits 10, 11, 15, 18, 138, 238).

(d) During the execution of NEO, the JTF-CR managed three critical tasks at the JTF level or through its subordinate units: Gate Operations, ECC, and the Multi-National Coordination Cell (exhibits 15, 17, 18).

(i) After being relieved of airfield security duties, 1/8 Marines (24th MEU) occupied North and East Gates, and 2/1 Marines (SPMAGTF) occupied Abbey Gate (exhibits 53, 103). From 19–26 August, these gates were used to process and screen tens of thousands of civilian evacuees (exhibits 15, 18). Commanders at each gate exercised their authority to open or close their respective gates, as they deemed appropriate, according to the situation on the ground (exhibits 15, 53, 103). The JTF-CR Commander retained the authority to reopen a gate if the gate commander had closed it due to the threat environment or possible attack (exhibits 15, 18, 103). However, there was tremendous pressure from the strategic level (Combatant Command (CCMD), Joint Staff (JS), White House) to continue to process and evacuate civilians to the maximum extent possible, so gate closures were done rarely, locally, and temporarily (exhibits 15, 18, 53, 56, 77, 103, 121). For example, Abbey Gate did not physically close until the night of 26 August (exhibit 53). JTF-CR's management of gate operations also entailed reacting to the overwhelming number of special requests to secure specific evacuees from gates (exhibits 13, 15, 17, 20, 21, 22). Members of the USFOR-A FWD, JTF-CR, MEU, 1/8, and 2/1 staffs were constantly engaged in retrieving specially requested individuals from the gates, with the lower echelons doing so on behalf of JTF-CR (exhibits 13, 15, 18, 20, 21, 22, 23, 76, 108, 122).

(ii) The JTF-CR Commander was responsible for deciding when to close Abbey Gate to facilitate the Joint Tactical Exfiltration (JTE) (exhibits 13, 15, 17, 18, 22). Initially, the JTF-CR sought to close the gate on the evening of 25 August (exhibits 18, 53, 77, 89, 126). However, U.K. Forces were still operating at the Barron Hotel and could not meet this timeline (exhibits 15, 18, 53, 77, 89, 126.). If the JTF-CR Commander decided to close Abbey Gate while U.K. Forces were still processing evacuees, it would have isolated them at the Barron Hotel. This would have affected the JTE, as the JTF-CR Commander estimated it would take 24–48 hours to clear the outer corridor and facilitate

U.K. Forces' passage of lines into HKIA (exhibits 15, 18). Additionally, if the JTF-CR closed Abbey Gate early, the crowds likely would have breached the airfield, which posed a significant risk to mission and risk to force (exhibits 15, 18).

(iii) The 24th MEU established the ECC at the passenger (PAX) Terminal in North HKIA (exhibits 15, 18, 100, 101, 102). Evacuees waiting for flights consistently saturated this area, creating a security concern (exhibits 100, 101). As a result, JTF-CR tasked subordinate units to provide security forces at the PAX Terminal to ensure evacuees did not attempt to board the wrong flights or move into the compounds on North HKIA (exhibits 15, 18, 101).

(iv) As the lead for NEO, JTF-CR hosted the MNCC (exhibits 18, 21, 145). At the MNCC, JTF-CR coordinated the requirements of the multi-national partners to evacuate personnel (exhibits 18, 21). This usually included manifesting flights and coordinating appropriate arrival destinations based on the status of evacuees (exhibits 18, 21).

ADDITIONAL STATEMENTS

TRIBUTE TO IGOR BABAILOV

• Mrs. BLACKBURN. Madam President, each year, the Ellis Island Honors Society recognizes individuals who have proved their commitment to our Nation through outstanding achievement in industry, education, entertainment, and the arts.

Today, I have the honor of congratulating my friend and fellow Tennessean Igor Babailov, one of this year's recipients of the Ellis Island Medal of Honor. Igor has earned a very special place in American culture through his work in philanthropy and the arts. A celebrated portraitist, he has immortalized on canvas Presidents, dignitaries, royalty, and even three Popes, and earned the trust of the world's most important curators. His philanthropic endeavors have changed the lives of veterans and helped children realize their full potential.

On behalf of the State of Tennessee, I offer my heartfelt congratulations to Igor and thank him for using his talents to make America a more diverse, innovative, and beautiful place to call home.●

TRIBUTE TO LAMAR ROGERS

• Mrs. BLACKBURN. Madam President, it is my honor to congratulate Coach Lamar Rogers of Clarkrange, TN, on winning the Fred Russell Lifetime Achievement Award and joining the distinguished ranks of the National Federation of State High School Associations Hall of Fame.

Over the course of his long career, he has enriched the lives of young female athletes by helping them reach their highest potential. For 46 years, Coach Rogers has served as the architect of one of the most impressive and well-respected girls basketball programs in the Volunteer State, boasting a 1,289–290 record and eight Tennessee Secondary School Athletic Association

State championships. He is also revered—and feared—as the winningest high school girls basketball coach in Tennessee.

But more importantly, he is a mentor, a friend, and an inspiration to the next generation of athletes and educators, and I consider it my privilege to recognize him for his leadership. Congratulations, Coach.●

TRIBUTE TO ADOLPH L. “BOB” HIRSCH

• Mr. BLUMENTHAL. Madam President, today I rise to recognize Mr. Adolph “Bob” Hirsch, a remarkable man and World War II veteran who turns 100 on July 23, 2022.

In September 1942, at the age of 20, Mr. Hirsch enlisted in the U.S. Coast Guard. He would go on to attain the rank of seaman first class, serving this Nation honorably throughout World War II until 1945. During this time, Mr. Hirsch served as a gunner's mate on the Coast Guard Patrol Frigate *Annapolis*. It was aboard that vessel in the American theater of operations that Mr. Hirsch was engaged in combat action against hostile enemy submarine forces.

In September 1945, Mr. Hirsch was also involved in a daring rescue while serving on the *Annapolis*. After the Steamship *Prince George* caught fire in Ketchikan, AK, several U.S. Coast Guard vessels responded to the incident, including the *Annapolis*. Mr. Hirsch was engaged in lifesaving and port clearance operations, further demonstrating his remarkable bravery.

Following his time in the Coast Guard, Mr. Hirsch continued his outstanding legacy of service. He joined the New York City Police Department and served that city honorably for over 20 years. Since 1976, Mr. Hirsch has resided in Bethlehem, CT, and we are proud he has chosen to call our great State home.

Mr. Hirsch's tireless service will be an enduring legacy. I applaud his many accomplishments and hope my colleagues will join me in congratulating Mr. Bob Hirsch on this milestone of his 100th birthday.●

REMEMBERING JACK GRANEY

• Mr. BROWN. Madam President, I ask my colleagues to join me in honoring Jack Graney, Cleveland Indians player and broadcaster, as he is posthumously awarded the Ford C. Frick Award by the Baseball Hall of Fame on July 23, 2022.

Jack Graney was born on June 10, 1886, in St. Thomas, Ontario, Canada, but his professional career on the baseball diamond began with the Cleveland Naps in 1908. Over his 14-year Major League career, Jack led the American League in walks during the 1917 and 1919 seasons and played in three World Series games, helping the Naps to victory in 1920. His daughter fondly remembers growing up on the road and

watching her father in action on the field.

Jack spent each of his seasons in Major League Baseball with Cleveland. After 14 seasons, Jack retired with 1,178 hits, 420 runs batted in, and a career .250 batting average.

Jack made baseball history over the course of his career; he was the first at bat against Babe Ruth in the big leagues, the first 20th century big league player to bat with a number on his uniform, and the first to transition from player to broadcaster.

In 1932, Jack returned to baseball when he joined WHK-AM, which had just began broadcasting Cleveland games. He would go on to be the voice of the Cleveland Indians for the next 22 years. Rumor had it, when the Indians played, you could hear Jack's voice echoing through the streets of Cleveland. While radio was only local at the time, Jack was committed to providing a narrative of every single game to Cleveland fans. During away games, he broadcasted from Cleveland, using the ticker-tape that came through from the live game.

Jack's detailed descriptions of plays, stadiums, and fans brought the game to life. Throughout his career, he broadcasted for various Cleveland stations and with different partners. In 1935, he commented on the World Series and the All-Star Game for national audiences.

Jack's final broadcast aired in 1953. For more than 20 years, Jack brought baseball to Cleveland fans. On April 20, 1978, Jack passed away at age 91. His legacy lives on today through his family and through all those he inspired to love America's game and to pass on that love to their own children and grandchildren.

In 2012, Jack was posthumously inducted into the Cleveland Baseball Hall of Fame for his tenure as a player. And this month, the Baseball Hall of Fame will present the Ford C. Frick Award to Jack for his major contributions to baseball. Recipients are chosen based on their commitment to excellence, quality of broadcasting abilities, reverence within the game, popularity with fans, and recognition by peers.

Jack embodied each of these qualities and made our city proud. Today, we celebrate his contributions to baseball, his commitment to Cleveland, and his extraordinary life.●

TRIBUTE TO ROLAND J. BABIN

● Mr. CASSIDY. Madam President, I rise today to express my appreciation for and offer my sincere congratulations to a dedicated public servant, Mr. Roland J. Babin, on his retirement after 67 years of service for the Louisiana Department of Transportation and Development. Mr. Babin commenced his career as a student worker in 1955. He currently serves as the districtwide maintenance specialist for the department's Acadian region, making him the department's and the State

of Louisiana's longest actively serving employee.

During his long tenure, Mr. Babin served the department and the State in a number of ways, from working as an engineer aide I to an engineer technician VII. He has supervised and trained countless construction and maintenance personnel over the years, making an impact on the department that will last for years to come. Even at 85 years old, Mr. Babin can be found on a job site operating a shovel, measuring tools, a roller behind a hot mix paver, or a vibratory compactor. Mr. Babin also recorded daily journal entries, dating back to 1970, narrating the department's construction and maintenance projects, hurricanes, ice storms, other emergency responses, and personal anecdotes from his career. In 2017, Mr. Babin was a recipient of the Charles E. Dunbar, Jr., Career Civil Service Award, the highest honor awarded to classified Louisiana State employees for outstanding and selfless service for the Louisianan community.

His tireless work throughout the years has ensured that the Louisiana Department of Transportation and Development will continue to serve Louisiana for decades to come. The department and the State of Louisiana have benefitted greatly from his leadership and contributions, and his legacy will not be soon forgotten. I personally thank Mr. Babin for his notable service and congratulate him on his well-deserved retirement.●

TRIBUTE TO MIKE BURRESS

● Mr. PAUL. Madam President, I rise today to honor the career of Mike Burress for his dedicated service to better the Commonwealth of Kentucky. In his over 37 years with the Lincoln Trail Area Development District administering and writing grants, Mike has worked tirelessly to better our cities and communities.

Mike started his career as a community development adviser, providing direct support and coordination to the regional planning and development process. A few short years later, Mike was promoted to associate director for community and economic development, where he was responsible for the day-to-day supervision and coordination of the community development department.

In the summer of 1998, Mike was promoted to the district's deputy director, primarily overseeing community and economic development throughout the eight-county region. In 2018, the Lincoln Trail Area Development District board of directors selected Mike to become the district's fifth executive director.

In the last 4 years, his leadership and advocacy as executive director have benefited area development districts throughout the State. Mike's ongoing work with local, State, and Federal delegations as well as nongovernmental organizations highlights the es-

sential work the area development districts do in assisting their constituents.

Mike and his wife Judy are Hardin County natives with three children and two grandchildren. I am proud to salute and thank Mike for a remarkable career of dedication to his community.●

RECOGNIZING HILCO TECHNOLOGIES, INC.

● Mr. RISCH. 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 Hillco Technologies, Inc., as the Idaho Small Business of the Month for July 2022.

In the 1950s, Wallace "Archie" Hill, a longtime resident of Nezperce, designed the first hydraulic foldup harrow cart for his own family farm. Shortly thereafter, he built them for his neighbors and eventually for farmers all across North America before opening Hillco, Inc., in 1963. Archie Hill became famous for his harrow, springtooth, and packer cart designs and various multi-unit hitches for drills and plows which he tinkered with until his mid-80s.

Located amongst the rolling hills of Idaho's Camas Prairie, the Hill family is familiar with how critical combine leveling systems are for effective hillside harvesting. When tractor manufacturers stopped supplying leveling systems in the 1990s, Hillco stepped in to fill the gap in the market. In 1993, the first Hillco, Inc., leveling system rolled off the production floor for a Case-IH combine followed by the first leveling system for a John Deere combine in 1998. In 2021, Hillco manufactured their 2,500th leveler.

Now called Hillco Technologies, Inc., and owned by Lenny Hill, Archie's son, their team of 55 employees pride themselves on their collaborative effort to design, test, and market methods and mechanisms that advance farming and agricultural practices from start to finish. They continue to preserve Archie's innovative spirit as they expand their product line to offer additional equipment that addresses the unique challenges facing farmers and ranchers in the Pacific Northwest and across the Nation. While Hillco equipment is well known in farming communities nationwide, the Nezperce community recognizes Hillco for their generous support of local businesses, athletics, education, and first responders.

Congratulations to the Hill family and all of the employees at Hillco Technologies, Inc., for being selected as the Idaho Small Business of the Month for July 2022. Thank you for serving Idaho as small business owners and entrepreneurs. You make our great State proud, and I look forward to your continued growth and success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:59 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 228. An act to designate the facility of the United States Postal Service located at 2141 Ferry Street in Anderson, California, as the "Norma Connick Post Office Building".

H.R. 521. An act to permit disabled law enforcement officers, customs and border protection officers, firefighters, air traffic controllers, nuclear materials couriers, members of the Capitol Police, members of the Supreme Court Police, employees of the Central Intelligence Agency performing intelligence activities abroad or having specialized security requirements, and diplomatic security special agents of the Department of State to receive retirement benefits in the same manner as if they had not been disabled.

H.R. 1095. An act to designate the facility of the United States Postal Service located at 101 South Willowbrook Avenue in Compton, California, as the "PFC James Anderson, Jr., Post Office Building".

H.R. 2472. An act to designate the facility of the United States Postal Service located at 82422 Cadiz Jewett Road in Cadiz, Ohio, as the "John Armor Bingham Post Office".

H.R. 3544. An act to require the Administrator of General Services to transfer certain surplus computers and technology equipment to nonprofit computer refurbishers for repair, distribution, and return, and for other purposes.

H.R. 4622. An act to designate the facility of the United States Postal Service located at 226 North Main Street in Roseville, Ohio, as the "Ronald E. Rosser Post Office".

H.R. 5271. An act to designate the facility of the United States Postal Service located at 2245 Rosa L Parks Boulevard in Nashville, Tennessee, as the "Thelma Harper Post Office Building".

H.R. 5794. An act to designate the facility of the United States Postal Service located at 850 Walnut Street in McKeesport, Pennsylvania, as the "First Sergeant Leonard A. Funk, Jr. Post Office Building".

H.R. 5809. An act to designate the facility of the United States Postal Service located at 1801 Town and Country Drive in Norco, California, as the "Lance Corporal Kareem Nikoui Memorial Post Office Building".

H.R. 7331. An act to require the Comptroller General of the United States to provide certain information with respect to unimplemented priority recommendations as part of the Comptroller General's annual reporting to Congress, and for other purposes.

H.R. 7535. An act to encourage the migration of Federal Government information technology systems to quantum-resistant cryptography, and for other purposes.

MEASURES REFERRED

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

H.R. 228. An act to designate the facility of the United States Postal Service located at 2141 Ferry Street in Anderson, California, as the "Norma Connick Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 521. An act to permit disabled law enforcement officers, customs and border protection officers, firefighters, air traffic controllers, nuclear materials couriers, members of the Capitol Police, members of the Supreme Court Police, employees of the Central Intelligence Agency performing intelligence activities abroad or having specialized security requirements, and diplomatic security special agents of the Department of State to receive retirement benefits in the same manner as if they had not been disabled; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1095. An act to designate the facility of the United States Postal Service located at 101 South Willowbrook Avenue in Compton, California, as the "PFC James Anderson, Jr., Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2472. An act to designate the facility of the United States Postal Service located at 82422 Cadiz Jewett Road in Cadiz, Ohio, as the "John Armor Bingham Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3544. An act to require the Administrator of General Services to transfer certain surplus computers and technology equipment to nonprofit computer refurbishers for repair, distribution, and return, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4622. An act to designate the facility of the United States Postal Service located at 226 North Main Street in Roseville, Ohio, as the "Ronald E. Rosser Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5271. An act to designate the facility of the United States Postal Service located at 2245 Rosa L Parks Boulevard in Nashville, Tennessee, as the "Thelma Harper Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5794. An act to designate the facility of the United States Postal Service located at 850 Walnut Street in McKeesport, Pennsylvania, as the "First Sergeant Leonard A. Funk, Jr. Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5809. An act to designate the facility of the United States Postal Service located at 1801 Town and Country Drive in Norco, California, as the "Lance Corporal Kareem Nikoui Memorial Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 7535. An act to encourage the migration of Federal Government information technology systems to quantum-resistant cryptography, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. MURRAY, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 4348. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and bio-similar biological products, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. SCHATZ for the Committee on Indian Affairs.

*Roselyn Tso, of Oregon, to be Director of the Indian Health Service, Department of Health and Human Services, for the term of four years.

*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.

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. CASEY:

S. 4511. A bill to ensure that claims for benefits under the Black Lung Benefits Act are processed in a fair and timely manner, to better protect miners from pneumoconiosis (commonly known as "black lung disease"), and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAMER (for himself, Mr. DAINES, Mr. INHOFE, Mrs. HYDE-SMITH, Mrs. BLACKBURN, Mr. SCOTT of Florida, Mr. MARSHALL, Mr. LANKFORD, Mr. WICKER, and Mr. RUBIO):

S. 4512. A bill to amend part D of title IV of the Social Security Act to ensure that child support for unborn children is collected and distributed under the child support enforcement program, and for other purposes; to the Committee on Finance.

By Mr. BENNET:

S. 4513. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide funding or innovations in community policing, mental health care, and community safety, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG (for himself and Mr. COONS):

S. 4514. A bill to grant certain authorities to the President to combat economic coercion by foreign adversaries, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRUZ (for himself, Mrs. BLACKBURN, Mr. HAWLEY, Ms. ERNST, Mr. LANKFORD, Mr. KENNEDY, Mr. MARSHALL, Mr. INHOFE, and Mrs. HYDE-SMITH):

S. 4515. A bill to require the Secretary of Energy to stipulate, as a condition on the sale at auction of any crude oil from the Strategic Petroleum Reserve, that the crude oil not be exported to certain countries, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. ERNST (for herself, Mr. PETERS, and Ms. HASSAN):

S. 4516. A bill to require the Office of Federal Procurement Policy to develop government-wide procurement policy and guidance to mitigate organizational conflict of interests relating to national security and foreign policy, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. OSSOFF (for himself and Mr. HAWLEY):

S. 4517. A bill to expand the eligible uses of firefighter assistance grant funds, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4518. A bill to extend title 42 expulsion authority, to resume border wall system construction, to preserve the exclusive authority of immigration judges over asylum claims, and to codify the Migrant Protection Protocols; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. MARSHALL, Mr. RISCH, Mrs. HYDE-SMITH, Mr. WICKER, Mr. DAINES, Mr. THUNE, Mr. HAWLEY, and Mr. CRAPO):

S. 4519. A bill to prohibit the Federal Government from promoting, supporting, or contracting with abortion entities, or otherwise expanding access to abortions on Federal lands or in Federal facilities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. BLUMENTHAL):

S. 4520. A bill to establish the Food Safety Administration to protect the public health by ensuring the safety of food, preventing foodborne illness, maintaining safety reviews and reassessments of food additives, enforcing pesticide residue tolerances, improving the surveillance of foodborne pathogens, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself and Mr. PADILLA):

S. 4521. A bill to require the President to develop a strategy to ensure the health, safety, and general welfare of the civilian population of the United States in case of catastrophic incidents disabling 1 or more critical infrastructure sectors or significantly disrupting the critical functions of modern society, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KENNEDY (for himself, Ms. LUMMIS, Mr. SCOTT of South Carolina, and Mr. HAGERTY):

S. 4522. A bill to enhance rulemaking requirements for the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself and Mr. SCOTT of Florida):

S. 4523. A bill to prohibit the Secretary of the Air Force from entering into an agreement that would provide for or permit the joint use of Homestead Air Reserve Base, Homestead, Florida, by the Air Force and civil aircraft; to the Committee on Armed Services.

By Mrs. GILLIBRAND (for herself, Mrs. BLACKBURN, Ms. HIRONO, and Mr. GRAHAM):

S. 4524. A bill to limit the judicial enforceability of predispute nondisclosure and non-disparagement contract clauses relating to disputes involving sexual assault and sexual harassment; to the Committee on the Judiciary.

By Ms. DUCKWORTH:

S. 4525. A bill to establish the Prairie du Rocher French Colonial National Historical Park in the State of Illinois, and for other

purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOKER:

S. 4526. A bill to amend the Immigration and Nationality Act to limit the grounds of deportability for certain relatives of members of the Armed Forces and veterans, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 4527. A bill to amend section 287 of the Immigration and Nationality Act to prohibit immigration officers and agents of the Department of Homeland Security from wearing clothing or other items bearing the word "police"; to the Committee on the Judiciary.

By Ms. SINEMA (for herself and Ms. LUMMIS):

S. 4528. A bill to establish a Government-wide approach to improving digital identity, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY (for himself, Mrs. GILLIBRAND, Mr. DURBIN, Mr. SCHATZ, Ms. WARREN, Mr. MARKEY, Mr. SANDERS, Ms. HIRONO, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. WYDEN, Ms. ROSEN, Mr. CASEY, and Ms. KLOBUCHAR):

S. 4529. A bill to provide protections for children in immigration custody, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN (for himself, Mr. MCCONNELL, Mr. THUNE, Mrs. CAPITO, Mr. BARRASSO, Mr. CRAMER, Mr. CRUZ, Mr. DAINES, Mr. HOEVEN, Mr. LEE, Mr. TOOMEY, Mr. PAUL, Mr. INHOFE, Mr. MARSHALL, Mrs. BLACKBURN, Mr. TUBERVILLE, Ms. ERNST, Mr. GRASSLEY, Mr. SASSE, Mr. WICKER, Mr. HAGERTY, Mr. KENNEDY, Mr. CRAPO, Mr. RISCH, Mr. ROUNDS, Mrs. HYDE-SMITH, Mr. SCOTT of Florida, Ms. MURKOWSKI, Mr. CASSIDY, Mr. JOHNSON, Mr. LANKFORD, Mr. ROMNEY, Mr. HAWLEY, Mr. PORTMAN, Mr. COTTON, Mr. TILLIS, Ms. LUMMIS, Mr. BOOZMAN, Mr. BURR, Mr. SHELBY, Mrs. FISCHER, Mr. MORAN, Mr. YOUNG, Mr. GRAHAM, Mr. CORNYN, Mr. RUBIO, Mr. BLUNT, Mr. SCOTT of South Carolina, Mr. BRAUN, and Ms. COLLINS):

S.J. Res. 55. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Council on Environmental Quality relating to "National Environmental Policy Act Implementing Regulations Revisions"; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. RISCH (for himself, Mr. RUBIO, Mr. CRUZ, Mr. HAGERTY, Mr. CASSIDY, and Mr. BARRASSO):

S. Res. 704. A resolution expressing concern about economic and security conditions in Mexico and reaffirming the interest of the United States in mutually beneficial relations with Mexico based on shared interests on security, economic prosperity, and democratic values, and for other purposes; to the Committee on Foreign Relations.

By Mrs. BLACKBURN (for herself, Mr. LEE, Mr. HAGERTY, Mr. RISCH, Mr. CRAPO, Mr. INHOFE, Mr. BRAUN, Mr. WICKER, Ms. ERNST, Mr. YOUNG, Mr. RUBIO, Mr. SCOTT of Florida, Mr. CRUZ, Mr. THUNE, Mr. CRAMER, Mrs. HYDE-SMITH, and Mr. MARSHALL):

S. Res. 705. A resolution congratulating the pro-life movement on its historic victory in *Dobbs v. Jackson Women's Health Organization*; to the Committee on the Judiciary.

By Mr. HAGERTY (for himself, Mr. CARDIN, Mr. RISCH, Mr. MENENDEZ, Mr. TILLIS, Mr. VAN HOLLEN, Mr. CRUZ, Mr. LEAHY, Mr. SCOTT of Florida, Mr. BLUMENTHAL, Ms. LUMMIS, Ms. DUCKWORTH, Mr. JOHNSON, Mr. COONS, Mr. MORAN, Mr. DURBIN, Mrs. BLACKBURN, Mr. KAINE, Mr. BLUNT, Mr. WARNOCK, Mr. CRAMER, Mr. HICKENLOOPER, Ms. ERNST, Mr. SCHATZ, Mrs. FISCHER, Mr. MARKEY, Mr. ROMNEY, Mr. KELLY, Mr. CASSIDY, Mr. BOOKER, Mr. BOOZMAN, Mrs. FEINSTEIN, Mr. DAINES, Mr. MERKLEY, Mr. ROUNDS, Mr. LUJÁN, Mr. RUBIO, Mr. KING, Mr. TOOMEY, Ms. KLOBUCHAR, Mr. HOEVEN, Mr. PADILLA, Mr. COTTON, Mr. BENNET, Ms. COLLINS, Ms. SMITH, Mr. WICKER, Mrs. MURRAY, Mr. HAWLEY, Mrs. SHAHEEN, Mr. BARRASSO, Mr. CORNYN, Mr. THUNE, Mr. GRAHAM, Mrs. CAPITO, Mr. SHELBY, Mr. PORTMAN, Mr. YOUNG, Mrs. HYDE-SMITH, Mr. SULLIVAN, Mr. CRAPO, Mr. MURPHY, Mr. GRASSLEY, Mr. REED, Mr. INHOFE, Mr. CARPER, Mr. KENNEDY, Mr. WYDEN, and Mr. BURR):

S. Res. 706. A resolution remembering former Prime Minister of Japan Shinzo Abe; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. CASEY, Mr. LUJÁN, Mr. VAN HOLLEN, Ms. CANTWELL, Mr. BROWN, Mr. BLUMENTHAL, Mr. WYDEN, Mr. REED, Ms. WARREN, Mrs. HASSAN, Ms. KLOBUCHAR, Mr. SANDERS, Ms. BALDWIN, Mr. MERKLEY, Mr. CARDIN, Ms. DUCKWORTH, Mr. MARKEY, Mr. CARPER, Mr. WHITEHOUSE, Mr. KAINE, Mr. PADILLA, Mr. BOOKER, Mr. PETERS, Ms. SMITH, Mr. HICKENLOOPER, Mr. KING, Ms. HIRONO, Mr. DURBIN, Mr. MURPHY, Mrs. FEINSTEIN, Mr. COONS, Ms. ROSEN, and Ms. CORTEZ MASTO):

S. Res. 707. A resolution commemorating the 57th anniversary of the establishment of the Equal Employment Opportunity Commission, recognizing the importance of the Commission in addressing inequities in our economy, and recognizing the tremendous amount of work left to further protect the rights of workers, hold employers accountable for workplace discrimination and harassment, and address the wage gap; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. TILLIS, Mrs. SHAHEEN, Mrs. FISCHER, Mr. VAN HOLLEN, Mr. RUBIO, Mr. MARKEY, Mr. CARDIN, Mr. KAINE, and Mr. COONS):

S. Res. 708. A resolution expressing the sense of the Senate on the political repression in Belarus on the two-year anniversary of the August 2020, fraudulent presidential election; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 304

At the request of Ms. DUCKWORTH, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 304, a bill to provide targeted funding for States and other eligible entities through the Social Services Block Grant program to address the increased burden that maintaining the health and hygiene of infants and toddlers, medically complex children, and

low-income adults or adults with disabilities who rely on adult incontinence materials and supplies place on families in need, the resultant adverse health effects on children and families, and the limited child care options available for infants and toddlers who lack sufficient diapers and diapering supplies, and for other purposes.

S. 331

At the request of Mr. CASEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 331, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 350

At the request of Ms. HASSAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 350, a bill to amend the Public Health Service Act to reauthorize certain programs under part A of title XI of such Act relating to genetic diseases, and for other purposes.

S. 481

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 481, a bill to secure the Federal voting rights of persons when released from incarceration.

S. 650

At the request of Ms. CORTEZ MASTO, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 650, a bill to enable the payment of certain officers and employees of the United States whose employment is authorized pursuant to a grant of deferred action, deferred enforced departure, or temporary protected status.

S. 673

At the request of Ms. KLOBUCHAR, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 673, a bill to provide a temporary safe harbor for publishers of online content to collectively negotiate with dominant online platforms regarding the terms on which content may be distributed.

S. 692

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 692, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 1725

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

S. 1784

At the request of Ms. DUCKWORTH, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 1784, a bill to amend the Fairness to Contact Lens Consumers Act to

modernize verification of contact lens prescriptions, and for other purposes.

S. 1848

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1848, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 2287

At the request of Ms. BALDWIN, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2287, a bill to improve Federal population surveys by requiring the collection of voluntary, self-disclosed information on sexual orientation and gender identity in certain surveys, and for other purposes.

S. 2410

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2410, a bill to address and take action to prevent bullying and harassment of students.

S. 2593

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2593, a bill to amend the Higher Education Act of 1965 to improve Federal oversight of foreign funding in education.

S. 2683

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2683, a bill to amend title XXXIII of the Public Health Service Act with respect to flexibility and funding for the World Trade Center Health Program, and for other purposes.

S. 2693

At the request of Mr. PADILLA, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2693, a bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to authorize additional projects related to the Salton Sea, and for other purposes.

S. 2706

At the request of Mr. MENENDEZ, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2706, a bill to improve diversity in clinical trials and data collection for COVID-19 and future public health threats to address social determinants of health.

S. 3384

At the request of Mr. BOOKER, the name of the Senator from Georgia (Mr.

WARNOCK) was added as a cosponsor of S. 3384, a bill to establish in the Department of State the Office to Monitor and Combat Islamophobia, and for other purposes.

S. 3548

At the request of Ms. SMITH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of 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.

S. 3909

At the request of Mr. Kaine, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3909, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 4081

At the request of Ms. BALDWIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 4081, a bill to amend the Consolidated Farm and Rural Development Act to establish a grant program to assist with the purchase, installation, and maintenance of point-of-entry and point-of-use drinking water quality improvement products, and for other purposes.

S. 4105

At the request of Mr. BROWN, the names of the Senator from Minnesota (Ms. SMITH), the Senator from Michigan (Mr. PETERS), the Senator from Nebraska (Mrs. FISCHER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 4105, a bill to treat certain liquidations of new motor vehicle inventory as qualified liquidations of LIFO inventory for purposes of the Internal Revenue Code of 1986.

S. 4182

At the request of Ms. BALDWIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 4182, a bill to direct the Secretary of Labor to issue an occupational safety and health standard that requires covered employers within the health care and social service industries to develop and implement a comprehensive workplace violence prevention plan, and for other purposes.

S. 4223

At the request of Mr. TESTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 4223, a bill to increase, effective as of December 1, 2022, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 4240

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 4240, a bill to amend section 2441

of title 18, United States Code, to broaden the scope of individuals subject to prosecution for war crimes.

S. 4398

At the request of Mr. WHITEHOUSE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 4398, a bill to allow Juvenile Justice and Delinquency Prevention Program assistance be used to reduce racial and ethnic disparities, and for other purposes.

S. 4432

At the request of Mr. MARKEY, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 4432, a bill to require the Secretary of Commerce to establish the Sea Turtle Rescue Assistance Grant Program.

S. 4441

At the request of Mr. BOOZMAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 4441, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide for peer support specialists for claimants who are survivors of military sexual trauma, and for other purposes.

S. 4466

At the request of Mr. MENENDEZ, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 4466, a bill to amend the Peace Corps Act by reauthorizing the Peace Corps, providing better support for current, returning, and former volunteers, and for other purposes.

S. 4467

At the request of Ms. SMITH, the names of the Senator from California (Mr. PADILLA) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 4467, a bill to preserve access to abortion medications.

S. 4499

At the request of Mrs. BLACKBURN, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 4499, a bill to prohibit any requirement that a member of the National Guard receive a vaccination against COVID-19.

S. 4504

At the request of Ms. CORTEZ MASTO, the names of the Senator from Delaware (Mr. CARPER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 4504, a bill to protect freedom of travel and reproductive rights.

S. 4510

At the request of Ms. DUCKWORTH, the names of the Senator from Delaware (Mr. CARPER), the Senator from Massachusetts (Mr. MARKEY), the Senator from New Jersey (Mr. BOOKER), the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Ms. WARREN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 4510, a bill to protect clean

air and public health by expanding fenceline and ambient air monitoring and access to air quality information for communities affected by air pollution, to require hazardous air pollutant monitoring at the fenceline of facilities whose emissions are linked to local health threats, to ensure the Environmental Protection Agency promulgates rules that require hazardous air pollutant data measurement and electronic submission at fencelines and stacks of industrial source categories, to expand and strengthen the national ambient air quality monitoring network, to deploy air sensors in communities affected by air pollution, and for other purposes.

S.J. RES. 25

At the request of Mrs. SHAHEEN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S.J. Res. 25, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 669

At the request of Mr. MERKLEY, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. Res. 669, a resolution condemning the use of hunger as a weapon of war and recognizing the effect of conflict on global food security and famine.

S. RES. 697

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 697, a resolution designating July 2022 as "Plastic Pollution Action Month".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENNET:

S. 4513. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide funding or innovations in community policing, mental health care, and community safety, and for other purposes; to the Committee on the Judiciary.

Mr. BENNET. Mr. President, a few years ago, a police officer in Pueblo, CO, was kind enough to let me join him in a squad car for a few hours to get a sense of what his daily beat was like. It was in the middle of the night. It didn't take very long to appreciate that our country asks law enforcement to do a lot more than simply enforce the law.

Washington has underinvested in the American people year after year after year in areas like housing, education, and mental health. It has left law enforcement to pick up the pieces. It has put them in a position wherein they are not only having to serve as law enforcement officers but also as social workers, as mental health professionals, and as responders for issues like homelessness or drug addiction, even though nobody has trained them for it necessarily.

That result has been really tough for officers on the ground in Colorado and across the country. It strains their resources, adds to the workload, and accelerates burnout. It has also been hard for communities. It diverts law enforcement from violent crime, and it means we are forcing officers to address mental health issues and problems instead of dealing with the underlying issues that produce many 9-1-1 calls in the first place.

I am sad to say that all of these underlying issues that everybody is familiar with have gotten worse during the pandemic. It is one reason there has been a spike in crime that started in 2020, before the current administration, and it has continued ever since. In 2020, murders rose nearly 30 percent. Aggravated assault was up 12 percent. Motor vehicle theft was up 12 percent. Again, this was in 2020, before the current administration, but, sadly, many of these trends have continued. In a survey of small businesses, 54 percent of American small businesses reported an increase in shoplifting last year.

To deal with this rise in crime, we need to increase funding for the COPS Program, which I strongly support, so we can hire more officers and strengthen community police. I think we should pass a bill that I am introducing today, called the SMART Community Policing Act. The bill is based on 28 highly successful programs across Colorado, in places like Denver and Grand Junction.

As I mentioned, you know, a lot of 9-1-1 calls involve lower risk situations that don't always require a police officer, but some combination of an EMT, a mental health specialist, or a social worker can get the job done, allowing law enforcement to focus on violent crime, but in most of the country, law enforcement has to answer every one of those 9-1-1 calls.

The SMART Community Policing Act creates resources for law enforcement to partner with local organizations and service providers so they send the right responder depending on what the problem actually is. That lets law enforcement focus on violent crime and lets other responders with the right training deal with lower risk situations, like when someone is experiencing a mental health crisis or a severe drug withdrawal. These trained professionals can deescalate the situation. They can connect people with the right resources and do the comprehensive followup to keep them from requiring emergency services again and again and again.

Grand Junction's Co-Responder Unit has answered over 3,200 calls since the program began in 2018. Denver's STAR Program has responded to almost 4,600 calls since 2020.

I had a chance to hear about the STAR Program from Denver's police chief, Paul Pazen, 2 years ago. He told me about a mom who had called 9-1-1 because she was having a lot of trouble with her child. You don't need a police

officer for that, so they sent responders from STAR, who deescalated the situation and saved law enforcement precious time.

If you add it all up, those are thousands of hours that officers in Denver and Grand Junction and across Colorado could spend focusing on violent crime instead of on issues that other people might have greater expertise to deal with, people with the right training in nonviolent situations. It allows us to reduce the strain on the system.

None of this is speculation. When Stanford University studied Denver's program, they found that in neighborhoods patrolled by STAR, reports of less serious crimes dropped by more than a third and that the program saved a lot of money, a ton of money. It cost about \$150 when STAR responded to an offense compared to nearly \$650 when the Denver PD responded on their own.

I can appreciate what these savings would mean for a local police department. My colleagues may remember that before I was in the Senate, one of my jobs was serving as chief of staff to JOHN HICKENLOOPER, who was then the mayor of Denver. I don't know what became of him, but he was a very good mayor for the city and county of Denver. In that job, I heard all the time from community leaders as to how they wished there were resources beyond law enforcement for situations that were better suited for a social worker or a mental health expert.

I would have loved to have had the STAR Program when I was working for the city and county of Denver, and I would have loved it when I was the superintendent of the Denver Public Schools, where a lot of my job was working with the Denver Police Department to keep our schools safe and to reduce the ticketing of kids so they weren't cycling through the criminal justice system prematurely.

All of this experience led me to write this bill, and I view this as one more area wherein Colorado offers a model for the country to take on the rise in crime in a smart and thoughtful way.

Americans have a reasonable expectation—a reasonable expectation—that Washington cares as much about their safety as they do, and they expect the people they send to Washington to actually come up with useful solutions. I think this bill meets that test. It responds to the needs of law enforcement and to the needs of communities. I don't know how anybody here could object to it.

If you want to reduce violent crime, you should support this bill. If you want trained experts responding to nonviolent 9-1-1 calls instead of police officers, you should support this bill. If you want to save taxpayers money, you should support this bill. So I hope my colleagues on both sides of the aisle will take a look at this proposal, and I gladly welcome their support.

By Mr. DURBIN (for himself and Mr. BLUMENTHAL):

S. 4520. A bill to establish the Food Safety Administration to protect the public health by ensuring the safety of food, preventing foodborne illness, maintaining safety reviews and reassessments of food additives, enforcing pesticide residue tolerances, improving the surveillance of foodborne pathogens, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

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

S. 4520

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 "Food Safety Administration Act of 2022".

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATION.—The term "Administration" means the Food Safety Administration established under section 101(a)(1).

(2) ADMINISTRATOR.—The term "Administrator" means the Administrator of Food Safety appointed under section 101(a)(2).

(3) FACILITY.—The term "facility" means any factory, warehouse, or establishment that is subject to the requirements of section 415 or 419 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350d; 350h).

SEC. 3. EFFECTIVE DATE.

This Act, including the amendments made by this Act, shall take effect 180 days after the date of enactment of this Act.

SEC. 4. FUNDING.

(a) TRANSFER OF FUNDS.—The appropriations, allocations, and other funds that relate to the authorities, functions and agencies transferred under section 102 shall be transferred to the Administration.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, such sums as may be necessary for fiscal year 2023 and each fiscal year thereafter.

TITLE I—ESTABLISHMENT OF FOOD SAFETY ADMINISTRATION

SEC. 101. ESTABLISHMENT OF FOOD SAFETY ADMINISTRATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the Department of Health and Human Services an agency to be known as the "Food Safety Administration".

(2) HEAD OF ADMINISTRATION.—The Administration shall be headed by the Administrator of Food Safety, who shall have food safety expertise, and be appointed by the President, by and with the advice and consent of the Senate.

(3) EFFECT.—The Federal Food and Drug Administration shall be renamed "Federal Drug Administration" and retain responsibility for carrying out its responsibilities related to drugs, cosmetics, devices, biological products, color additives, and tobacco. The Commissioner of Food and Drugs shall be renamed the "Commissioner of Drugs", and shall retain the responsibilities of the Commissioner of Food and Drugs, except such responsibilities that relate to food, which shall be assumed by the Administrator of Food Safety. Each reference in statute to the "Food and Drug Administration" shall be deemed a reference to the "Federal Drug Administration", and each reference in statute to the "Commissioner of Food and Drugs" shall be deemed a reference to the "Commissioner of Drugs".

shall be deemed a reference to the "Commissioner of Drugs".

(b) DUTIES OF THE ADMINISTRATOR.—The Administrator shall—

(1) administer and enforce all authorities under chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.);

(2) serve as a representative to international food safety bodies and discussions;

(3) promulgate and enforce regulations to ensure the security of the food supply from all forms of contamination, including intentional contamination; and

(4) oversee—

(A) implementation of Federal food safety;

(B) inspection, labeling, enforcement, and research efforts to protect the public health;

(C) development of consistent and science-based standards for safe food;

(D) safety reviews and reassessments of food additives;

(E) establishment and enforcement of tolerances for poisonous or deleterious substances;

(F) monitoring and enforcement of pesticide residue tolerances in or on foods;

(G) coordination and prioritization of food safety research and education programs with other Federal agencies;

(H) prioritization of Federal food safety efforts and deployment of Federal food safety resources to achieve the greatest benefit in reducing foodborne illness;

(I) coordination of the Federal response to foodborne illness outbreaks with other Federal and State agencies;

(J) integration of Federal food safety activities with State and local agencies; and

(K) assignment of tolerances for animal drugs used in food-producing animals.

SEC. 102. TRANSFER OF AUTHORITY, FUNCTIONS AND AGENCIES.

(a) TRANSFER OF AUTHORITY.—The Agency shall assume responsibility for carrying out chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) and maintain all enforcement authorities with respect to food held by the Food and Drug Administration on the date of enactment of this Act.

(b) TRANSFER OF FUNCTIONS.—For each Federal agency, office, and center specified in subsection (c), there are transferred to the Administration all functions that the head of the Federal agency exercised on the day before the date of enactment of this Act (including all related functions of any officer or employee of the Federal agency) that relate to administration or enforcement of the food safety law, as determined by the President.

(c) TRANSFERRED AGENCIES.—The Federal agencies referred to in subsection (b) are—

(1) the resources and facilities of the Center for Food Safety and Applied Nutrition of the Food and Drug Administration that administer chapter IV of the Federal Food, Drug, and Cosmetics Act (21 U.S.C. 341 et seq.);

(2) the resources and facilities of the Office of Regulatory Affairs of the Food and Drug Administration that administer and conduct inspections of food and feed facilities and imports;

(3) the resources and facilities of the Center for Veterinary Medicine of the Food and Drug Administration that administer chapter IV of the Federal Food, Drug, and Cosmetics Act (21 U.S.C. 341 et seq.);

(4) the Office of Food Policy and Response of the Food and Drug Administration; and

(5) such other offices, services, or agencies as the President designates by Executive order to carry out this Act.

(d) CONFORMING AMENDMENT.—Subchapter A of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 et seq.) is amended by adding at the end the following:

“SEC. 703. REGULATION OF FOOD.

“Notwithstanding any other provision of this Act, beginning on the date that is 180 days after the date of enactment of the Food Safety Administration Act of 2022, any authority under this Act that relates to food shall be under the authority of the Food Safety Administration, and shall be carried out by the Administrator of Food Safety. Any reference in this Act to authorities related to food held by the Secretary shall be deemed to be references to authorities held by the Administrator of Food Safety.”

SEC. 103. ADDITIONAL DUTIES OF THE ADMINISTRATION.

(a) **OFFICERS AND EMPLOYEES.**—The Administrator may—

(1) appoint officers and employees for the Administration in accordance with the provisions of title 5, United States Code, relating to appointment in the competitive service; and

(2) fix the compensation of those officers and employees in accordance with chapter 51 and with subchapter III of chapter 53 of that title, relating to classification and General Schedule pay rates.

(b) **EXPERTS AND CONSULTANTS.**—The Administration may—

(1) procure the services of temporary or intermittent experts and consultants as authorized by section 3109 of title 5, United States Code; and

(2) pay in connection with those services the travel expenses of the experts and consultants, including transportation and per diem in lieu of subsistence while away from the homes or regular places of business of the individuals, as authorized by section 5703 of that title.

(c) **BUREAUS, OFFICES, AND DIVISIONS.**—The Administrator may establish within the Administration such bureaus, offices, and divisions as the Administrator determines are necessary to perform the duties of the Administrator.

(d) **ADVISORY COMMITTEES.**—

(1) **IN GENERAL.**—The Administrator shall establish advisory committees that consist of representative of scientific expert bodies, academics, industry specialists, and consumers.

(2) **DUTIES.**—The duties of an advisory committee established under paragraph (1) may include developing recommendations with respect to the development of regulatory science and processes, research, communications, performance standards, and inspection.

TITLE II—ADMINISTRATION OF FOOD SAFETY PROGRAM**SEC. 201. ESTABLISHMENT OF INSPECTION PROGRAM.**

(a) **IN GENERAL.**—The Administrator shall establish an inspection program, which shall include inspections of food facilities subject to subsection (b) and in accordance with section 202.

(b) **FACILITY CATEGORIES.**—Not later than 6 months after the date of enactment of this Act, the Administrator shall issue formal guidance defining the criteria by which food facilities will be divided into “high-risk,” “intermediate risk,” and “low-risk” facilities.

(c) **INSPECTION FREQUENCIES.**—Frequency of inspections of food facilities under this Act shall be based on the categories defined pursuant to subsection (b) and in accordance with section 202.

SEC. 202. INSPECTIONS OF FOOD FACILITIES.

(a) **FREQUENCY OF INSPECTIONS.**—

(1) **HIGH-RISK FACILITIES.**—The Administrator shall inspect high-risk facilities not less than once per a year.

(2) **“INTERMEDIATE-RISK FACILITIES.”**—The Administrator shall inspect intermediate-

risk facilities not less than once every 2 years.

(3) **“LOW-RISK FACILITIES.”**—The Administrator shall inspect low risk facilities, which shall include warehouses or similar facilities that engage in packaging or distribution, and pose very minimal public health risk, not less than once every 3 years.

(b) **INFANT FORMULA MANUFACTURING FACILITIES.**—The Administrator shall inspect the facilities of each manufacturer of infant formula not less than every 6 months.

(c) **FEDERAL AND STATE COOPERATION.**—The Administrator shall contract with State officials to carry out half of the safety inspections required under this section.

SEC. 203. COMPLIANCE CHECKS.

Not later than 30 days after issuing a form that is equivalent to an FDA Form 483 to a facility, pursuant to an inspection under section 704 of Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374), the Administrator shall conduct a follow-up compliance check with the facility.

SEC. 204. TRACEABILITY RULE.

Not later than November 7, 2022, the Administrator shall promulgate a final rule that is based on the proposed rule issued by the Food and Drug Administration titled, “Requirements for Additional Traceability Records for Certain Foods” (85 Fed. Reg. 59984 (Sept. 23, 2021)).

SEC. 205. NOTICE OF CIRCUMSTANCES THAT COULD LEAD TO A SHORTAGE.

Chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) is amended by adding at the end the following:

“SEC. 424. NOTICE OF CIRCUMSTANCES THAT COULD LEAD TO A SHORTAGE.

“(a) **NOTICE REQUIREMENT.**—Not later than 5 business days after a manufacturer of infant formula or essential medical food becomes aware of circumstances that could lead to a shortage of infant formula or essential medical food in the United States, such manufacturer shall give written notice of such circumstances to the Administrator.

“(b) **FINES.**—If the Administrator finds that a manufacturer of infant formula or essential medical food is in violation of the requirement of this section to give written notice, such violation shall be treated as an infraction for purposes of imposing a fine in accordance with title 18, United States Code.

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘Administrator’ means the Administrator of Food Safety.

“(2) The term ‘essential medical food’ means a food that—

“(A) is formulated to be consumed or administered enterally under the supervision of a physician;

“(B) is intended for the specific dietary management of a disease or condition for which distinctive nutritional requirements, based on recognized scientific principles, are established by medical evaluation; and

“(C) is identified by the Administrator as being essential for any urgent medical condition.”.

SUBMITTED RESOLUTIONS**SENATE RESOLUTION 704—EXPRESSING CONCERN ABOUT ECONOMIC AND SECURITY CONDITIONS IN MEXICO AND REAFFIRMING THE INTEREST OF THE UNITED STATES IN MUTUALLY BENEFICIAL RELATIONS WITH MEXICO BASED ON SHARED INTERESTS ON SECURITY, ECONOMIC PROSPERITY, AND DEMOCRATIC VALUES, AND FOR OTHER PURPOSES**

Mr. RISCH (for himself, Mr. RUBIO, Mr. CRUZ, Mr. HAGERTY, Mr. CASSIDY, and Mr. BARRASSO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 704

Whereas December 12, 2022, marks the 200th anniversary of the establishment of diplomatic relations between the United States and Mexico;

Whereas, over the course of 200 years, the Governments and people of the United States and Mexico have developed deep cultural, economic, and diplomatic relations that have been instrumental in creating prosperity in both countries and throughout the hemisphere;

Whereas, according to the United States Trade Representative and the Department of Commerce, United States goods and services trade with Mexico totaled an estimated \$677,300,000,000 in 2019, and United States exports of goods and services to Mexico supported an estimated 1,200,000 jobs in 2015;

Whereas, according to the United States Bureau of Economic Analysis, the United States is Mexico's top source of foreign direct investment in 2019 with \$100,900,000,000, or 39.1 percent of all inflows (stock) to Mexico, according to Mexico's Secretariat of Economy;

Whereas the United States exports roughly \$20,000,000,000 in agricultural products to Mexico annually, nearly \$6,000,000,000 of which are biotech crops and derived products;

Whereas the government of President Lopez Obrador has pursued major legal and regulatory measures that pose significant risks and uncertainty to cross-border trade, including denying 14 biotechnology applications since May 2018, front-of-packing labeling requirements imposed in November 2020, unilateral certification requirements on all United States organic exports to Mexico imposed in December 2020, the December 31, 2020, Presidential Decree to phase out the use of glyphosate and genetically modified corn for human consumption, the February 2021 Electricity Industry Law, and the May 2021 Hydrocarbons Law;

Whereas the government of President Lopez Obrador has suspended import permits for more than 80 energy companies, has ended permits for energy import facilities, which puts United States investment at risk, and is advancing a constitutional reform bill that would dissolve the power market in Mexico, eliminate independent regulators, and cancel contracts and permits granted to private companies;

Whereas arbitrary and punitive actions against United States businesses operating in Mexico by the government of President Lopez Obrador, such as the recent shutdown of a limestone quarry owned by a United States company that is a critical component of the construction aggregates supply chain

for the southeast United States, are damaging the economic relationship between the United States and Mexico, disrupting North American supply chains, and threatening to undermine the confidence of United States businesses in Mexico as a viable and predictable marketplace and destination for investment;

Whereas United States law enforcement encountered over 1,700,000 migrants attempting to enter the United States illegally through the southern border with Mexico in 2021, and have encountered over 1,500,000 in the first months of 2022, reaching an all-time high of 239,416 encounters in May 2022;

Whereas United States law enforcement is seeing increasing numbers of criminals trying to enter the United States illegally, arresting nearly 6,000 in the first few months of 2022, compared to 10,763 in 2021 and 2,438 in 2020;

Whereas, in May 2022, Secretary of Homeland Security Alejandro Mayorkas declared with regards to encounters of illegal immigrants at the United States southern border, “We’re seeing about a seven-day average of over 7,500 people, so we have not seen a significant decrease in the flows.”;

Whereas U.S. Customs and Border Protection operational statistics showed fentanyl seizures at the United States southern border increased 56 percent in March 2022 compared to March 2021, with over a 300 percent increase from March 2020;

Whereas U.S. Customs and Border Protection noted a 1,066-percent increase in fentanyl seizures at 8 South Texas ports of entry during Fiscal Year 2021, and Texas law enforcement seized enough fentanyl to comprise over 36,200,000 lethal doses during the same time period;

Whereas the Centers for Disease Control and Prevention (CDC) reported a record of 106,000 overdose deaths in the United States, with more than 70,000 of those attributed to synthetic opioids, a substantial amount of which are illicitly produced in Mexico using precursor chemicals imported from the People’s Republic of China and mixed or reshipped by Mexican drug cartels;

Whereas reports from the United States Northern Command indicate that Mexican cartels now control 30 to 35 percent of Mexican territory, with Mexico’s midterm elections in June 2021 being the most violent on record driven by cartel violence and attempts to thwart the democratic process;

Whereas more than 80 politicians were killed prior to the June 2021 midterm elections in Mexico, with the Mexican cartels claiming responsibility for the killings of at least 35 candidates, according to several reports;

Whereas, according to the Initiative on Nonstate Armed Actors of the Brookings Institution, Mexico registered almost 35,000 murders in 2021 near an all-time high, representing 27 murders per 100,000 and primarily attributable to ties related to transnational criminal organizations, while the effective prosecution rate for homicides remains around 2 percent;

Whereas, according to the Initiative on Nonstate Armed Actors, the rivalry between the Sinaloa Cartel and Cartel Jalisco Nueva Generación (CJNG) has violently spread to Colombia, one of the United States’ closest allies in the Western Hemisphere, with CJNG deploying drone-mounted bombs to seize territory and Sinaloa taking over both the legal and illegal economies of the territories in dispute;

Whereas, in 2021, the government of President Obrador disbanded a select Mexican anti-narcotics unit that, for a quarter of a century, worked hand-in-hand with the United States Drug Enforcement Administration (DEA) to tackle organized crime;

Whereas President Obrador has spearheaded legal and regulatory measures to reduce or eliminate the independence of Mexican autonomous institutions and regulators, including the Federal Economic Competition Commission, the Federal Institute for Telecommunications, the Energy Regulatory Commission, and the National Electoral Institute;

Whereas, at a March 2022 hearing of the Committee on Armed Services of the Senate, United States Northern Command Commander, General Glen D. VanHerck, testified that “the largest portion of [Russian intelligence personnel] in the world is in Mexico right now” and “they keep an eye very closely on their opportunities to have influence on U.S. opportunities and access”;

Whereas Mexico voted in the United Nations General Assembly to condemn the Russian invasion of Ukraine, while abstaining from suspending Russia as a permanent observer of the Organization of American States and from expelling Russia from the United Nations Human Rights Council;

Whereas President Obrador has increasingly turned to the People’s Republic of China to finance controversial infrastructure projects, including the Dos Bocas Refinery and the Maya Train, while the People’s Republic of China’s State Power Investment Corporation (SPIC) acquired Mexican renewables power company Zuma Energy during a time when private corporations were fleeing the sector; and

Whereas Mexico remains one of the world’s most dangerous countries for journalists and media workers, including the deaths of 12 journalists to date in 2021 alone; Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the interest of the United States in mutually beneficial relations with Mexico based on shared interests on security, economic prosperity, and democratic values;

(2) reaffirms support for stronger economic relations with Mexico, including to strengthen the resiliency of critical supply chains in North America and the Western Hemisphere in general;

(3) expresses deep concerns about the worsening investment climate in Mexico, and calls on the President to take meaningful actions to defend United States economic interests in Mexico and uphold the integrity of the United States-Mexico-Canada Agreement (USMCA);

(4) urges the President to address the humanitarian and security crisis at the border with Mexico by—

(A) establishing effective immigration controls in the United States;

(B) targeting United States foreign assistance efforts to strengthen border security and migration management capacities in the region; and

(C) leveraging existing bilateral extradition treaties and the Palermo Protocols to prosecute transnational criminal actors facilitating illegal migration to the United States;

(5) is deeply concerned about the growing sophistication and territorial control of transnational criminal organizations in Mexico, and reaffirms the urgent need to prioritize a detailed and well-resourced plan to reduce the production and trafficking of illicit narcotics in Mexico, including the illicit traffic of precursor chemicals imported from the People’s Republic of China for the manufacture of synthetic opioids, such as fentanyl, and that such efforts do not result in a breakdown in the rule of law or respect for internationally-recognized human rights in Mexico; and

(6) urges the Government of Mexico to meaningfully reduce the threat of deadly

synthetic opioids, uphold its domestic and international commitments to legal, safe, and orderly immigration, uphold its obligations under the USMCA, respect the independence of autonomous regulatory institutions, and guard against the negative influence of the People’s Republic of China and the Russian Federation in North America and the Western Hemisphere in general.

SENATE RESOLUTION 705—CONGRATULATING THE PRO-LIFE MOVEMENT ON ITS HISTORIC VICTORY IN *DOBBS V. JACKSON WOMEN’S HEALTH ORGANIZATION*

Mrs. BLACKBURN (for herself, Mr. LEE, Mr. HAGERTY, Mr. RISCH, Mr. CRAPO, Mr. INHOFE, Mr. BRAUN, Mr. WICKER, Ms. ERNST, Mr. YOUNG, Mr. RUBIO, Mr. SCOTT of Florida, Mr. CRUZ, Mr. THUNE, Mr. CRAMER, Mrs. HYDE-SMITH, and Mr. MARSHALL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 705

Whereas the decision of the Supreme Court of the United States (referred to in this preamble as the “Supreme Court”) in *Roe v. Wade*, 410 U.S. 113 (1973), was a blatant act of judicial activism that invented a constitutional right to abortion out of whole cloth, with no grounding in the text of the Constitution of the United States;

Whereas more than 63,000,000 babies have been aborted in the United States since the decision of the Supreme Court in *Roe v. Wade*;

Whereas the decision in *Roe v. Wade* caused great damage to the democratic system of the United States by preventing citizens of the United States from making decisions about the legality of abortion and instead putting these decisions in the hands of unelected Federal judges;

Whereas, far from settling the issue of abortion in the United States, the decision of the Supreme Court in *Roe v. Wade* has exacerbated social tensions, inflamed the politics of the United States, disrupted the democratic processes of the United States, and divided the people of the United States;

Whereas, in the aftermath of the decision of the Supreme Court in *Roe v. Wade*, millions of volunteers, nonpartisan organizations, and lawmakers came together with a shared voice to stand up for the rights of the unborn, who are the most vulnerable among us;

Whereas these supporters of the pro-life movement come from diverse backgrounds, with the shared goal of building a society that celebrates, protects, and cherishes life at all stages;

Whereas the pro-life movement has worked tirelessly over the last 5 decades to reverse the legally unsound and destructive ruling in *Roe v. Wade* and to ensure that the human dignity of every person is protected by law, regardless of age, background, or belief;

Whereas the work of the pro-life movement has been more than simply advocating for the Supreme Court to overturn *Roe v. Wade* and often occurs behind the scenes, with little recognition of the time and talent that countless individuals have invested in the effort to protect life;

Whereas millions of people in the United States have contributed to the cultivation of a culture of life in the United States by marching for life on the streets of cities in the United States, engaging in sidewalk

counseling outside abortion clinics, providing resources for expectant mothers, raising money and volunteering their time for crisis pregnancy centers, adopting and fostering children, advocating for life-affirming legislation in every State, and submitting amicus briefs in abortion-related cases at the State and Federal level;

Whereas, on June 24, 2022, the Supreme Court issued its decision in *Dobbs v. Jackson Women's Health Organization*, No. 19-1392, 2022 WL 2276808 (2022), which overturned *Roe v. Wade* and affirmed that there is no Federal constitutional right to an abortion;

Whereas the decision in *Dobbs v. Jackson Women's Health Organization* represents a historic victory for the sanctity of life and for the millions of people in the United States who have worked diligently over the last 5 decades to foster a culture of life in the United States;

Whereas the decision of the Supreme Court in *Dobbs v. Jackson Women's Health Organization* does not ban abortion but instead recognizes that under the constitutional system of the United States, the power and the duty to decide whether to permit or limit abortions lies with the States, not unelected Federal judges;

Whereas, as the late Justice Scalia recognized 3 decades ago in his dissent in *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), "The permissibility of abortion, and the limitations upon it, are to be resolved like most important questions in our democracy: by citizens trying to persuade one another and then voting."; and

Whereas the decision of the Supreme Court in *Dobbs v. Jackson Women's Health Organization* returns the issue of abortion back to the States, for the people of each State to debate and then vote: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the pro-life movement and the millions of individuals who have stood up for life over the last nearly 50 years on this historic victory in *Dobbs v. Jackson Women's Health Organization*;

(2) celebrates the courage, compassion, and commitment of the millions of individuals, nonpartisan organizations, and lawmakers who have advocated for life and labored tirelessly to overturn *Roe v. Wade*;

(3) lauds the Supreme Court of the United States for the decision to return to the original understanding of the Constitution of the United States and recognize that there is no Federal constitutional right to an abortion;

(4) recognizes the uniqueness of the political system of the United States, in which our States function as laboratories of democracy, enabling citizens to debate issues like abortion in the public square and make their voices heard by voting;

(5) affirms the commitment of Congress to ensuring the safety of supporters of the pro-life movement, including lawful demonstrators, volunteers, religious clergy, and crisis pregnancy center personnel, as they continue to advocate for the sanctity of every human life in all 50 States; and

(6) condemns all threats and incidents of violence fueled by the decision of the Supreme Court of the United States in *Dobbs v. Jackson Women's Health Organization* and affirms the commitment of Congress to ensuring the safety of justices of the Supreme Court, their law clerks, other State and Federal judges and their law clerks, members of Congress, and State lawmakers.

SENATE RESOLUTION 706—REMEMBERING FORMER PRIME MINISTER OF JAPAN SHINZO ABE

Mr. HAGERTY (for himself, Mr. CARDIN, Mr. RISCH, Mr. MENENDEZ, Mr.

TILLIS, Mr. VAN HOLLEN, Mr. CRUZ, Mr. LEAHY, Mr. SCOTT of Florida, Mr. BLUMENTHAL, Ms. LUMMIS, Ms. DUCKWORTH, Mr. JOHNSON, Mr. COONS, Mr. MORAN, Mr. DURBIN, Mrs. BLACKBURN, Mr. KAINE, Mr. BLUNT, Mr. WARNOCK, Mr. CRAMER, Mr. HICKENLOOPER, Ms. ERNST, Mr. SCHATZ, Mrs. FISCHER, Mr. MARKEY, Mr. ROMNEY, Mr. KELLY, Mr. CASSIDY, Mr. BOOKER, Mr. BOOZMAN, Mrs. FEINSTEIN, Mr. DAINES, Mr. MERKLEY, Mr. ROUNDS, Mr. LUJÁN, Mr. RUBIO, Mr. KING, Mr. TOOMEY, Ms. KLOBUCHAR, Mr. HOEVEN, Mr. PADILLA, Mr. COTTON, Mr. BENNET, Ms. COLLINS, Ms. SMITH, Mr. WICKER, Mrs. MURRAY, Mr. HAWLEY, Mrs. SHAHEEN, Mr. BARRASSO, Mr. CORNYN, Mr. THUNE, Mr. GRAHAM, Mrs. CAPITO, Mr. SHELBY, Mr. PORTMAN, Mr. YOUNG, Mrs. HYDE-SMITH, Mr. SULLIVAN, Mr. CRAPO, Mr. MURPHY, Mr. GRASSLEY, Mr. REED, Mr. INHOFE, Mr. CARPER, Mr. KENNEDY, Mr. WYDEN, and Mr. BURR) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 706

Whereas the emergence of a prosperous and democratic Japan over the past 75 years has been one of the foundations of global stability and peace in the world;

Whereas former Prime Minister of Japan Shinzo Abe was tragically assassinated on July 8, 2022, resulting in the loss of a leading statesman and tireless champion of democratic values around the world;

Whereas former Prime Minister Shinzo Abe served as the Prime Minister of Japan from 2006 to 2007 and 2012 to 2020, while leaving an indelible mark on the politics, economy, and society of Japan, as well as prosperity and security around the world;

Whereas, in August 2007, at the Parliament of the Republic of India, former Prime Minister Shinzo Abe delivered a historic speech entitled "The Confluence of the Two Seas", which inspired the vision of the free and open Indo-Pacific;

Whereas, in December 2012, former Prime Minister Shinzo Abe launched the concept of the democratic security diamond—the precursor to the modern-day Quadrilateral Security Dialogue—in which he envisaged a strategy under which the United States, Australia, India, and Japan would form a "diamond to safeguard" the maritime commons stretching from the Indian Ocean region to the Western Pacific;

Whereas, in April 2015, former Prime Minister Shinzo Abe made the first address by a Japanese leader to a joint session of Congress where he called the relationship between the United States and Japan "an alliance of hope" and offered his "eternal condolences to the souls of all American people that were lost during World War II";

Whereas former Prime Minister Shinzo Abe advanced the United States-Japan alliance through multiple Presidential administrations of the United States by strengthening diplomatic, military, and economic cooperation, including the Trade Agreement between the United States of America and Japan, done at Washington October 7, 2019;

Whereas former Prime Minister Shinzo Abe tirelessly sought to resolve the issue of Japanese citizens abducted by the Democratic People's Republic of Korea and continuously sought the safe return of such citizens to Japan;

Whereas former Prime Minister Shinzo Abe relentlessly pursued the denuclearization of the Democratic People's

Republic of Korea by leading a global campaign to cut off revenue to the unlawful nuclear weapons program the Democratic People's Republic of Korea; and

Whereas the United States lost a great friend and ally with the assassination of former Prime Minister Shinzo Abe, whose leadership laid a lasting foundation for the United States and Japan to partner for decades to come in promoting freedom, prosperity, and security around the world and opposing authoritarianism and tyranny: Now, therefore, be it

Resolved, That the Senate—

(1) remembers former Prime Minister of Japan Shinzo Abe and his work to strengthen the alliance between the United States and Japan; and

(2) extends condolences to the family of former Prime Minister Shinzo Abe and the people of Japan.

SENATE RESOLUTION 707—COMMEMORATING THE 57TH ANNIVERSARY OF THE ESTABLISHMENT OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, RECOGNIZING THE IMPORTANCE OF THE COMMISSION IN ADDRESSING INEQUITIES IN OUR ECONOMY, AND RECOGNIZING THE TREMENDOUS AMOUNT OF WORK LEFT TO FURTHER PROTECT THE RIGHTS OF WORKERS, HOLD EMPLOYERS ACCOUNTABLE FOR WORKPLACE DISCRIMINATION AND HARASSMENT, AND ADDRESS THE WAGE GAP

Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. CASEY, Mr. LUJÁN, Mr. VAN HOLLEN, Ms. CANTWELL, Mr. BROWN, Mr. BLUMENTHAL, Mr. WYDEN, Mr. REED, Ms. WARREN, Ms. HASSAN, Ms. KLOBUCHAR, Mr. SANDERS, Ms. BALDWIN, Mr. MERKLEY, Mr. CARDIN, Ms. DUCKWORTH, Mr. MARKEY, Mr. CARPER, Mr. WHITEHOUSE, Mr. KAINE, Mr. PADILLA, Mr. BOOKER, Mr. PETERS, Ms. SMITH, Mr. HICKENLOOPER, Mr. KING, Ms. HIRONO, Mr. DURBIN, Mr. MURPHY, Mrs. FEINSTEIN, Mr. COONS, Ms. ROSEN, and Ms. CORTEZ MASTO) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 707

Whereas July 2, 2022, marks the 57th anniversary of the formation of the Equal Employment Opportunity Commission (referred to in this preamble as the "EEOC"), established by title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.);

Whereas the mission of the EEOC is to prevent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace, including through education, outreach, investigations, and litigation;

Whereas the EEOC is responsible for enforcing Federal laws that prohibit discrimination in employment, including harassment and compensation discrimination, including—

(1) section 6(d) of the Fair Labor Standards Act of 1938 (commonly known as the "Equal Pay Act of 1963") (29 U.S.C. 206(d)), which prohibits employment discrimination on account of sex in the payment of wages by employers;

(2) title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), which prohibits employment discrimination on the basis of

race, color, religion, national origin, and sex, including gender identity and sexual orientation;

(3) the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), which prohibits employment discrimination on the basis of age;

(4) the Pregnancy Discrimination Act of 1978 (Public Law 95-555), which prohibits employment discrimination on the basis of pregnancy, childbirth, or a related medical condition;

(5) title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) and sections 501 and 505 of the Rehabilitation Act of 1973 (29 U.S.C. 791, 794a), which prohibit employment discrimination on the basis of disability; and

(6) title II of the Genetic Information Non-discrimination Act of 2008 (42 U.S.C. 2000ff et seq.), which prohibits employment discrimination on the basis of genetic information;

Whereas, since 1965, the United States has made great progress in ensuring equal opportunity and fair treatment in the workplace for women, workers of color, workers with disabilities, older workers, and other workers;

Whereas title VII of the Civil Rights Act of 1964 promises workers that they can earn a paycheck without facing discrimination or harassment in the workplace and without fear of retaliation;

Whereas the EEOC plays a vital role in making that promise a reality by investigating workplace discrimination and harassment, and by enforcing Federal anti-discrimination statutes;

Whereas, in fiscal year 2021, the EEOC resolved over 62,000 charges and recovered over \$350,000,000 in remedies for violations of anti-discrimination laws, and between fiscal years 2018 and 2021, the EEOC received over 98,000 charges alleging harassment, of which, over 27,000 were related to sexual harassment;

Whereas, despite the progress that has been made toward equity and fairness in the workplace, the gender wage gap persists, and according to the most recent data and updated methodology, women were paid just 73 cents for every dollar paid to men in 2020, with even greater disparities for women of color;

Whereas the EEOC's own extensive study of sexual harassment in the workplace concluded that it is difficult to even know how many individuals experience sexual harassment, a critical first step to addressing harassment and ensuring that workers feel safe; and

Whereas tipped workers (who are largely low wage, women, and immigrant workers) are more likely to experience workplace harassment and retaliation, and account for 14 percent of harassment charges to the EEOC, a high share of such harassment charges: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the critical role the Equal Employment Opportunity Commission (referred to in this resolution as the "EEOC") plays in addressing longstanding issues including the wage gap, combating workplace harassment, and ensuring all workers, including LGBTQ+ workers, workers with disabilities, pregnant workers, and workers of color, are treated with dignity and respect in the workplace; and

(2) recognizes the work that still remains to be done to secure the rights and opportunities guaranteed by Federal anti-discrimination laws, which ensure all workers have a fair shot at success in the workplace.

SENATE RESOLUTION 708—EXPRESSING THE SENSE OF THE SENATE ON THE POLITICAL REPRESSION IN BELARUS ON THE TWO-YEAR ANNIVERSARY OF THE AUGUST 2020, FRAUDULENT PRESIDENTIAL ELECTION

Mr. DURBIN (for himself, Mr. TILLIS, Mrs. SHAHEEN, Mrs. FISCHER, Mr. VAN HOLLEN, Mr. RUBIO, Mr. MARKEY, Mr. CARDIN, Mr. KAINE, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 708

Whereas Alyaksandr Lukashenka has ruled Belarus as an undemocratic dictatorship since the first presidential election in Belarus in 1994, dismantling the democratic institutions of Belarus and seeking to jail those who compete against him in presidential elections or protest his authoritarian regime;

Whereas the Lukashenka regime jailed leading opposition candidates that attempted to compete in the August 9, 2020, presidential election in Belarus;

Whereas Sviatlana Tsikhanouskaya ran in the August 9, 2020, presidential election after the jailing of her husband, opposition candidate Siarhei Tsikhanouski, and was widely seen as the legitimate winner by the international community;

Whereas the August 9, 2020 presidential election, in which Lukashenka claimed victory, was marred by widespread concern over its legitimacy, as noted by the Organization for Security and Co-operation in Europe, the European Council, the United Nations High Commissioner for Human Rights, the Department of State, and reputable international human rights groups;

Whereas the Senate, as expressed in Senate Resolution 658 (116th Congress) and Senate Resolution 345 (117th Congress), both of which passed with unanimous support, has stated its deep concern regarding the most recent fraudulent election that took place in Belarus on August 9, 2020;

Whereas, in response to the August 9, 2020, fraudulent presidential election, the people of Belarus staged the largest and longest sustained public protests in the history of the country, calling for a democratic Belarus;

Whereas, since the August 9, 2020, fraudulent presidential election, the Lukashenka regime has continued to pressure, harass, imprison, and persecute opposition leaders, civil society activists, human rights defenders, and independent media;

Whereas, according to the Viasna Human Rights Centre, the Government of Belarus has continued to keep at least 1,244 people imprisoned on politically motivated charges or under false pretense of terrorist threat, including opposition candidate Siarhei Tsikhanouski, who was sentenced to 18 years in prison;

Whereas Russia provided critical support to the Lukashenka regime following the repression of the protests that followed the August 9, 2020, fraudulent presidential election, backing the Lukashenka regime's efforts to prevent the emergence of a democratic Belarus, including through the provision of financial assistance, propaganda support, and offers of military assistance;

Whereas, on May 23, 2021, the Government of Belarus unlawfully forced the landing of Ryanair Flight 4978 in Minsk to arrest journalist and activist Raman Pratasevich and his partner Sofia Sapega;

Whereas, since July 7, 2021, the Government of Belarus has weaponized vulnerable migrants by manufacturing a border crisis

with Latvia, Lithuania, and Poland in retaliation for sanctions imposed by the European Union;

Whereas, on February 24, 2022, Russia launched an unprovoked war against Ukraine, using Belarus as a launching pad for its attack;

Whereas the Lukashenka regime has continued to allow Belarus to be used by Russian President Vladimir Putin for his illegal and unprovoked war against Ukraine, including via a sham February 27, 2022, constitutional referendum on provisions to enable Belarus to host nuclear weapons and undo Belarus' decades-long commitment to neutrality;

Whereas, since the Russian invasion of Ukraine, Lukashenka has met with Vladimir Putin on at least four separate occasions, including most recently on June 25, 2022, when Putin pledged to supply Belarus with missile systems capable of carrying nuclear weapons;

Whereas, despite support from the Lukashenka regime for Putin's war in Ukraine, hundreds of brave Belarusians have joined together to defend Ukraine, both on the battlefield in Ukraine and in the disruption of Russian supply lines;

Whereas the United States and allies of the United States have imposed sanctions on the Lukashenka regime for the August 9, 2020, fraudulent presidential election and ensuing repression as well as support for Putin's war in Ukraine;

Whereas, on December 15 2020, Julie Fisher was confirmed by the Senate as Ambassador to Belarus, but her credentials were not accepted by the Lukashenka regime, resulting in President's Biden decision in October 2021 to appoint Mrs. Fisher as Special Envoy for Belarus; and

Whereas Belarusian opposition leader Sviatlana Tsikhanouskaya, in exile in Lithuania, 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 second anniversary of the fraudulent presidential election that took place in Belarus on August 9, 2020, to refuse to recognize Alyaksandr Lukashenka as the legitimately elected leader of Belarus;

(2) condemns the ongoing harassment and persecution of opposition leaders, civil society activists, human rights defenders, and independent media carried out by the Lukashenka regime, and urges the immediate release, without preconditions, of all political prisoners in Belarus, including Siarhei Tsikhanouski, as well as for all representatives of democratic forces, civil society, and independent media in exile to be able to return home without fear of persecution or prosecution;

(3) calls for new presidential and parliamentary elections to be held in Belarus, conducted in a manner that meets international standards and includes independent election monitoring;

(4) condemns the shameful and self-serving support provided by the Lukashenka regime for Russian President Putin's savage war in Ukraine;

(5) welcomes continued and coordinated sanctions imposed by the United States and European Union and other tools to support democracy in Belarus;

(6) recognizes the extraordinary support offered by the Governments of Lithuania, Poland, and Ukraine to support the people of Belarus, including support for the political opposition, accommodation of political refugees, and backing of independent media;

(7) encourages President Biden to swiftly appoint a new Special Envoy for Belarus to support the pro-democracy movement; and

(8) stands in solidarity with the many brave Belarusians, such as Sviatlana Tsikhanouskaya, who continue to strive for a free and democratic Belarus.

AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have nine requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, July 13, 2022, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, July 13, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 13, 2022, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Wednesday, July 13, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, July 13, 2022, at 2:30 p.m., to conduct a business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, July 13, 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 Wednesday, July 13, 2022, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, July 13, 2022, at 2:45 p.m., to conduct a hearing.

SUBCOMMITTEE ON ENERGY

The Subcommittee on Energy of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, July 13, 2022, at 2:30 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. MANCHIN. Mr. President, I ask unanimous consent that privileges of the floor be granted to the following fellows in my office: Carrie Libell, through July 31, 2022; and Sean Dzierzanowski, through December 31, 2022.

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

END HUMAN TRAFFICKING IN GOVERNMENT CONTRACTS ACT OF 2022

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 384, S. 3470.

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

The bill clerk read as follows:

A bill (S. 3470) to provide for the implementation of certain trafficking in contracting provisions, and for other purposes.

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

Mr. WHITEHOUSE: I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3470) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3470

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 "End Human Trafficking in Government Contracts Act of 2022".

SEC. 2. IMPLEMENTATION OF TRAFFICKING IN CONTRACTING PROVISIONS.

(a) REQUIREMENT TO REFER VIOLATIONS TO AGENCY SUSPENSION AND DEBARMENT OFFICIAL.—Section 1704(c)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 22 U.S.C. 7104b(c)(1)) is amended—

(1) by inserting "refer the matter to the agency suspension and debarment official and" before "consider taking one of the following actions"; and

(2) by striking subparagraph (G).

(b) REPORT ON IMPLEMENTATION OF TRAFFICKING IN CONTRACTING PROVISIONS.—Not later than 90 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to Congress a report on implementation of title XVII of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2092).

COMMENDING THE GOVERNMENT AND PEOPLE OF THE REPUBLIC OF MOLDOVA FOR THEIR HEROIC EFFORTS TO SUPPORT UKRAINIAN REFUGEES

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 413, S. Res. 638.

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

The bill clerk read as follows:

A resolution (S. Res. 638) commending the Government and people of the Republic of Moldova for their heroic efforts to support Ukrainian refugees fleeing President Putin's illegal war against Ukraine.

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, as follows:

S. RES. 638

Whereas, on February 18, 2022, the United States and Moldova marked 30 years of diplomatic relations;

Whereas, on February 24, 2022, armed forces of the Russian Federation began an illegal, unjustified, and unprovoked attack on Ukraine with missile strikes against densely populated urban areas, including Kyiv, the capital of Ukraine, and the regional hubs of Odesa and Mykolayiv, which lie close to Moldova;

Whereas Moldova is a country of approximately 2,600,000 people that relies heavily on remittances sent to Moldova by the Moldovan diaspora;

Whereas, in 2011, the Government of Moldova passed a law entitled “Law on Integration of Foreigners in the Republic of Moldova”, which provided refugees and beneficiaries of humanitarian protection access to social security, primary and secondary education, medical insurance, cultural integration support, language classes, and employment counseling;

Whereas, prior to the most recent invasion of Ukraine by President Vladimir Putin, the Government of Moldova assessed that the infrastructure in Moldova could accommodate not more than 15,000 refugees;

Whereas, only one day after the commencement of the unconscionable attack on Ukraine by President Putin, the people of Moldova welcomed more than 16,000 refugees;

Whereas, since 2014, more than 450,000 refugees fleeing the invasion of Ukraine by President Putin had entered Moldova and more than 100,000 of such refugees chose to remain in Moldova;

Whereas, by March 7, 2022, 89 percent of Ukrainian refugees arriving in Moldova were women and children;

Whereas, by March 9, 2022, an estimated 6 out of every 100 people in Chisinau, the capital of Moldova, were refugees;

Whereas, by April 26, 2022, refugees comprised more than 16 percent of the population of Moldova;

Whereas the United Nations High Commissioner for Refugees Representative for Central Europe Roland Schilling said, “The attitude of Moldovan authorities is really impressive”, and noted that “local communities came to help refugees, feeding them, supporting them” at the border;

Whereas the Government of Moldova has created “green corridors” to facilitate the crossing of refugees from Ukraine to Romania and other countries in the European Union;

Whereas, over the past year, the Government of Moldova and civil society have embarked on meaningful reform of the justice system and promoted good governance and economic stability in Moldova;

Whereas, on March 3, 2022, Moldova formally submitted its application to join the European Union, signaling a commitment to democratic values and the rule of law;

Whereas, on March 16, 2022, the European Union announced that Moldova and Ukraine had completed the emergency synchronization process with the Continental Euro-

pean Grid, operated by the European Network of Transmission System Operators;

Whereas, as of April 21, 2022, the United States has provided more than \$25,000,000 to support humanitarian operations in Moldova;

Whereas, on April 22, 2022, a senior military official of the Russian Federation indicated that the Russian Federation intended to conquer southern Ukraine and join that territory with Transnistria, a breakaway region of Moldova; and

Whereas, in late April and early May 2022, reports of unexplained explosions in Transnistria elevated concerns that the Russia Federation could expand its war into Moldova: Now, therefore, be it

[Resolved,]

That the Senate—

(1) commends the people of Moldova for their hospitality and extraordinary efforts hosting more than 100,000 refugees fleeing Ukraine;

(2) condemns provocation and aggressive action by the Russian Federation in the Transnistria region of Moldova;

(3) reaffirms the sovereignty of Moldova and supports the choice of the Government of Moldova to further integrate with structures of the European Union;

(4) calls on the United States Government to continue to provide meaningful and targeted financial and technical support to Moldova;

(5) calls on international partners to join the United States in providing swift and immediate humanitarian aid to Ukrainians in Moldova;

(6) calls on the United States Government to continue working with the European Network of Transmission System Operators, the Government of Moldova, and the Government of Ukraine to complete full synchronization of the electricity grids of Moldova and Ukraine with the Continental European Grid; and

(7) expresses support for the ongoing efforts by the Government of Moldova to reform the justice sector, promote good governance, and bolster the energy security of Moldova.

Mr. WHITEHOUSE. I further ask that the committee-reported substitute amendment to the resolution be agreed to.

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

The committee-reported amendment, in the nature of a substitute, was agreed to.

Mr. WHITEHOUSE. I know of no further debate on the resolution, as amended.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 638), as amended, was agreed to.

Mr. WHITEHOUSE. I ask 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 preamble was agreed to.

The resolution, as amended, with its preamble was agreed to.

ORDERS FOR THURSDAY, JULY 14, 2022

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, July 14, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Heinzelman nomination postcloture; that all postcloture time be considered expired at 11:45 a.m. and the Senate vote on confirmation of the nomination; further, that following the vote, the Senate resume consideration of the Childs nomination, and the Senate vote on the motion to invoke cloture on the nomination at 1:45 p.m.; further, that if any nominations are confirmed during Thursday's session, the motions to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

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

Mr. WHITEHOUSE. For the information of the Senate, the first rollcall vote of the day will begin at 11:45 a.m. on confirmation of the Heinzelman nomination to be General Counsel of the CIA, with another vote at 1:45 p.m. on the motion to invoke cloture on the Childs nomination to be U.S. Circuit Judge for the District of Columbia Circuit.

ORDER FOR ADJOURNMENT

Mr. WHITEHOUSE. 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, following the remarks of Senators PORTMAN and WYDEN.

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

(Mr. WHITEHOUSE assumed the Chair.)

The Senator from Oregon.

WORLD ATHLETICS CHAMPIONSHIPS

Mr. WYDEN. Mr. President, this is an exciting time for my home State of Oregon. The eyes of the sports world are turning to the city of Eugene, where thousands of elite athletes have arrived for the World Athletics Championships that start Friday.

For those who may not have been paying attention, Eugene, OR, is known in track-and-field circles as TrackTown USA. Eugene has fewer than 200,000 residents, but it punches far above its weight as one of the athletic capitals of the world, particularly the newly rebuilt Hayward Field on campus at the University of Oregon.

My view is, you are not going to find a better track-and-field venue anywhere else. And that is not only because it is where the Oregon Ducks routinely fly past the competition; it is the home of track and field in the United States dating back decades to when Bill Hayward first had his vision for the sports in Eugene.

It is a vision that picked up speed when Oregon's own Steve Prefontaine provided drills for me when I was a law school student at the University of Oregon, as well as millions of running fans the world over. And, of course, Hayward Field has been home for Olympics trials in greatness, as well as dominance by my fellow Ducks in college meets.

The legacy of athletics in Eugene is a big reason why it is the first ever American city to host the World Athletics Championships. This year, the games are known as Oregon22.

Two thousand top Olympic-level athletes are going to compete. They come from nearly 200 countries. They are the best of the best, ready to break records and make their home countries proud.

A little bit ago, I was home, and I talked with the fantastic team of workers who have been working for years on this event. It has been a colossal team effort carrying the baton over the line, but now, the games are about to start. And I can tell you an awful lot of Oregonians are thrilled at the prospect of witnessing this level of unique competition in person at Hayward Field and across the Willamette River in the streets of Springfield.

This is also a spectacular showcase for my home State. Not only is Eugene playing host to thousands of athletes, organizers, staff, media, and fans, the games will be broadcast to an audience of a billion people around the world—let me repeat that—a billion people who are going to learn something about what makes my home State so special and different.

London has hosted this competition. Paris has hosted this competition.

Tokyo has hosted this competition. Now it is our turn in Eugene, OR, and I could not be more proud.

So, Mr. President, I would just say everybody ought to tune in from July 15 to July 24. The athletes are going to put on an amazing show, and so is my home State of Oregon.

I yield the floor.

The PRESIDING OFFICER (Mr. PADILLA). The Senator from Ohio.

BORDER SECURITY

Mr. PORTMAN. Mr. President, I am on the floor today to talk about border security—a humanitarian, a national security, a community safety issue with direct connection to the drug epidemic we see in communities all around the country, including my home State of Ohio.

I am also here to talk about legislation I introduced today with Senator JIM RISCH to address this crisis. So we are in the middle right now of what is the biggest border crisis in the history of our country if you measure it by the number of people who are coming to the border unlawfully and, as the Biden administration says, people who are encountering the Border Patrol.

The Biden administration claims that they have the border under control and that they are—and I am quoting—doing a good job. This chart, though, tells a really different story. It shows that as of May, which is the last month that we have records for, we had the highest number of border encounters on record. The second highest, by the way, was the month before: April. So you see this goes back to 2019. There was a surge here—144,000. Here, we have the inauguration of President Biden, and then we have had big increases—again, to the point that over the last couple of months, we have had record numbers of people who have come unlawfully to the border and been stopped by, apprehended by, the Border Patrol.

This includes 239,000 total encounters at the border in the month of May—165,000 of which were single, adult migrants. This does not include those who were not encountered—in other words, those who slipped past the Border Patrol. We haven't been able to find a precise number for these individuals.

The Border Patrol calls this group of people got-aways. But using a conservative estimate from the Border Patrol of 300,000 people who they think got away in the last fiscal year, you would then put the total number of unlawful entries at approximately 286,000 people in 1 month. If you annualize that, that would be 3.4 million people a year. Think about those numbers: almost 3½ million people a year coming to our border and attempting to gain entry unlawfully.

Today, not all of those who are apprehended are allowed to come into the United States, and that is because under so-called title 42, roughly half of those individuals who are being apprehended, who are being encountered, are

turned back. If they live in Mexico, they are sent back across the border. If they live in a country—say Ecuador or Guatemala—they are sent back, flown back to their country of origin. But these are people who are being turned away because of title 42.

So what is title 42? It is a public health authority. It is an attempt by our government to limit migration in order to prevent the spread of communicable diseases—in this case, COVID-19. It allows the Customs and Border Protection officers and agents to tell unlawful migrants: You can't come to the United States for these public health reasons. It only applies, by the way, now to single adults; but, as I said earlier, that is the single biggest group. It comprises about 48 to 52 percent—about half—of the people who are coming up to the border.

So even with the use of title 42, which is acting to discourage people from coming to our border, we are experiencing these record levels. We are also experiencing these record levels in these hot summer months. Normally, when you get into the summertime where it gets really hot—look here at May, June, July, August—the number of people coming to the border goes down, not up. It is over 100 degrees in the desert and at the Rio Grande, at almost all of these border crossings along the U.S.-Mexican border. Yet we have more, not less.

There is anecdotal information that this is because people are realizing that the administration wants to end title 42. They have proposed to do that. That is now in the court system. But the cartels are spreading the message, which is: Now is the time to come because, before, you were turned away by title 42. Now, like everybody else, you can come into the United States and stay. And we will talk in a moment about what that means.

But I think that is probably true. Probably title 42 has something to do with it. But I think, also, it has to do with the fact that more and more people are realizing that if they do come to the border and don't get stopped by title 42, they will have a chance to come into the United States and live in the United States with their families, perhaps; if not, maybe bring in their families later. And everybody wants to come to America. We are a great country.

We have our challenges, as we talk about on the floor here all the time. But, still, we are a country with so many opportunities for people, and folks want to come. And I don't blame them. I don't blame them. But we want them to come legally.

And we currently have the most generous legal immigration system of any country in the world. About 900,000 people a year—almost a million people a year—come legally to the United States, most as legal immigrants, some as refugees. And so we encourage that, and we should.

In fact, I think we should bring more people in legally, particularly to fill

some of the jobs that we need filled, the STEM disciplines we talk about a lot. We need people with the kind of training and background to help our economy grow. But we need people at every level of training. But we want them to come legally and through an orderly process that is more humane, that doesn't have all the issues—which we will talk about tonight—the humanitarian issues at the southern border.

In terms of title 42, we all hope that this public health emergency isn't necessary going forward because COVID-19 ends. But in the meantime, this border crisis means, to me, that we have to keep title 42 in place until we make some changes in policy. Otherwise, it will be not just a crisis. It will be totally overwhelming.

As the Border Patrol says to me, they will lose operational control of the border. Some would argue that has already happened because so many people are coming over at record numbers. Often, the Border Patrol is distracted by one group of migrants, and another group comes in. And I saw this when I was at the border in El Paso. And anybody who has been down at the border has seen this.

They are already in tough shape. But imagine if 48 percent of the people here who are now being turned away by title 42 are not going to be turned away and the number of other people who will come knowing that that avenue is now open to them. This will be overwhelming.

It is very difficult right now, with the laws and the way the laws are being implemented, to keep that from happening. That is why we need a change in policy. It doesn't have to happen here in Congress. I think we should change the laws and introduce legislation today to do that. But the administration itself could make these changes.

By the way, in the last administration, as you can see, the number of people coming across the border unlawfully and the number of encounters was very low. But the same was true in the Obama administration. After they had a surge of unaccompanied minors, they made changes in the law, and they reduced the number of people who were coming unlawfully to the border as well. It can be done, but there has to be the will to do it.

I am the ranking Republican on the Senate committee that has oversight responsibility for the Department of Homeland Security. The Presiding Officer is also on that committee. This Department of Homeland Security is preparing, they tell us, for a huge increase in migrants after title 42 has ended. So although they want to end it, they also know that if they do end it, there is going to be a huge surge because they are actually preparing for that.

The way they are doing it is interesting. It is not so much keeping people from coming into the United States as expediting their flow into the United

States. Among other things, instead of processing people at the border, their recommendation is go ahead and put people on buses or other forms of transportation and then do the processing later, perhaps on the buses or where they are going in the United States. So it is a way to move people through the process rather than come up with a way to discourage people from coming across the border illegally.

DHS has planned, and then will facilitate, travel throughout the country rather than figuring out how to keep people from coming in the first place by telling them: Come legally, but please don't come to our border illegally.

By the way, I think most Americans are very supportive of legal immigration. It is an important part of who we are. With very few exceptions of Native Americans, we all came from someplace else. All of us have proud stories of our immigrant forebearers—our parents, our grandparents, our great-grandparents. And it has enriched our country. It is part of the fabric of our Nation. It is what makes us special. But that is legal immigration. And it is not what we are talking about here.

Who bears the brunt of this crisis? Well, at the outset, of course, it is the Border Patrol. We have got to provide them with the personnel and resources they need to complete their mission, as difficult as it is.

When you go and meet with these people, the men and women of the Border Patrol, you come away just so proud of what they try to do every day. They are a combination of, you know, border agents trying to enforce the law, social workers trying to help people with their problems, healthcare workers trying to help when people get hurt. Unfortunately, as we have seen, a lot of people are getting hurt in this process. That journey north is a dangerous journey.

And with the cartels so involved and right there at the border, what happens in the desert, what happens on these trains, what happens in these trucks—we just saw this horrible incident of these migrants who were jammed into a semitruck, and more of them died, I think, than any other accident of that kind, incident of that kind, in our history. But this is inhumane, and this is part of what happens when you have these cartels involved in this process.

We also have got to provide the Border Patrol with the ability to help control things at the border by finishing the border fence and putting the technology with the fence that was always intended.

By the way, the technology tends not to be very partisan around here. Democrats and Republicans alike, I believe, mostly think we ought to have cameras. We ought to have sensors. We ought to know what is going on at the border. But when the order came down the first day of the Biden administration to stop the wall and to end what the Trump administration had started

with Congress's approval and funding, they also said, Stop the technology.

So in the El Paso sector, as an example, the wall is about 80, 90 percent completed. Unfortunately, there are gaps in the wall where you literally have to have Border Patrol there 24 hours a day or people just come through it, which makes their job really hard. What they want to do is at least have the wall there to slow people down. And the technology there enables them to then go and deal with situations as they occur. But only 20 percent of the technology had been completed. So you have more wall than you have technology. And the wall is not that useful, frankly, without the technology, in my view. I think the technology is the key. But that is what is happening.

And, by the way, to the taxpayers listening tonight, which is pretty much all of us, we paid for that wall. We actually paid for the fencing to be put up. Congress appropriated the money. And then the administration stopped it. So you literally see the steel beams and the pieces of concrete for the wall lying on the ground. And as one Border Patrol agent told me when I was in one of the sectors—most recently I was in the Nogales sector where there is a huge gap—he said, this is really bad for morale. And our Border Patrol agents look at this stuff, and they say: We have already paid for this. Can't we just finish the wall and put these fences up, the gates up, to keep these openings from attracting the cartels and the drug smugglers and the people smugglers? But that is where we are. So that is one thing our legislation does, is to correct that problem and help stop this crisis.

It also says that title 42—we talked about earlier—won't be lifted until the COVID-19 emergency is over. Again, I think it ought to be lifted when we have policies in place that make sense. But a lot more is needed. The bill also mandates that the program the Biden administration ended, which said that as you come to ask for asylum, you should wait at the border—it is called the migrant protocols.

There was just an agreement with the President of Mexico and President Biden a couple of days ago about more funding for the border area—and that is good—to provide more humane living conditions. But this was working to tell people, if you want to come for asylum, go ahead and apply. And while you are waiting for asylum, you can remain in Mexico. And if you get asylum, you come across. If you don't, you go home. What happened is, a lot of people just went home.

The asylum process, which we will get into in a minute, is kind of a complicated issue. But in other ways, it is pretty simple, and it is the main reason for this, which is that people know if they come to the border and they claim asylum, which most people do, they have an immediate, what is called, credible fear interview. Sometimes, it is over the telephone now,

partly because of COVID. And that is a very low bar. And so people say what their issue is back home where they feel persecuted, and then they come in. And once they are told to come in, then they are told: OK, you can go to wherever you are going in America—let's say Cincinnati, my hometown, or Columbus or Chicago or Denver, wherever it is—and you need to check in with the ICE office—that is the immigration office in the interior of the United States—within 90 days.

Some people do check in. Some people don't check in. But the point is, there is now a wait of somewhere between 6 to 8 years before your case is heard on asylum—6 to 8 years. Why? Because there are 1.5 million—someone told me today 1.6 million; let's say 1.5 million people, that is high enough—waiting in line. That is what the backlog is.

It just makes no sense to anybody, including, by the way, the Secretary of Homeland Security, whom I have talked to about this. And these long waits mean that you are there embedded in a community in America getting to know your community. You are joining your church. You are sending your kids to school. You are having children. You are part of the community. And then you are told after 6 to 8 years, by the way, your asylum application is being denied because you are an economic refugee, not an asylee. In other words, you haven't demonstrated a fear of persecution. You have come to this country, understandably, because there is great opportunity here. Again, we should be encouraging these people to come legally like so many other immigrants have over the years.

Only about 15 to 20 percent of those people who apply for asylum today are getting asylum. So think about it. If you are part of the 80 to 85 percent who are not going to get asylum, there is sometimes not much of an incentive to enter into this process and go through the hearings and so on.

The consequence if you don't go through the hearings is that you are then subject to removal. However, we are just not removing people today. So this past year, the latest numbers we have are that 59,000 people were deported, or removed, from America. About 66 percent of those people had a criminal background. But, remember, this is out of a couple hundred thousand people going through the process. So there is a very small chance that you will ever be removed or deported. Even though you went through the process, you were denied asylum. You stay in the United States. And, you know, the next administration could change that. This administration could change that. But right now, this asylum process, which was created to give lawful presence to people who were unable to be in their home country because of persecution, is not being used properly. It is being exploited by people who know that because of our system and our huge backlog, if they say

that they are part of a group that is being persecuted they can come in. And even when they are denied asylum, they can stay. That is the way it is working.

What we have found is that folks who come here are almost entirely focused more on the economic side. There was a survey conducted by the Migration Policy Institute recently, which, by the way, is a pro-migrant institution. It found that 90 percent of the Central Americans making the journey to our southern border are coming for what? For work. They are coming for work because they come from poor countries. They don't have a lot of opportunity in their country. I don't blame them. If I was a father living in Honduras and couldn't find a job or I was a subsistence farmer just barely making it and I had a few kids and I wanted them to have a better life, I would come, too.

But that is not what immigration is all about. It is a system where you come legally, yes. But if you come illegally, you have got to be told you have to go back and apply like everybody else. Otherwise, America would be overwhelmed. And it is being overwhelmed and will be even more overwhelmed if title 42 is taken away. There are hundreds of millions of people—maybe billions of people—around the world who would love to come to this country. We take for granted our opportunities, our freedoms; but others don't.

So we have to have a system. We have to have some sort of a border. And, really, that is the question that is before us today in this body: Are we going to have a system that makes sense or one where, again, you have a million and a half people who are waiting to have their hearing. When they have their hearing on asylum and they are denied, they still aren't removed; so they can stay. And, again, meanwhile, they have family and kids and connections to the community. It is really not fair to them. A much better system would be to say, OK, apply for asylum in your country, or if you don't feel comfortable there, apply from a third country. Then you will know, yes or no, before you come up to the border, don't make that dangerous journey north. Don't put yourself in the clutches of these coyotes, these human smugglers, these traffickers, who are heartless. What they are doing is they are going down to Central America or Latin America or really all over the world. People are coming from hundreds of countries now. And they are saying, you know, give me money. Give me 10,000 bucks, and I will get you to the border, and you can just walk across.

People are signing up—sometimes with their life savings. And sometimes as, again, we talked about earlier, there are assaults along the way. There are all kinds of horrible stories of how women, particularly, are mistreated on the way up. It is a dangerous and inhumane process.

At the end of the day, our system is pulling these people to the border. The administration is now implementing a new asylum rule recently to try to deal with this problem because they realize it is just not working. However, the new system that they are putting in place isn't working either, and there is a reason for that. Their theory is we should adjudicate the cases at the border. I agree with that. I would rather adjudicate them outside the border in the country of origin or a third country, but have the adjudication be right at the border; make the decision right there, yes or no. Let people know.

The problem is what they are doing right now is they are putting asylum officers at the border, making a decision, adjudicating as people come across. And if it is a no, people are not being sent home. But rather, people are being told if it is a no, you can appeal it to the regular system, so get back in line with the 1.5 million people.

What we are learning is that, of course, people are smart. They are talking to the asylum officer. They are getting a yes or no. If they are getting a yes, that is great; they are getting in. That is a small percentage. If they are getting a no, they say, That is fine, I am going to appeal it to the regular system.

It really isn't an answer to the problem. If you want an answer to the problem, what you would have is processing centers along the border. It would be expensive because there are so many people coming over now, so many people applying for asylum. But have a process where, quickly, you can adjudicate these cases. In the meantime, you would not have people be released into the interior but have them stay there to find out what the outcome of the case is.

This pull system is bad for everybody except the smugglers. They are the ones who profit. They are the ones who are going to folks in places like Honduras or Ecuador or, again, far-flung places—places in Eastern Europe, places in Asia—and telling people, Give me a bunch of money, and I will get you into the United States.

We recently had this tragedy I mentioned in San Antonio. Fifty-three migrants were left for dead in the Texas heat in the back of a tractor-trailer. They were just abandoned by their smuggler. They left them locked inside of this tractor-trailer. It is not the first time this has happened. But as I said earlier, 53 is probably the worst smuggling tragedy in our history.

I went to Latin America last year. I met with the Presidents of Mexico and Guatemala, Ecuador, and Colombia. It was interesting. They all said the same thing. You would be surprised to hear what they said. People think they must enjoy this process because so many of their citizens are going to America, they can then send money back to their family and it must be good for everybody. It is not.

They are losing some of the best and brightest in their country, and these

people are going through, again, this arduous process to get to the border, and the inhumanity of that troubles these Presidents. They all told me basically the same thing, which is: Why don't you guys fix your laws and stop this pull factor?

We talk about the push factor in poor countries. I mentioned Honduras earlier. That is certainly true. By the way, we spent over the last 5 years about \$3.6 billion of American taxpayer money to help in the economics of the so-called Northern Triangle in the Central American countries.

I am for spending money in these countries to try to help with their economy, but with the corruption, with all the issues they have, it is very difficult to imagine those countries in a short period of time having any kind of economic opportunity that equals what we have right here in this country, so there is going to continue to be that push. We should try to alleviate it. It will continue to happen.

But the pull, this policy we have is just pulling people north. What they said to me, these Presidents of these countries, was: You have a legal immigration system where people know they can just get into your country. Why don't you change that? Why don't you change that?

Again, it is not just people from Mexico and Central America. It is people from all over the world.

By the way, for some of these people, the Border Patrol is increasingly concerned because they come from countries where a lot of people want to do us harm. So, increasingly, we are seeing people coming to our country who are, as an example, on the terror watch list.

Back in 2017, 2 people; 6 people in 2018; none in 2019; 2020, there were 3; 15 in 2021. This fiscal year, 2022, there are already 50 individuals on the terror watch list. Why? They know if they come to the U.S. border, they can get across. I am sure this number is higher—that is what we know—because, again, a lot of people are so-called got aways. Let's say 20 percent.

Who are these people? Well, some of them are probably pretty smart individuals who know how to get away from Border Patrol, do the distraction and sneak in. That worries me and it worries me because we are allowing people to come into our country who we would not otherwise allow.

We have seen this increase of people coming into the country who are on the terror watch list, but we have also seen, again, a lot of people coming in who we just don't know anything about because they don't count them at the Border Patrol. We have seen more caravans and we see more migrants are on the way. Why? I think it is because of this general pull factor. The fact is people know, if they come here, they know they are going to be able to get in.

I think it is also because of title 42 because the smugglers are using that—

cartels are spreading the word: Title 42 is on its way out.

Read about it in the front page of your paper because that is where it is because this administration wants to end it, so they are saying now you can go to the border and you will be let in under the policies like the asylum policy and the single adults—48 percent of whom roughly have been turned away. Forty-eight percent of the total by title 42 would no longer be turned away. I think that is why we are seeing this. It is giving the coyotes, traffickers, and smugglers opportunity to make lots of money.

By the way, that is hurting all these countries, too. If you talk to the Presidents of these countries, including President Obrador of Mexico, what he will tell you is the cartels are taking over more and more of his country because they are making more and more money because of this—and, significantly, because of the drug issue we are going to talk about in a second. We know that the cartels are involved in human trafficking. We know they are involved in drug smuggling. We know they are involved in smuggling people.

I was with the Border Patrol in El Paso last year. We were out at night. We saw a group of migrants coming, and the Border Patrol was going to that location to stop them and question them. Meanwhile, we heard on the radio the drug smugglers had come across. They could see it. They knew it. They could tell by the backpacks they were wearing, I guess, and clothes they were wearing—dark clothes, young men—that they were smuggling. But they couldn't do anything about it because Border Patrol were processing the migrants who had come in.

So I am watching the migrants coming in—actually talking to some of them and Border Patrol—and meanwhile, on the radio, they are saying, You have to go to this other sector, this other area to stop these drug smugglers. We can't; we are distracted. The processing takes some time.

The other big issue, in addition to the unlawful entry into the United States—smuggling, all the inhumanity that surrounds that—is this drug issue. I have spent a lot of time working on this issue on the prevention side—helping on treatment and recovery options and doing more on prevention. We were making some progress until, unfortunately, we were hit with this pandemic. And during that time and since, drug use has gone up again. But we were making progress, in part, because we were helping on the demand side of the equation.

But also on the supply side, we were keeping some of these drugs out of the country. We did it primarily through stopping the deadliest of all, which is the fentanyl—which is a synthetic opioid—from coming in through the U.S. mail system. We passed a law called the STOP Act. It kept China from poisoning our communities by sending this stuff through the mail sys-

tem, which was happening. That was the primary way it was coming in.

What has happened? During the pandemic—kind of coincidental with the pandemic—we had more people isolated, more people losing their jobs, more people turning to drugs. You had Mexico begin to take the central role in terms of fentanyl. A lot of it is precursors from China, so China sends the precursors to Mexico, but Mexico is now making the fentanyl—often into pills—Xanax or Adderall or Percocet.

If you buy any drugs on the street, know that those drugs could kill you. Don't be fooled. There are so many counterfeit drugs out there now. That is one of the preferred ways that the Mexican cartels are bringing these drugs in.

Again, fentanyl is, of course, the deadliest of the drugs. About two thirds of the overdose deaths in America are currently because of fentanyl. We now have a record level of overdose deaths every year in America, over 100,000 last year. There is no reason to believe that it will be less than that this year based on early data we have, sadly. In my home State of Ohio, it is the No. 1 killer by far.

Look at what has happened with the seizures of fentanyl. This is the fentanyl that has been seized. Here are projections for the rest of this year if they continue as they are—obviously, record levels. When you have this huge surge of fentanyl coming in, what happens is you have a lower cost in the drug—supply and demand, right? So there is a huge supply, and the demand for these drugs continues.

On the streets of Columbus or Cleveland or Cincinnati or Dayton or your town, wherever it is, it is likely that this cheap but really deadly fentanyl is something that people are being exposed to. Some people are falling prey to it, again, often thinking they are taking another drug.

There are a couple of students at Ohio State University who overdosed and died just before I gave a talk there at graduation earlier this spring. They were taking what they thought were study drugs, apparently: Adderall. A third student lived, but was in critical condition. This is the deadliest of drugs.

In 2021, we seized double the fentanyl from the previous year, four times from the year before that. Again, so far this year, we are on track to match the most fentanyl seized ever. In May—just 1 month, in May—there was enough fentanyl seized at the border to kill 200 million Americans, more than half of our population in 1 month. People say: Well, gosh, why are you so worried about the border? Let people come across—open border—whatever.

Here is the consequence.

Again, it is hurting Mexico, too, and it is hurting lots of other countries. But in terms of Mexico, this gives the cartels enormous power and money. And, yes, ultimately, I think the most important thing to do is to reduce demand. I do.

Again, we are making progress now. We had about a 20-percent reduction in 2018. We need to get back to that. This Congress took the lead on much of this.

But we also have to deal with the supply side and stop this enormous surge of drugs that is coming over and poisoning our communities. That is part of what is happening on the border. A few months ago, I was in Nogales, south of Tucson, to ride with the Border Patrol and go to the port of entry there. They are doing a very good job with what they have, but they need better equipment.

This is one thing Congress can do. They need help. They need more resources. They need better technology. They need to be able to scan cars and trucks that are coming in, particularly for these drugs that we talked about. A relatively small package of fentanyl this size can kill 1,000 people. A few specks could kill you. It is easy to hide it in a car or a truck.

We now know that less than 2 percent of passenger vehicles and less than 20 percent of commercial vehicles coming into the United States are scanned for these illegal drugs like fentanyl. This is just unacceptable. Congress has appropriated more funding for this. That is good. Let's get it moving. We should be scanning all vehicles, in my view. A smuggler with multiple pounds of fentanyl concealed in a hidden compartment might be worth hundreds of thousands or even millions of dollars. They know they have a good chance of getting across without a search. They take the risk.

It is not just a gap in our security; it is a gaping hole. And, again, it leads to this flood of cheap fentanyl and other dangerous drugs. The southern border has faced the worst unlawful crisis that we have ever had, going back to the first chart. This tells the story, in red.

The men and women of the Customs and Border Protection whom I have met over the years are doing the best they can. They are doing their best at the ports of entry. They are doing their best as Border Patrol between the ports of entry, but they need help. That is what legislation does. It provides them with the help they need to be able to respond to this crisis.

We welcome legal immigration. We always should. They enrich our country. And we are a nation of immigrants, and we are proud of that. But we are also a nation of laws, and we are also a nation that cares about the inhumanity of the current system and the flood of cheap, deadly drugs coming through our border.

I urge the Biden administration to change course, to fix this broken system, to follow the law, including the law on detaining people, to reform the asylum process so it stops acting like a pull factor and is used for what it is intended for, to truly help those who are seeking asylum for the right reasons, to stop these policies that send a green light to the smugglers, to the cartels, to the drug traffickers, and that is causing so much human suffering along our southern border.

I urge the administration to act. In the meantime, again, we are introducing legislation. I urge my colleagues to help us with that. There is no reason that we can't work in a bipartisan way to deal with what everybody has to acknowledge is a huge crisis at our southern border.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 8:46 p.m., adjourned until Thursday, July 14, 2022, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

MARGARET R. GUZMAN, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS, VICE TIMOTHY S. HILLMAN, RETIRED.
KYMBERLY KATHRYN EVANSON, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE RICARDO S. MARTINEZ, RETIRING.

JAMAL N. WHITEHEAD, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE RICHARD A. JONES, RETIRING.

ROBERT STEWART BALLOU, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA, VICE JAMES P. JONES, RETIRED.
JAMAR K. WALKER, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA, VICE RAYMOND A. JACKSON, RETIRED.

JORGE A. RODRIGUEZ, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK, VICE DAVID M. HURD, RETIRING.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. ISAAC JOHNSON, JR.

To be brigadier general

COL. NOEL F. PALMER

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT TO BE A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

KYLE L. ABBATTISTA, OF NEW YORK
TAYLOR JADE ADAMS, OF MARYLAND

MOHIB ULLAH AHMED, OF VIRGINIA
DAVID M. ARNETT, OF FLORIDA
JENNIFER A. BALDWIN, OF THE DISTRICT OF COLUMBIA
MARGARET ROSE BENAVENTE, OF HAWAII
BETH A. BROWNSON, OF VIRGINIA
DAVID SEAN BURT, OF FLORIDA
BRIAN YUNG-PAU CHANG, OF CALIFORNIA
MARVIN CRESPI-Gamez, OF CALIFORNIA
SARAH JANE CRITES, OF CALIFORNIA
EMMA HENRIETTE DIN, OF GEORGIA
STEPHANIE DORMAN, OF WISCONSIN
ANNE A. FLAKER, OF MISSOURI
ARVIL ANTONIO GONZALEZ, OF NEW YORK
ELI DAVID GROENER, OF MASSACHUSETTS
PARKER BENNETT GUEYE, OF MARYLAND
ADRIANA L. HARVEY, OF VIRGINIA
MARIA D. (LOLA) HERMOSILLO, OF CALIFORNIA
CHE-LING MAUREEN HSIA, OF WASHINGTON
DAVID SAMUEL JACKSON, OF MARYLAND
MATTHEW D. JIRA, OF ARKANSAS
REGINA S. JUN, OF CALIFORNIA
YOEL KIRSCHNER, OF CALIFORNIA
LISA WELSH KOVACK, OF NEW HAMPSHIRE
AMITA A. KULKARNI, OF CALIFORNIA
JENNIFER LAAKSO, OF FLORIDA
TRACEY LAM, OF CALIFORNIA
CICELY CORNELIA LEWIS, OF VIRGINIA
KELLY KOEPL MACK, OF WISCONSIN
KENNETH W. MACLEAN, OF FLORIDA
DAVID RICARDO MANN, OF FLORIDA
D. BRUCE MCPHERSON, OF VIRGINIA
JEREMY DANIEL MEADOWS, OF VIRGINIA
ANTHONY MEDEIROS III, OF MASSACHUSETTS
JEFFREY ALLEN MEYERS, OF FLORIDA
NYALAMBI DEREK MULWANDA, OF ALASKA
ELIZABETH KAMBI NYAGA, OF MINNESOTA
ANNE JUDITH ONGONO BISSO, OF FLORIDA
ANDREW BENJAMIN PARKS, OF VIRGINIA
APRIL L. PEETZ, OF THE DISTRICT OF COLUMBIA
KEVIN DAVID PIETERS, OF FLORIDA
BARTON MCLAIN POGUE, OF ILLINOIS
MATTHEW FRANCIS PROTACIO, OF MONTANA
SOFIA E. QUESADA, OF WASHINGTON
DOUGLAS W. QUIGGLE, OF MINNESOTA
RASA SIMINKAS KENT, OF FLORIDA
ROBERT E. RENO, OF WASHINGTON
MELINDA ANN ROBERTS, OF CALIFORNIA
DENNIS RYAN RUSSELL, OF UTAH
BRIANNE BROWN SANFORD, OF TEXAS
JUSTIN LOUIS SELB, OF TEXAS
NADIA ADEEL SHAH, OF TEXAS
RABAB SHAMAYLEH, OF VIRGINIA
MICHELLE J. SHIRLEY, OF MICHIGAN
KRISTIN NICHOLSON SHOUBA, OF MAINE
SUSAN E. B. SKOLNIK, OF MARYLAND
NATHAN K. STRAND, OF WEST VIRGINIA
RODNEY JOEL STUBINA, OF FLORIDA
JASON SWANTEK, OF THE DISTRICT OF COLUMBIA
CARRIE TEIKEN, OF ILLINOIS
CHRISTOPHER CHARLES THURLOW, OF RHODE ISLAND
CATTIN M. UNITES, OF THE DISTRICT OF COLUMBIA
AMANDA J. VAN DEN DOOL, OF NEVADA
MICHAEL T. WEAVER, OF ILLINOIS

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, OFFICE OF INSPECTOR GENERAL, TO BE A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

EVE JOSEPH, OF FLORIDA
MAIWAND NAWID, OF TEXAS
KRISTOPHER NORDEEN, OF MINNESOTA
MARY VANAGAS, OF TEXAS

CONFIRMATIONS

Executive nominations confirmed by the Senate July 13, 2022:

EXPORT-IMPORT BANK OF THE UNITED STATES

OWEN EDWARD HERRNSTADT, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2025.

FEDERAL RESERVE SYSTEM

MICHAEL S. BARR, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2018.

MICHAEL S. BARR, OF MICHIGAN, TO BE VICE CHAIRMAN FOR SUPERVISION OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOUR YEARS.