



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, SECOND SESSION

Vol. 168

WASHINGTON, THURSDAY, JULY 21, 2022

No. 121

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JACKY ROSEN, a Senator from the State of Nevada.

PRAYER

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

Let us pray.

Almighty God, we would rest in You, for You alone can bring order to our world.

Reveal Yourself to our Senators, guiding them on the path of peace. May they place behind them disappointed hopes as they lean on You for comfort and strength. Lord, replace their doubts with faith. Strengthen the good in them so that nothing may hinder the outflow of Your power in their lives. Give might to the weak, and renew the strength of the strong.

Lord, we thank You for Your great power as we praise You in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 21, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACKY ROSEN, a Sen-

ator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

CHIPS ACT OF 2022—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 4346, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 4346, a bill making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.

Pending:

Schumer motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Schumer Amendment No. 5135 (to the House amendment to the Senate amendment), relating to the CHIPS Act of 2022.

Schumer Amendment No. 5136 (to Amendment No. 5135), to add an effective date.

Schumer motion to refer the bill to the Committee on Commerce, Science, and Transportation, with instructions, Schumer Amendment No. 5137, to add an effective date.

Schumer Amendment No. 5138 (to the instructions) Amendment No. 5137), to modify the effective date.

RECOGNITION OF THE MAJORITY LEADER

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

CANNABIS ADMINISTRATION AND OPPORTUNITY ACT

Mr. SCHUMER. Madam President, over the last few decades, Americans' views on cannabis legalization have dramatically, dramatically changed. Twenty years ago, less than a third of Americans believed that cannabis should be made legal. Today, that share is nearly 70 percent of the population, the highest level of support ever.

We can see this shift playing out in the States. Nearly 90 percent of Americans live in a State that has legalized cannabis for either medical or adult recreational use. New York legalized cannabis in 2021. And even voters in deep-red South Dakota voted to legalize it for adult recreational use.

Cannabis legalization has proven immensely successful at the State level so it is time that Congress catches up with the rest of the country.

Last year, Senators WYDEN, BOOKER, and I released a discussion draft of the Cannabis Administration and Opportunity Act. After receiving more than 1,800 public comments and working with numerous Senate committees to improve the bill, today we are introducing this historic legislation.

I am proud to be the first majority leader ever to say that it is time to end the Federal prohibition on cannabis, and this bill provides the best framework for updating our cannabis laws and reversing decades of harm inflicted by the War on Drugs.

I have had many productive conversations with my Republican and Democratic colleagues about cannabis reform, and I look forward to working with Members from both sides of the aisle to secure support for this bill.

Our bill will legalize cannabis by removing it from the Controlled Substances Act, empowering States to create their own cannabis laws instead. It

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



Printed on recycled paper.

S3581

will establish a robust regulatory system to protect public health and ensure that cannabis is as safe as possible. It includes rules to prevent impaired driving, prevent youth access, and prevent illegal diversion. We also robustly fund a variety of research programs to make up for lost time when it comes to cannabis research.

So important, our bill will also expunge the Federal criminal records of people with convictions for nonviolent cannabis offenses and allow those in Federal prison for nonviolent cannabis offenses to appeal their sentences.

It is a tragedy—tragedy—that far too many Americans, particularly Black and Hispanic Americans, have permanent blocks on their record, making it nearly impossible to move forward with their lives just because they were arrested with a little marijuana in their pocket. How unfair and what a waste of human resources.

Our bill will also establish an Opportunity Trust Fund to reinvest in communities that have been devastated by the War on Drugs. And it will create opportunities for entrepreneurs and small businesses to legitimately pursue new opportunities in the growing cannabis industry.

And, of course, underlying it all, this bill is about individual freedom and basic fairness. The fact that cannabis remains a schedule I controlled substance—in the same bad company of other drugs like heroin—is not just senseless; it is deeply harmful for countless Americans—again, almost always people of color—and it impinges on the freedom of all of us. If this is working in all the States, why not let people use it?

We need to change that. We need to change the lack of freedom and fairness. We need to create opportunities for entrepreneurs to legitimately pursue new opportunities, and comprehensive Federal cannabis legislation is critical to reaching that goal.

I want to extend my deep appreciation to Senators BOOKER and WYDEN as well as all of my colleagues who have worked with us on this important and long-overdue change. I want to thank Senators MURRAY and Senator PETERS and all the chairs of the more than 10 Senate committees who worked with us over the past several years to significantly improve the bill from the discussion draft we released last year. This bill would not be possible without the hard work of them and their staffs.

I want to stress that this is the beginning of the legislative process, not the end. We are going to work hard to create support for our bill, and I hope we can make more progress toward cannabis reform in the future. I look forward to working with Democrats and Republicans to get something done this year.

H.R. 4346

Madam President, now on the chips bill, last night, I filed cloture on a major piece of legislation that will help lower costs, boost scientific inno-

vation, and take direct aim at the national chips shortage, which is hurting almost every single American.

Members of both sides know that America's chips crisis is sending shock waves across the economy. It is endangering our national security. According to an article by Bloomberg, China's top chipmaker has now likely advanced its tech by two generations, threatening U.S. competitiveness.

To ignore the chips crisis means higher costs, squandered job opportunities, and greater dependence on foreign chip producers. Thankfully, the Senate is close to finally taking action.

In the long run, our bipartisan chips bill will ease semiconductor supply chain woes, increase domestic inventory of chips, and thus help lower costs on all sorts of products that rely on chips to work.

But because the vote earlier this week was so bipartisan, I amended the bill to include one of the largest science packages the Senate has considered in a long time.

As you know, I was the original author of many of the provisions in the science section when I worked with Senator YOUNG on the Endless Frontier Act more than 2 years ago.

We will devote tens of billions of dollars to cultivate the next generation of tech hubs all across the country, especially in regions that have been overlooked. We will invest in new science jobs, and that will keep America No. 1. It has always been America's cutting-edge lead on innovation, in science and research, that has then created millions and millions of good-paying jobs and kept our economy prosperous. In the last decade, America seems to have forgotten that, and this bill revitalizes that goal and that dream.

These scientific investments are crucial not just for innovation and science jobs but for critical jobs that support these industries too.

I will keep working with my colleagues to get this bill done quickly. With 64 votes in favor of moving forward earlier this week, there is no reason to wait around.

The 21st century will be won or lost on the battleground of technological innovation. Let me say it again because that is a crucial sentence. The 21st century will be won or lost on the battleground of technological innovation.

Our country now faces a moment of truth: Will American workers, American tech, and American ingenuity shape the world over the next hundred years in the same way we have shaped it in the last hundred? Of course, I believe America will lead the way if this Chamber is willing to do what is necessary for our economic and national security.

PREScription DRUG COSTS

Madam President, now on prescription drugs, later today, Senate Democrats and Republicans will meet with the Parliamentarian to start the so-called Byrd bath on legislation to bring

down the cost of prescription drugs, cap out-of-pocket expenses, and make sure millions of Americans do not see their premiums go up in the coming months. This is an important step in the larger process of bringing a reconciliation bill to the floor that can win the support of all 50 Democratic Senators.

Ask any American on the street, and it is a guarantee that they will agree the price of prescription medications is one of the most frustrating and debilitating problems in our country.

It is a vicious pincer grip: On the one hand, Americans desperately need their medicines to stay healthy, live a normal life, and stay alive, in some cases, but on the other hand, that means many Americans have to pay an arm and a leg at the pharmacy just to stay healthy.

Meanwhile, as Americans pay exorbitant prices for basic medications, the Nation's largest pharmaceutical companies are feasting off record profits because they face little accountability for jacking up prices to consumers. This cannot continue.

Democrats are going to work in the weeks ahead on legislation that will empower Medicare to negotiate the price of prescription drugs for the first time ever. We will also cap out-of-pocket expenses at \$2,000 a year. These changes will save Americans an incredible amount of money, and it is one of the best things we can do to lower costs for the American people.

Let me say again, lowering the cost of prescription drugs and capping out-of-pocket expenses is one of the very best things we can do to fight inflation and lower costs for the American people. So those who talk about inflation, support this bill.

So in the coming weeks, the question before the Senate will be simple: Who will take action in this Chamber to bring down the cost of prescription drugs and make sure premiums don't go up in the future, and who will defend the interests of Big Pharma that spikes the prices of scores of crucial drugs?

TUCKER CARLSON

Madam President, finally, on FOX News, earlier this week, FOX News anchor Tucker Carlson once again used his enormous platform on prime-time television to spread the malicious, dangerous, and racist conspiracy of "replacement theory." It is far from the first time he has done so. But in light of the recent violence in Buffalo inspired by "replacement theory," it is shocking and dangerous for Mr. Carlson to keep propagating this message.

I am deeply disappointed—frankly, outraged—that FOX News has taken no action to address the conduct of Mr. Carlson. It makes me sick to my stomach to think that Mr. Carlson has been given a free pass to amplify racist conspiracy theories to millions of Americans—theories that are eerily similar to those cited by Buffalo's horrible shooter.

There is only one way to describe what Mr. Carlson is doing: He is stoking racial resentment among his viewers with these vile and racist conspiracy theories. I urge FOX News to compel him to stop at once.

MEASURES PLACED ON THE CALENDAR—H.R. 8404

Mr. SCHUMER. Madam President, I understand that there is a bill at the desk that is due for a second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct.

The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 8404) to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes.

Mr. SCHUMER. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceeding.

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

Mr. SCHUMER. I yield the floor.

CHIPS ACT OF 2022—Continued

Mr. SCHUMER. Madam President, I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. 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.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

THE ECONOMY

Mr. MCCONNELL. Madam President, Washington Democrats' one-party government has actually performed an amazing feat. In 18 months, they have taken an economy that was ready to soar and completely derailed it with \$2 trillion in unnecessary borrowing, printing, and spending. Now, 9.1 percent inflation is pinching hard-working Americans every time they visit the gas pump or the grocery store.

The Biden administration has tried their hardest to find a silver lining amid the economic storm clouds they helped create. They have touted the strength of consumer spending to conclude our economy is strong. That is what they said. Well, of course, consumer spending has only gone up because the price of nearly everything has increased. A recent economic analysis shows the American people do spend more on gas, groceries, furniture, and clothes than we used to, but—listen to this—adjusted for inflation, they are actually consuming less—paying more, getting less.

Parents of school-age kids are some of the hardest hit. Four in ten say they

won't go back-to-school shopping before the upcoming school year. One young mother in Nevada says she will "pick out one or two shirts" for her daughter "and that's it." Inflation has made everything else too expensive.

Over in Arizona, inflation forces the average household to spend over \$9,600 more a year compared to when President Biden took office. Many families simply don't have that much wiggle room in their budgets and are resorting to desperate measures simply to stay afloat.

One Phoenix area food bank has seen a 78-percent increase in visitors compared with just last year—78 percent more families who simply can't afford to live in this Democrat-run economy. A woman in line at the food bank said she had never needed to visit one before but "the prices are way too high" right now to support four children on her husband's salary.

Colorado families are facing the highest inflation costs in the Nation, in the whole country: nearly \$10,900 in extra spending per year compared to the beginning of the Biden administration. Not surprisingly, Coloradans are falling behind on paying for daily necessities. One pawn shop owner in the State has noticed a marked increase in loan seekers at his business. For most of them, they just need "30 bucks, 40 bucks" to "pay small bills, get gas, put groceries on the table."

This is all happening in my home State of Kentucky as well. People are taking out loans, cutting back spending, and relying on charity just to cope with ever-increasing prices. But that hasn't stopped Washington Democrats from proposing new ways to wreck our economy. As we speak, they are battling around a new suite of tax hikes aimed squarely at the middle class. If Democrat-driven inflation hasn't pushed struggling families off the edge quite yet, the Democrat-driven recession certainly will finish the job.

So what is on the menu? New taxes on small businesses already struggling with inflation, new fees and regulations on American energy producers that will send prices even higher at the pump, new socialist price control schemes to stifle healthcare innovation.

Apparently, record inflation isn't enough to make Democrats realize their reckless economic agenda is a failure, an abject failure. Maybe tax-hike-induced stagflation will set them straight.

UKRAINE

Madam President, now on another matter, I had the honor, along with others, of greeting the First Lady of Ukraine, Olena Zelenska, who greeted us here in the Capitol. Like my colleagues in the room, I was moved by her blunt, plaintive remarks to Congress. As her country endures the fifth month of a brutal Russian siege, Ms. Zelenska was candid about the pain and suffering Russia's unprovoked war of aggression was causing her home-

land. She said: "Russia is destroying our people."

The First Lady conveyed the incredible determination of the Ukrainian people and echoed their simple request for the tools to fight their own fight—"Weapons," she said, "to protect one's home and the right to wake up alive in that home."

I hope the First Lady's visit helped steel our colleagues' resolve as friends of Ukraine. Russia's invasion has already reminded the West that revisionist aggressors cannot be appeased. And Ukraine's brave resistance, equipped with the arsenal of the free world, is a further reminder that this is a fight they intend to win.

The Senate should be proud of our work over the past several months to get more lethal capabilities into Ukrainian hands. But at every step of the way, the Biden administration has been a bit slow to green light the game-changing weapons Ukraine's frontline defenders actually need.

I urged the President for more than a year to take specific actions to deter Russian aggression against Ukraine—actually, before it escalated. Last June, I urged him to deliver lethal capabilities to Ukraine and other states in Vladimir Putin's crosshairs. Instead, the administration slow-walked security assistance for months.

In December, I called for U.S. military reinforcements along NATO's eastern flank, but the President waited until February to deploy forces—too late to deter Putin's aggression. And even after Russia had launched its unlawful invasion, the President has repeatedly deterred himself from providing Ukraine the capabilities it needs.

With nearly every weapons system requested by Ukraine, the cycle in Washington plays out like this: first, hesitation and concern; then, excuses that Ukraine couldn't effectively use the proposed weapons or objections that providing them would escalate the conflict; then—then—grudging willingness to transfer the weapons; and finally, with weapons in Ukrainian hands, self-congratulations from the Biden administration that they are having a positive impact on the battlefield. It is exhausting to watch this decision-making cycle repeat itself from Kentucky. It must be exacerbating to watch it from Kyiv.

The need for advanced, longer-range weapons to turn back Russia's aggression is painfully obvious. Air defense capabilities to combat Russia's continuing long-range strikes against civilian populations across Ukraine, anti-ship weapons to combat the Russia Black Sea blockade and the humanitarian food crisis it is causing worldwide, and more capable, longer-range artillery to pound Russian positions in occupied Ukraine from relative safety—this will help offset any numerical advantage Russia has achieved by pumping so much more combat power into its invasion force.

So here it is. Putin cannot be allowed to believe he can just wait for the West to become complacent. It would do a moral disservice to the brave Ukrainians fighting every single day for their country. But this is not just about Ukraine's security. If Russia achieves its objective in Ukraine, it will imperil our own security. And if we waiver—if we waiver—on Ukraine, it would certainly send an unmistakable signal of weakness to Beijing, which is watching the conflict in Ukraine very closely.

For their part, so are our friends and allies in China's backyard. As Japan's Prime Minister put it back in May: "Ukraine might be East Asia tomorrow."

Russia's brutal war has cost the people of Ukraine their homes, their safety, and their lives. But it has also reawakened the West to the reality of long-term deterrence and competition.

It has led modern partners like Sweden and Finland to cast their lot with the greatest military alliance in the history of the world. And it has prompted current treaty allies to shake off years of neglect for their own defense capabilities. All of this will result in greater burden-sharing, interoperability, military capability, and collective security for the NATO alliance.

The United States cannot afford to neglect this lesson ourselves. As the leader of the free world and the No. 1 target of revisionist adversaries like China and Russia, we have to take seriously our obligation to maintain America's military superiority.

We need to act quickly and pass a defense authorization bill that restores our readiness, grows our stockpiles of critical munitions, reinforces our position along NATO's eastern flank, and lays the foundations for a new era of credible deterrence in Asia by modernizing and equipping our military for real competition with China.

I hope the Democratic leader will let the Senate take action on this critical legislation without further delay.

The ACTING PRESIDENT pro tempore. The majority whip.

HIGHLAND PARK SHOOTING

Mr. DURBIN. Madam President, we have a great number of holidays each year in America. But is there a more perfect holiday than the Fourth of July? We celebrate the birth of our Nation. We gather with our families for picnics, a trip to the beach, backyard barbecues, take in a baseball game, and go to a parade. It is just the ultimate American celebration. We relax, pull out our American flags, gather our kids, and thank God that we are born in this great Nation and can call it home.

But this last Fourth of July became a different scene in one part of my home State of Illinois. It was the first time in years that the people of Highland Park were able to gather together publicly. So there was a special celebration as they gathered at 10 in the morning for the Fourth of July parade.

Oh, in addition to the usual suspects at these parades, political candidates, there were a lot of groups just there in pure celebration: high school bands, gatherings of veterans, all sorts of groups in a wonderful, wonderful suburban town in the Chicagoland area of Highland Park.

Yesterday, we held a hearing in the Senate Judiciary Committee about the day of the July Fourth parade in Highland Park. I wish we didn't have to hold that hearing. I would rather it would have been some other subject, some other place. But it was the 10th hearing during this Congress—the 10th time—that we had held a hearing in the Judiciary Committee on gun violence—gun violence, the No. 1 cause of death of children in America. Let me repeat that: gun violence, the No. 1 cause of death among children in America.

Yesterday, we focused on Highland Park and the Fourth of July parade, and we focused on the obvious mass shooting incident that took place. And we focused on military-style assault weapons.

The Fourth of July shooting in Highland Park, IL, was the 309th mass shooting in America this year. What is a mass shooting? When four people are either injured or killed—309 times it had happened before July the Fourth.

By the time of yesterday's hearing, 16 days after the Fourth of July, that number of 309 had grown by 47 mass shootings since the Fourth of July in America—16 days, 47 more mass shootings.

Where else on Earth is this taking place? Nowhere. Right here in the United States of America is the only place on Earth where mass shootings are happening on such a frequent basis.

In many of the deadliest shootings, the attacker used an assault weapon, a combat weapon—a gun specifically designed to kill the maximum number of people in just a few seconds; the same weapon we saw in Uvalde, TX, where the kids in their classrooms were killed; the same weapon we saw in the supermarket in Buffalo, NY, when early morning shoppers on a Saturday were killed; and, sadly, the same weapon that was used in Highland Park.

During the Fourth of July parade in Highland Park, a deranged gunman perched himself on a rooftop, using a Smith & Wesson assault rifle, killing seven people and wounding dozens more. He shot 83 rounds in less than a minute. Let me say that again: 83 rounds in less than a minute.

This is Aiden McCarthy. Aiden is 2 years old. His mom and dad, Kevin and Irina McCarthy, took him to the Fourth of July parade in Highland Park. I first heard about him just an hour or 2 after this terrible incident. I called my friend Nancy Rotering, who is the mayor of Highland Park, and asked her: Tell me, what can I do?

She said: I don't know. Things are happening so fast. We actually found a 2-year-old toddler who was wandering

on the street by himself. We don't know who he belongs to. His picture is being circulated in the community.

The conclusion was fairly obvious. Whoever brought him to that parade was not able to look for him and care for him. And the story eventually unfolded. Kevin and Irina McCarthy brought Aiden to the parade—his first parade. And then when the shooting started, they shielded him with their bodies. In a matter of minutes, Aiden lost both of his parents. Fortunately, a grandparent was located, and Aiden is in safe hands today.

But because of this assault weapon being fired on the crowd, he lost his mom and dad. That is the reality when a parent has to shield a child like this from a mass shooting.

Nancy Rotering, as I mentioned earlier, is mayor of Highland Park. She testified yesterday about the parade. She told us that when the shooting started, she thought the sound of bullets was actually a drum cadence from the local marching band. That is how fast the bullets were being fired.

When she realized there was an active shooter, she began evacuating the crowd. She said the adults she confronted stared back at her. They didn't understand what she was saying. But the children, the teenagers, they understood. This was a shooter; this wasn't a drill.

Did you hear that? The children and the teens at the Highland Park parade instinctively knew what was happening because they had been trained in their schools to deal with mass shootings. That is how common these mass shootings have become.

I grew up in a different era, Cold War era, where it was duck and cover under your desk for fear of a nuclear attack—an attack by the Soviet Union. These kids—our kids, our grandkids—are being schooled not just in the ABCs, but they are being schooled in survival, so that if a shooter shows up in a classroom, they know what to do to try to survive.

Mayor Rotering told the Judiciary Committee:

Our children are expected to return to school in [about] a month. . . . They are frightened to go back. . . . They are frightened to play outside. Many never want to go to . . . parade[s] again. For the rest of their lives, they will look over their shoulders, ready for another active shooter, thanks to the drills our society has normalized [in our classrooms].

She continued:

Playing outside is normal. Back to school is normal. Fear of a shooter is not normal; but now in Highland Park [Illinois] and so many other American communities, it is [the new normal].

It can't be said enough that mass shootings with assault weapons are a unique American phenomenon. They are devastating—so devastating.

I want to show you another picture with Aiden McCarthy. This is Cooper Roberts, 8 years old. Cooper and his twin brother Luke went to the parade with their mom and dad. And in the

course of the shooting, he was shot, taken to the hospital immediately. He has gone through at least seven or eight surgeries now, touch and go for many days as to whether he would live. And, sadly, in addition to the damage that was done to his body, his spinal cord was severed by this same bullet.

You see, when you fire an assault weapon at a human body, it hits that body at three times the ordinary velocity of any other firearm. It is so powerful that it was originally designed by the U.S. Army to achieve a single goal described to us in the committee yesterday. That goal was to be able to shoot one of these AR-15s and pierce a metal helmet worn by a soldier 500 yards away—five football fields—the AR-15. It is not another firearm. It is a killing weapon. And, unfortunately, Cooper Roberts was in the line of fire. We pray that he recovers.

His mom and dad have kept us posted, all of us posted, as to his progress. But if you think about the devastation that an AR-15 combat weapon assault rifle can do to a human body, imagine what it did to this poor little boy's body. That is the reality of the issue we are discussing.

Many gun manufacturers, like Smith & Wesson, Mossberg, Bushmaster, and Daniel Defense have launched ad campaigns marketing their assault weapons like they are fashion accessories.

Let me show you a few of them. This is from Mossberg:

Engineered to the specs of freedom and independence, stand and salute the tactical rifle. We are America's oldest family-owned firearms manufacturer, building dependable, hard-working rifles and shotguns since 1919. American built, American strong. Arm yourself with a Mossberg.

That is the type of weapon that shot Cooper Roberts, that killed the parents of Aiden McCarthy. How is it being marketed? A symbol of independence and freedom.

Some of these other ads—want proof of your manhood? “Consider your Man Card reissued,” says Bushmaster with their AR-15.

I want to make sure, as we said at the hearing yesterday, that these weapons are properly characterized. I will tell you how I characterize them. The manufacturers of these weapons should be ashamed of what is happening across America. To suggest that this typifies the values of this country is just plain wrong and offensive. It is time for us to name and shame these companies. It is time to hold them accountable for the devastation they made possible. How many AR-15s are there in America? We don't really know. The best estimate is 20 million—20 million.

I want to dispel a common talking point we hear from the other side of the aisle. We heard it yesterday. They claim our communities don't need new gun safety laws; all they need are good guys with guns. I wish it were that simple. It is not.

In one survey of 433 active shooter attacks, how many were stopped by a

good guy with a gun? Twenty-two out of four hundred and thirty-three—about 5 percent. Half of those 22 were security guards and trained law enforcement who were there present on the scene and off duty.

The sad reality is, when the police come on the scene and someone is holding a gun, they don't know if it is a perpetrator, a danger, or somebody on their side. In many instances, they shoot the wrong person, making a split-second decision in seeing a person holding a gun.

So this notion that we are going to come to the rescue of one another and stop mass shootings is not a reality. Five percent of active shooter attacks were stopped by a good guy with a gun—5 percent. Imagine buying a car and being told there is only a 5-percent chance that the airbag will go off if you need it in a crash? You wouldn't take that car out of the dealership, and for good reason.

We heard testimony yesterday from RAND Corporation firearms expert Dr. Kyleanne Hunter. She told us that assault weapons make mass shootings significantly more lethal.

The evidence is clear. It is time for us to have a national conversation about America and mass shooting.

Let me say that the manufacturers shouldn't get off the hook. They aren't just selling you a product.

Let me show you one other thing that is particularly outrageous. Sadly, this is in my home State of Illinois. It is a JR-15. It is designed to look like the AR-15, the combat weapon assault rifle. It is lighter, so it can be carried by a kid. Here are the symbols of this JR-15. They are skulls, skulls of children. Each one of them has a pacifier in his mouth. It isn't just on this poster, on this ad; it is emblazoned on the gun itself. This is a kid's assault weapon. Think about that for a second. In America, we have reached a point where that is even thought of in light of the killing that has taken place.

The hearing yesterday showed an outpouring of people from Highland Park in numbers I never expected. I believe there were 100 people there who, on their own dime, came out to Washington to make sure all of us in Congress knew what happened in Highland Park, how that village and their lives were changed on the Fourth of July. What are we going to do about it—shrug our shoulders and wait for tomorrow's mass shooting? Sadly, we can expect one to come.

I listen to the defenses, but, frankly, I can't understand people trying to defend the right to own an assault rifle in America.

One Senator argued: Well, it is just an inanimate object, you know. Don't blame the object for the results.

I wonder if he feels the same way about a grenade launcher. Should people have the right to own grenade launchers? I hope we can all agree that is an incredible thought. Why doesn't this weapon fall into a similar cat-

egory, a combat, Army assault weapon that is being used by individuals to kill so many innocent people in this country—kill them at a concert in Las Vegas, at schools in Connecticut, at schools in Texas, at Fourth of July parades in my home State.

Last month, we did come together—and I want to salute Senator MURPHY, who is on the floor—to pass a bill that was the most important gun safety law we considered in three decades. I voted for it. It didn't address this issue at all except in the background checks for those under 21. And I am glad it did, but it didn't address the issue of whether these guns should even be in America at this point, legal in America. That, I think, is the critical threshold issue.

Incidentally, this shooter, who seemed to have a pretty ill-fated life from the start, managed to buy high-capacity magazines so that he could clip in quickly 30 rounds here, 30 rounds there, and fire off 83 times. Why in the world does anyone need a high-capacity clip magazine? I don't understand it. It doesn't have any practical value for sport or hunting.

We need to address the widespread, serious problem of civilian access to military assault weapons, even for shooters as young as 18.

I thank the people from Highland Park for coming yesterday and all the brave law enforcement and first responders whom I saw gather that evening when I arrived at Highland Park. We owe them a lot. They are doing an amazing job, and we should pay tribute to them and what they did. But even they, being present and armed, could not stop this from happening. They were up against a mighty weapon—a weapon we trust for the military, we trust for the police; a weapon which has no place in the hands of people like the shooter in Highland Park on the Fourth of July.

Are we going to continue this American tradition of mass shootings? Sadly, we will unless this body, this Senate, decides that it is worth the fight, worth the political debate. After Highland Park, count me in. I want to be on the record saying it is time to put an end to these assault rifles, these weapons of war which have sadly taken so many innocent lives like poor Aiden McCarthy's parents and five others who died in Highland Park.

I hope for our children's sake that we don't run away from this problem. The people in Highland Park had to run away from the Fourth of July parade, and now they are counting on us to stand up and face it squarely.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Tennessee.

BIDEN ADMINISTRATION

Mrs. BLACKBURN. Mr. President, America is facing a perfect storm of inflation, unsustainable energy costs, and supply chain chaos. Russia and Iran are circling the wagons.

Joe Biden is still finding new ways to put the American people last. In fact,

when it comes to getting gas prices under control, he has chosen to unleash a China-first policy rather than unleashing the power of American energy.

I have spent the past 18 months laying out in great detail how Joe Biden and the Democrats have damaged our credibility and enriched our adversaries. They undermined our economic recovery. They abandoned the border. They destroyed American energy independence. The list goes on and on, unfortunately. It appears that everything they have done makes life worse for "we the people."

Unfortunately, it is emboldening the axis of evil—Russia, China, Iran, North Korea. Under normal circumstances, Vladimir Putin's trip to Iran this week would be a cause for concern, but with the Biden administration in charge, it appears it could be just the tip of the iceberg because although Russia and Iran are competitors, especially in the energy sector, they are absolutely united in their hatred of the United States and in their desire to undermine Western interests.

When they look at the United States, they see a country whose President got a head start undermining those interests on day 1 of his administration, and you better believe they are ready to take advantage of this. They are ready for it. This week, look at what they have done. You had Gazprom, which is the Russian energy giant, and the National Iranian Oil Company come together and announce a \$40 billion agreement to work together on oil and gas development and pipeline construction. They are reading the writing on the wall, and what they see is hesitation from the U.S. President to move us back to energy independence, where we were on day 1 of his administration, so they are making plans as to how they will work together and dominate the energy sector.

Meanwhile, Joe Biden has also sold about a million barrels of oil from our Strategic Petroleum Reserve to the Chinese Communist Party. When I have spoken with Tennesseans about this, they are furious. They cannot understand why he would make a choice to do this. The left has done their best to provide cover for the President, claiming that a million barrels is really nothing to worry about, but you know it is something to worry about. Our SPR has about 750 million barrels in it. We are drawing it down at about a million barrels a day. Plus, the President is now selling to our adversaries—selling it.

We did a little bit of research into what China can get out of a barrel of oil, and here is what we found: That gives you 20 gallons of gasoline; 12½ gallons of distillate, which is what we use for diesel fuel; and about 3½ gallons of jet fuel. To Tennesseans, this makes a big difference.

I really agree with my fellow Tennesseans about this. When they look at this picture and they think about the

President's big sale to Hunter Biden's friends in Beijing, they don't see a gallon of gas here and there. What they see is 20 million full tanks of gas. They see diesel fuel that our farmers need. Right now, with the price of diesel doubling, we have farmers in Tennessee who cannot get crops planted. They chose not to plant crops because of the cost of diesel, fertilizer, chemicals, pesticides. They see sabotage of their hopes and their dreams and their plans—their plans—for their family, for their business, for their farm.

As I have been out and about around the State and talked to Tennesseans, they have a message for this President, this administration, my Democratic colleagues. This is more than just a political disagreement. In their minds, and I agree, this is a national security risk—a national security risk.

We are making ourselves vulnerable. Giving any aid or advantage to our adversaries is wrong, and this has got to end. Joe Biden and the Democrats must abandon this China-first energy policy and return to an America-first policy.

Restart the Keystone Pipeline. Approve more energy infrastructure. Hold more lease sales. Approve drilling permits that are waiting for approval.

Let's get the regulators out of the way. Stall some of these 42 regulations that the President has put on the oil and energy sector this year. Let's do this. Let's advantage ourselves with American energy before it is too late.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask unanimous consent that the following Senators be permitted to speak prior to the scheduled vote. Senator MURPHY for up to 15 minutes; Senator CORNYN for up to 15 minutes; and Senator COONS for up to 3 minutes.

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

ELECTORAL REFORM

Mr. MURPHY. Mr. President, I come to the floor today to talk about a piece of legislation that was introduced yesterday by 16 bipartisan Senators: the Electoral Count Reform and Presidential Transition Improvement Act.

I am proud of the effort between Republicans and Democrats to put aside our differences on other issues and to be able to put before this body a proposal that will assure that the votes that are cast all across this country for President in 2024 result in the winner of that election sitting in the Oval Office.

And I come to the floor today to underscore for my colleagues why this piece of legislation is so vitally necessary.

All across the country, we are seeing an epidemic of candidates being nominated for Governor, for secretary of state, for Congress, who don't believe Joe Biden won the 2020 election.

They instead believe these wild conspiracy theories about voting machines

that magically switched votes from one candidate to another, Sharpies that voted for Joe Biden illegally. All of it has been debunked, but the conspiracy theories and the support for this notion that Donald Trump actually won the election, according to the rules of the electoral college in 2020, continue to spread.

The Republican nominee for Governor in Pennsylvania, who appoints the State's chief election official, was right here at the Capitol, yards away from this Chamber on January 6, as individuals were storming the building trying to do harm to us. He took part in high-level meetings after the 2020 election, intended to overturn Biden's win in Pennsylvania.

He is perhaps mere months away from being the next Governor and chief elections officer of that State. Across the country, former President Trump is organizing what he calls an America First Secretary of State Coalition, and he is pretty unapologetic about what the design is. It is to install election officers all across the country whose chief loyalty is to Donald Trump, not the vote.

His endorsed candidate in Arizona, for instance, called for Biden's win in Arizona to be thrown out and for the Republican State legislature to appoint its own electors instead.

In Nevada, the endorsed Republican candidate for secretary of state, another Trump loyalist, says if he was in office in 2020, he would not have certified Joe Biden's win, leading to an immediate constitutional crisis.

What is happening all across the country right now is a complete, total rejection of democracy by Trump supporters and his endorsed candidates.

Now, they aren't representative of the entire Republican Party, but, unfortunately, they are winning primaries all across the country, and they are winning elections all across the country.

And these Trump loyalists, they are not interested in the winner of an election becoming President if that winner isn't Donald Trump. They effectively want Donald Trump installed as a monarch, and they are willing to just throw out democracy if that is what is necessary to keep their leader in power.

And as I mentioned, this isn't some fringe phenomenon any longer. I think we have a lot of Republicans in the Senate and the House who see this danger coming and want to take steps to prevent it. That is why we are introducing this legislation, but there are over 100 winners of Republican primaries for Congress and statewide office this year who believe—who have stated this belief publicly that the 2020 election was stolen and that Donald Trump should still be President.

There is just a very well-developed and well-organized movement, where Trump supporters are learning from his inability to overturn the election in 2020, and they are galvanizing themselves to leave nothing to chance in 2024.

The operation to install Trump in the White House in 2025, if he runs, will be more sophisticated and better organized than 2020. The threat that 2024 will be the last year of American democracy is real.

I know that sounds like hyperbole, but we came really close to losing our democracy in 2020. And if a President is installed in the White House who did not actually win the election, then I don't know how you claim that this experiment for 250 years is still ongoing.

So we need to act, as a body, across the aisle. Those of us who believe that our loyalty to country is more important than our loyalty to party need to act to make it as hard as possible for a group of traitors to install as President the loser of the 2024 Presidential election.

And so toward that end, we have introduced a piece of legislation that will seek to reform the way in which electors are sent to Congress and the way in which we count those electors to put up as many barriers as we can to these efforts to install the loser of the 2024 election as President of the United States.

So I am grateful to Senator COLLINS and Senator MANCHIN for leading this process. I am grateful to be a part of it, along with Senators PORTMAN, SINEMA, ROMNEY, SHAHEEN, MURKOWSKI, WARNER, TILLIS, CAPITO, CARDIN, YOUNG, COONS, SASSE, and GRAHAM.

And so let me tell you, in just a few minutes, what the most important elements—let me just tell you about some of the key elements of the Electoral Count Reform Act. It engages to make the selection and counting of fraudulent electors harder by both addressing efforts by Congress to overturn valid State results but also to make it harder for States to submit to Congress invalid State results.

Now, on January 6 of last year, we saw a handful of our colleagues attempt to throw out the valid elector slates from States like Pennsylvania and Arizona. And, luckily, in the end, those efforts only got a handful of votes here in the Senate, but the majority of Republicans voted to throw out those slates in the House of Representatives, which just tells you how mainstream these views have become.

And so, in two important ways, we make that attempt by Congress to throw out valid results from a State a little bit, but substantially, harder. Under our current law, it only takes one single Senator in order to throw this entire Senate into a debate over whether or not we should count or throw out certain electors.

In the end, there were, I think, 12 Republican Senators who suggested we should throw out ballots, but really all that was needed was 1. So what we do is we increase that threshold from 1 Senator to 20 percent of Senators, from 1 House Member to 20 percent of House Members to begin that debate. Ultimately, you still need a majority of the House and the Senate to throw out an

elector slate, but you can't even begin that debate now without having 20 percent of each body. That is a substantial and important change.

Second, we clarify the role of the Vice President. Now, some would argue that this isn't necessary; that the Vice President's role in this process is ceremonial, but that is not what Donald Trump thought. Donald Trump and his cadre of fringe lawyers believed, by reading a statute in a particular way, that Mike Pence had the ability by himself to refuse to count certain slates of electors.

Now, that is not how the 1887 Act reads, but just to be absolutely clear, our reform act clarifies the law to make 100 percent clear that the Vice President's role is just ceremonial.

And then, as I said, we also take steps to make it harder for States to send fraudulent results to Congress because that is the primary threat in 2024. I still think that there are the votes in the Senate, no matter what the elections look like in 2024, for the Senate to make sure that we don't throw out valid results that are sent to the Congress.

The bigger threat is that one candidate wins in a State like Arizona or—depending on what happens in the gubernatorial election in Pennsylvania—Pennsylvania and instead that State decides to send electors for the losing candidate to Congress, making some vague, broad claims of fraud that they can't substantiate.

So we make that exercise in fraud less likely through a number of means. First, there is a really ambiguous provision in the 1887 law which President Trump argued in the courts allowed for State legislatures to appoint their own electors if they judged that the election was incomplete. Now, what that was initially intended to mean was if an election didn't happen because of a natural disaster, but Trump's lawyers thought that that meant that these claims of fraud could satisfy that incomplete criteria.

Well, we removed that ambiguity in this underlying piece of legislation. No longer will anybody be able to claim that State legislatures can just step in after the fact and appoint different electors.

Second, we have a clear prohibition that State legislatures can't change the rules of how electors are chosen after the election itself. Now, it is up to State legislatures as to how they appoint electors.

Every State right now appoints them based upon who won the popular vote in their State, but the Constitution does give that power to the State legislature. It does not give them the power to change that process after the voters have cast their vote. We make that clear in this piece of legislation.

And then, most importantly, we clarify the process by which campaigns and candidates can contest a fraudulent certification or a fraudulent appointment of electors.

As we saw in the 2000 election, there is overlapping contesting jurisdictions between States and the Federal court system. It often takes very—a very long time for those processes to play out and unwind. We set up in this bill a new expedited process of review by a three-judge panel. We limit the cases that can be brought to that panel by the campaigns themselves, just to make sure we aren't incentivizing spurious litigation.

But that new process allows the candidates and the campaigns, if they believe that the laws of the State have not been upheld in allowing the majority winner of that State to dictate what electors get sent to Washington, to make that claim before a three-judge panel in an expedited fashion, to have that case go up to the Supreme Court in an expedited manner as well.

Clarifying the way in which we solve for these contests, if they arise over a valid slate of electors and an invalid slate of electors is an important reform in this bill.

Listen, what we have built over the last 250 years in the United States of America, it really is a miracle, and we should never forget how much of an anomaly American democracy is when you look at the broad scope of the governments under which people have lived.

This idea that citizens, not dictators or Kings or plutocrats, get to decide who leads a nation—250 years later, it is still a revolutionary idea.

And I remind my constituents all the time that democracy is really unnatural, right? There are not a lot of other things that are important to us in our lives that we run through democratic vote. Our workplaces are really important places, but we don't run our workplace through democratic vote. The boss—the CEO—makes the decisions there.

We love our sports teams, right? We follow them. We live and die for them. But the decisions on those teams—they are not made by democratic vote. There is a coach, a general manager who makes the decisions. I love my kids, but they don't get an equal vote in the decisions of my household with my wife and me. Lots of things that are important to us in our lives don't run by democratic vote. We are very comfortable, in fact, with hierarchal systems, with one person or a handful of people making decisions for us, but we have reserved this idea of democracy for the decisions that are made that govern our community, our town, our State, or our Nation.

We need to remember that over the course of world history, almost no one has lived in a democratic civilization. Why? Because it is natural for human beings to want their chosen leader to be in charge, their preferred leader to be in charge, no matter what everybody else in the community believes. It is also natural for leaders, once they have tasted power, to want to cling to that power and refuse to give it up, no matter the wishes of their citizenry.

So we need to be constantly vigilant to protect this experiment. In the grand sweep of world history, that is what it is—a revolutionary experiment. We need to recognize the moments when the threats to that experiment are new and novel and more grave than normal and be nimble enough to respond.

So I would argue that this is one of those moments, and I am so grateful to the group of bipartisan Senators who have worked so hard to introduce this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

H.R. 4346

Mr. CORNYN. Mr. President, the business before the Senate is a critical undertaking to shore up our vulnerability to imported microcircuits, otherwise known as semiconductors. You might wonder why this is so important if you haven't been following the debate over the last couple of years.

While this legislation has taken many names, it began as the CHIPS for America Act in June of 2020, which established a new program to incentivize manufacturers of these tiny microcircuits, known as semiconductors, to set up shop here in the United States.

We have tried to fund the program at different times through the Endless Frontier Act; the U.S. Innovation and Competition Act, sometimes called USICA; the America COMPETES Act; the Make It in America Act. But no matter what the title is or whatever you call it, the purpose is to eliminate this unacceptable risk that somehow—due to pandemic, due to military conflict, due to natural disaster—our access to the most advanced semiconductors on the planet would be cut off, with devastating consequences to the U.S. economy and our national security.

I know some people wonder, Why should the Federal taxpayer provide financial incentives to semiconductor manufacturing? And that is a perfectly good question. The reason is, we are in a competition with countries all around the world that are providing incentives to build these necessary and essential facilities in their country, and if we don't participate in this competition, we will end up maintaining our dependency entirely on semiconductors imported into the United States. We saw big investments being made in other countries—China, the EU, Germany, France. A number of different countries want this manufacturing capability in their country because they understand its importance to their economy and security.

Now, you might wonder, Why is it necessary? Well, there is a reason—an economic reason—why these semiconductor manufacturers are almost all based in Asia. The overwhelming majority are made in Taiwan, and that is because it costs 30 percent less to build these facilities in Asia than it does here in the United States.

But COVID-19 exposed a lot of vulnerabilities of supply chains, whether it is PPE—personal protective equipment—or semiconductors, and this idea that just because somebody could build something cheaper somewhere else, that checked all the boxes. It does not check all the boxes. And there are some things we must have access to, and one is a secure source of these microcircuits that run everything from your cell phone to the F-35 Joint Strike Fighter. We know that semiconductors will get more and more important as the world competes to come up with smaller and more powerful semiconductor chips to operate everything from computers to our weapons systems.

When the pandemic hit, the supply chain vulnerability was demonstrated by empty car lots, backordered electronics, higher prices, contributing to inflation. Consumers who never needed to know what a semiconductor was found themselves impacted by this disruption.

My State is home to companies across a full range of industries that have been impacted, from consumer electronics to defense companies.

Last spring, an executive from Toyota told me that when he first started with the company, he could count the number of chips in a given vehicle on two hands. That certainly is not the case now, with almost autonomous vehicles and certainly with all the sensors that have made driving a lot safer and a lot more convenient added to new cars. Think about the high-tech features in our cars—navigation systems, Bluetooth, automatic braking, backup cameras, and parking sensors. That is on top of standard functions like power steering, air-conditioning, and window wipers. Today, some cars use as many as 1,000 semiconductor chips.

So the pandemic of COVID-19 demonstrated our vulnerability to our supply chains that made getting so many semiconductors impossible.

This wasn't just a problem for automakers; virtually every industry was impacted. In many ways, the global chip shortage served as a wake-up call—certainly to me and I believe other Members of Congress and the Senate who voted consistently to eliminate this vulnerability in our supply chains. It forced us to recognize the vulnerability of that supply chain and then to do something about it, which we are in the process of doing.

As bad as the chip-related shortages have been in the last 2 years, they pale in comparison to what could be coming if we don't act.

As I said, the vast majority of the world's chips are made in Asia, with the bulk coming from Taiwan. Sixty-three percent of the advanced semiconductors in the world are made in Taiwan. Even more concerning is that 92 percent of the world's most advanced semiconductors come from that country. So 62 percent—63 percent of semi-

conductors come from Taiwan, but 92 percent of the most advanced, the most powerful, the smallest semiconductors come from that same place. None, zero, zip, nada are made in America. None.

Taiwanese semiconductor firms make the chips used in our military's Joint Strike Fighter, the F-35, artificial intelligence, and other military-grade devices.

Now, if you have been paying attention to what President Xi and the People's Republic of China have been saying about Taiwan, they are saying they are going to unify the PRC with Taiwan either peacefully or by military action.

Again, I believe the risk of pandemic, natural disaster, or military intervention makes this risk simply unacceptable.

Last fall, I led a congressional delegation to visit Indochina, the INDOPACOM area of operations, to learn more about the threat of Chinese aggression when it comes to Taiwan. One of the leaders we met with was the commander of the Indo-Pacific Command, located in Hawaii, who described the current power dynamic rather succinctly. He said it is not a question of if China invades Taiwan but when.

We even have a rough idea of when that could happen. President Xi has made no secret of his desire to unify Taiwan with the mainland, saying he wants to be ready to do that by 2027, just 5 years from now. But, as we have learned from Putin's invasion of Ukraine, when one person makes a decision, you can't depend on any particular timeline because it could happen in the blink of an eye.

It is tough to overestimate the impact this lack of access to these advanced semiconductors would have on the United States and our allies. To be sure, our cars, televisions, refrigerators, and washing machines would be impacted, but that is only the beginning. Those would be mere inconveniences. How would we manufacture Javelin missiles that are used in Ukraine? Well, we couldn't because they all run on semiconductors. There is the Stinger that is being used so effectively by the Ukrainians to go after Russian tanks invading Ukraine. The Joint Strike Fighter, the F-35, our most advanced, fifth-generation, stealth aircraft, is chock-full of semiconductors that would be unavailable if our access was cut off for some reason.

Then just think about our critical infrastructure. Think about cell towers. Think about the energy grid. Where would we get the chips that are needed for modern farming equipment? Just as cars have become more and more automated, so have tractors and other farming equipment.

What would we do for the chips that we need to treat water to make sure it is clean and easily available?

So these aren't problems just for consumers; it is a major national security vulnerability.

Back in 1980, President Jimmy Carter gave his State of the Union Address in

which he spoke about the instability of the Persian Gulf and Soviet threats to the movement of oil through the Strait of Hormuz. That was back in the days when we depended almost entirely on imported oil into the United States. But Jimmy Carter said in 1980 that any attempt to gain control of the Strait of Hormuz and to block access to that essential energy source, he said, would be “an assault on the vital interests of the United States of America.” That would be a declaration of war.

I think the same argument applies to semiconductors today. In fact, some people have called semiconductors the new oil because it is so essential to our way of life, to our economy, and our security.

Just as the Soviets could have blocked the Strait of Hormuz and choked off the global oil supply back in 1980, the People’s Republic of China could seize Taiwan’s supply of chips and starve the rest of the world. Will they go into the ventilators and the other lifesaving medical equipment or provide homes with clean drinking water? These are important questions that many of us have been asking and looking to try to find ways to mitigate, if not to eliminate, our dependency on imported semiconductors.

So funding this program in this bill currently before the Senate will shore up domestic chip manufacturing to make sure that we meet the needs of our most critical industries. It would deliver economic benefits to our communities through new investments and jobs. It will strengthen our national security by providing chips that can make their way into markets around the world. It will ensure that we have a reliable supply of chips so we can outinnovate and outcompete any and every adversary, and that is a point worth stressing.

We know we are in competition with the People’s Republic of China, but the way we will beat them is to outcompete them. The only way we will do that is with access to the most advanced electronics, including semiconductors, that are made anywhere on the planet, and we need to make them here in America so there can be trusted supply chains and readily available.

So I appreciate all of our colleagues who supported this legislation for the long and winding journey that has brought us here today, and I hope this bill will pass the Senate and the House next week and finally make its way to the President’s desk.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

NOMINATION OF REUBEN E. BRIGETY II

Mr. COONS. Mr. President, you and I have had the blessing of traveling to South Africa together, so I know you know, as I do, that it is a critical nation, not just on its own terms as a country of 70 million people of a multilingual, multifait, multiethnic democracy working to achieve the incredible promise enshrined in its Con-

stitution, working to achieve the vision of a liberation struggle, but it is also a country that is critical to regional security and for the path of the globe and to the security and stability of democracy in this century. This is why I stand to speak briefly on behalf of my friend, Reuben Brigety, the nominee to be our next Ambassador to South Africa, whose confirmation we will take up in just a few moments.

Reuben is someone I admire deeply. He attended the Naval Academy, served in the U.S. Navy, was Deputy Assistant Secretary of State both for African Affairs and for Population, Refugees, and Migration.

I met him as Ambassador to the African Union, knew him well as dean of the Elliott School at GW. He took on the challenge of service as the president of the University of the South, better known as Sewanee; and now our President has nominated him to represent us in South Africa.

As we have seen in recent votes and actions at the United Nations and in discussions and debates around the world, African countries—in this moment, during this war in Ukraine, in the face of Russia’s aggression—are turning away from us. They are not believing the reality that it is Russian aggression that is causing food scarcity and fertilizer prices to spike, and they are more than not taking Russia’s side on this.

We cannot take these relationships for granted. The United States, for decades, has been a close development and public health partner of South Africa. We have to send our best, and Ambassador Brigety is the right person at the right time to advance the critical relationship goals that we have between the United States and South Africa.

TRIBUTE TO ALEXANDRA DAVIS

Mr. President, one of the blessings of serving here in the Senate is getting to know natives of New Jersey, like yourself and like my foreign policy adviser, Allie Davis.

I will do my best to get through these next few minutes of remarks without being unduly emotional, but she deserves a catch in the throat and a tear in the eye because Allie is someone who from the moment she came to join my team 6 years ago has been a remarkable person—a person of great spirit and character, someone who also spent time in South Africa as a young person.

After graduating from the University of Delaware, a tour as a Fulbright in South Africa prepared her to join my team as a foreign policy fellow.

As she was just confessing to me in my office a few moments ago, she knew far less about governance and politics than I imagined. She carries herself with remarkable grace and confidence. She steadily has risen to be a legislative aide, a legislative assistant, and now my foreign policy adviser.

I don’t have the time—but I wish I did—to detail all the pieces of significant and important legislation she has

helped shepherd through to success. She has critically supported my leadership on the State and Foreign Operations Appropriations team. She has been critical as we have worked to address this moment of global hunger. She has helped get the Global Fragility Act from concept to enactment. She has helped make the Development Finance Corporation a powerful tool for development. She helped shape and craft the Nita M. Lowey Middle East Partnership for Peace Act, and she nearly single-handedly, at a time when I was confident this could not be done, got the Sudan Claims Resolution Act through this Congress and fundamentally changed the arc of the search for democracy in Sudan.

We had the chance to travel together on a Presidential mission to Ethiopia, during which she had truly memorable encounters with its head of state and an opportunity to see and participate and help drive diplomacy firsthand. We traveled together to so many other countries: from the UAE to France to Georgia to Italy and, perhaps most memorably, to Sudan, where I was honored to receive one of their leading national awards, which really was an award in recognition of her work on behalf of the Sudanese people.

She goes to serve the House Foreign Affairs Committee, whose chairman I accosted last night at an event, and said: You are causing great harm to me, and I resent deeply the fact that you are causing this most talented and skilled and trusted member to leave the Senate and go to the House.

But she joins as a member of their professional staff, a great team. And I know that we will continue to work hard and to work closely together in the years and decades ahead. A great friend, a great colleague, and someone to whom I wish great success in the many years ahead.

With that, I urge my colleagues to vote in support of the nomination of Reuben Brigety to be Ambassador, and I offer my greatest thanks to Allie Davis for her talented and skillful service on behalf of the people of Delaware.

I yield the floor.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Reuben E. Brigety II, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Africa.

VOTE ON BRIGETY NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Brigety nomination?

Mr. COONS. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) and the Senator from Minnesota (Ms. SMITH) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Mr. CRAMER), and the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 55, nays 40, as follows:

[Rollcall Vote No. 266 Ex.]

YEAS—55

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

NAYS—40

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

NOT VOTING—5

Blunt	Kennedy	Smith
Cramer	Leahy	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

The senior Senator from Connecticut.

UNANIMOUS CONSENT REQUEST—S. 4550

Mr. BLUMENTHAL. Mr. President, I am honored to appear with a group of my colleagues on behalf of the Expanding Access to Family Planning Act.

We are here to talk about this essential measure in the post-Roe world. That is a phrase I never thought I would ever utter anywhere, not to mention on the floor of the U.S. Sen-

ate. But we are living in the post-Roe world where reproductive rights are under assault as never before and critical reproductive healthcare services are more necessary and also are more at risk than ever before. That is why a consistent, strong source of funding for title X Family Planning Programs are absolutely critical and urgent. That is the purpose of the Expanding Access to Family Planning Act.

What it means for the State of Connecticut is, in the past, \$2.5 million in title X funding, allowing patients, mostly women—45,000 of them—critical access to comprehensive family planning and preventive healthcare services. What we are talking about here is not only family planning but also testing and treatment for sexually transmitted diseases, lifesaving cancer screening, and other essential health services. And they are all now at risk.

What they need is the strong and consistent source of funding that this measure would provide, doubling—literally, almost doubling the number of dollars but also guaranteeing over a 10-year period that clinics will receive this funding.

In the State of Connecticut, most of this funding in the past has gone to Planned Parenthood of Southern New England. The Cornell Scott-Hill Health Center has received some. They have done absolutely extraordinary work in delivering health services, particularly to women who are uninsured, women who are of lower incomes, and women who are younger—under 30. And that is the primary patient pool that needs these services.

Let me be very blunt. If my Republican colleagues truly care about supporting families, they can show it by supporting this measure and funding title X. In the past, since its inception 50 years ago, it has been bipartisan because people agree that families ought to be a priority, that decisions about when and whether to have children are the most important that we make, that caring for families and particularly prenatal care, screening for sexually transmitted diseases, cancer screening—these health services are vital to all of us, whether we are the patient or not, and that they stay funded in the long run. Preventive healthcare is pound-wise, and it will save money.

We know that the Supreme Court's decision in Dobbs strips women of a vitally important freedom and puts it in the hands of government bureaucrats: the decision about when and whether to have children. The least we can do now is to fund the reproductive healthcare services that will save lives and save futures.

Dobbs has put women at risk. It has put reproductive healthcare in grave jeopardy. This measure is necessary to mitigate the effects of Dobbs—more necessary now than ever before. We will never stop fighting for a woman's right to choose when and whether to have children. We will never stop fighting to protect a woman's right to ac-

cess healthcare that is vital to her own and her children's health.

In the face of mounting attacks on women's health, now is the time to strengthen title X, and that is why we need this legislation. Passing the Expanding Access to Family Planning Act will strengthen our entire healthcare system.

It is simply critical for this \$500 million—providing birth control, cancer screening, other kinds of testing and treatment—to be passed. And if my Republican colleagues are serious about supporting families, they ought to be eager to join us. And I am proud to be supporting this measure, and I am eager to see it signed into law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise today in support of the Expanding Access to Family Planning Act, which will help ensure millions of Americans can continue receiving family planning services through the title X program.

For more than 40 years, title X has helped ensure hundreds of thousands of women—regardless of income, background, insurance status, or hometown—have access to basic reproductive healthcare, including wellness exams, cancer screenings, birth control, and testing and treatment for sexually transmitted diseases.

While this program, which was created with bipartisan support, has been around for decades, we have seen what happens when MAGA Republicans are in control. President Trump slashed funding for title X and imposed a dangerous domestic gag rule that banned doctors from telling people how they could access abortion services. The gag rule wreaked havoc across the country. It forced providers to decide whether they wanted to receive title X funding—knowing that healthcare providers wouldn't be able to provide women with accurate and comprehensive information—or say no to this critical family planning funding that supports women across the country through clinics like Planned Parenthood and other nonprofits.

In my home State of Hawaii, the entire network of title X clinics said no to this dangerous rule and rejected the funding, forcing our State to foot the bill. On the other hand, the State of Hawaii, the clinics in Hawaii, because they rejected this funding, could provide the full range of care for their clients, but ultimately the gag rule resulted in a loss of services to thousands of women.

Across the country, Trump's rule slashed title X's patient capacity in half, jeopardizing family planning and contraceptive care for 1.6 million patients nationwide. While President Biden reversed this rule, we can't take anything for granted.

As the rightwing Supreme Court and MAGA Republicans work to eliminate reproductive freedom, it is critical we protect and strengthen title X. That is

exactly what the Expanding Access to Family Planning Act will do. This bill will nearly double funding for title X family planning services by providing \$500 million in mandatory funding for title X for each of the next 10 years. It will also ban title X providers from discriminating against patients and require pregnancy consulting services receiving title X funds to provide patients with all of the information about all their reproductive care options, including abortion.

Republicans have made clear they will do anything to get rid of our reproductive freedoms, so we must pass this bill to make sure this program isn't at the whim of those trying to strip us of our healthcare. While Republicans continue to attack our fundamental rights, Democrats are doing everything we can to protect them. That is why, in addition to this important bill, earlier this week, I introduced legislation to codify the right to contraception. All of this is about who gets to make decisions about our bodies—women or a bunch of rightwing politicians.

I believe—and the American people overwhelmingly agree—individuals, not politicians, should be making these deeply personal decisions.

Our Right to Contraception Act and the Expanding Access to Family Planning Act will help ensure they can.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I want to thank my colleague from Hawaii for making these very important remarks today with respect to expanding access to family planning.

And, Senator HIRONO, let me also, while you are on the floor, tell you how much I appreciate your leadership on the My Body, My Data Act. I am thrilled to be, I believe, one of your sponsors here in the Senate. It is hugely consequential, because we have known from even the draft Alito opinion that women were going to have their personal data weaponized against them.

I know you have a busy schedule, but I just wanted the body to know how extraordinarily important this is, because when we look at technology and, particularly, what technology can do today, what your legislation does—with our colleague from the House, Congresswoman JACOBS—is it gives us a chance to get back to the fundamental issue of privacy rights. We are going to start looking more at the contractual relationships between women and various companies because a lot of those privacy policies aren't worth the paper they are written on.

I just want you to know I am so honored to be your cosponsor on a very related piece of legislation. Your leadership has made a big difference.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, just very briefly.

Senator WYDEN, I am really glad to be able to sponsor the My Bodies, My

Data bill with you, because, as we know, any time any of us presses the button and uses our internet, somebody is collecting data, all of this data. And can you imagine there are all of these clinics that purportedly provide information relating to contraception and whatever else relating to reproductive care—these entities are also collecting all kinds of information. And they are not there to make sure that women—mainly women but individuals who access their services—they do not know that these are not institutions that will give them all of the information they need; but, instead, they are collecting a lot of information that can be weaponized.

Thank you very much. This is yet another whole area of concern in this environment, in this climate, where individuals do not have control over our own bodies.

Mr. WYDEN. I just say to my colleague, sometimes it is a little difficult to figure out where a piece of legislation is going. That is not the case with your bill. My Body, My Data sums it up.

Again, thank you so much for your leadership.

UNANIMOUS CONSENT REQUEST—S. 4550

Mr. President, I also want to briefly touch on the important legislation that Senator SMITH—my Pacific Northwest colleague—Senator MURRAY, and Senator WARNER have recently introduced. They have an important proposal called the Expanding Access to Family Planning Act. I am proud to cosponsor this legislation. This is another area where Chair MURRAY and I work very closely together because a lot of these issues can often involve Medicaid, for example. And I just so appreciate my colleague bringing up her important bill with respect to family planning.

The proposition behind this is pretty straightforward. The Supreme Court overturned Roe against the will of the American people. States are criminalizing abortion. Many women and girls are now being forced to carry pregnancies to term and give birth. If they are going to stand by this forced-birth agenda, then you better guarantee basic health for women and families. That is really Senator MURRAY's challenge to Senate Republicans. You can't be pro-life and pro-family if you are against healthcare that saves lives and protects families.

The Murray legislation, with Senator SMITH and Senator WARREN—I am pleased to be for it today—is centered on a significant increase in what is known as title X funding, which goes to basic essential services like HIV tests, contraception, treatment for infections, and pregnancy counseling.

And one of those services is really so vitally important. I just want to mention it, and that is cancer screenings. Cancer screenings are a particularly important issue now that the Supreme Court has overturned Roe. Over the last few weeks there have been a wave

of these horrendous stories, as Senator MURRAY knows better than anyone, about the chaos this radical Supreme Court ruling has unleashed on women's healthcare—drawn-out miscarriages, potentially fatal complications left untreated, physicians unsure of what treatments they are legally allowed to perform.

And we know one of the absolute nightmares for women living in forced-birth States is getting pregnant and having cancer at exactly the same time. And the question is: In a world where a miscarriage could lead to criminal charges, how do you treat a pregnant woman with cancer?

So we ought to think about that. And could getting chemo be a crime in a forced-birth State, Senator MURRAY? In forced-birth States, how many Americans are going to die because they waited too long to begin treatment for breast cancer or cervical cancer or because they didn't maybe get treated at all?

It is appalling that Americans are facing this kind of awful, I think, unthinkable situation, all because six Republicans on the Supreme Court threw 50 years of settled law on abortion rights into the dustbin.

In the parlance of the Senate, Senator MURRAY, I yield to you. I think your legislation is extraordinarily important.

Uh-oh. I have to reverse some parlance of the Senate and yield to Senator KLOBUCHAR, who also has been a champion of this issue. And I just want the Senate to know, because we are in the Pacific Northwest, we talk about these issues. People ought to make no mistake about it—Senator MURRAY has put years and years into the cause of women's health. And I really enjoy being junior partner in the whole effort and look forward to her leadership.

And I yield to Senator KLOBUCHAR.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, thank you so much. I join my colleagues. Thank you, Senator WYDEN, for your on-point remarks and, of course, Senator MURRAY, for her incredible leadership, not only of the committee but on taking this issue on and making clear to the State of Washington, yes, but also to the country that this should be a woman's decision, a woman and her doctor, family's decision, and not a decision made by politicians.

And part of this is making sure there is access to family planning. Since this decision has come out, I could not believe the number of women that have come up to me at home or in airports, flight attendants, saying things like: Is this really happening? You mean, I am going to have to go to another State just to get reproductive healthcare?

So how about contraception? There are people talking about contraception. People all over the country have realized how extreme this decision is. And one of the people who has been leading

this fight—and, in fact, has been leading this proposal on expanding access to family planning is my colleague TINA SMITH. And she is here in spirit today. She has a mild case of COVID. I know she is watching right now because she has been fighting for the rights of women to make their own decisions about their healthcare her entire life. She is the only Senator in the history of the U.S. Senate that actually worked at Planned Parenthood and has a firm understanding and has shown so much leadership in this area. So we thank her. I am speaking for my constituents, of course, to thank TINA SMITH for her work and her leadership.

As I noted, 26 days ago, the Supreme Court issued this rule shredding nearly five decades of precedent protecting a woman's right to make her own healthcare decisions. Now women are at the mercy of a patchwork of State laws governing their ability to access reproductive care, leaving them with fewer rights than their moms and their grandmas.

Last week, Senator MURRAY and I joined several of our Democratic colleagues, including Senator CORTEZ MASTO, who led this bill to preserve a woman's right to travel to other States to access reproductive care. Republicans blocked us. So we are back today because if the Supreme Court won't protect a woman's right to make her own healthcare decisions, if Congress can agree to put the protections of *Roe v. Wade* into law, then everyone in this Chamber has to decide whether they will protect women's healthcare or not. And that includes making sure women have a right to abortion services, but it includes having reliable access to family planning services.

Let's start by passing the Expanding Access to Family Planning Act to protect and expand funding for title X clinics, which support maternal health, cancer screening, contraception, and other essential healthcare.

In 2020 alone—get this number—1.5 million Americans received services through title X. But currently, Federal funding is not enough to serve the number of people who need care. And in the wake of the Supreme Court's ruling attacking the freedom and the autonomy of women, it is likely that there will be even more demand in the years ahead. That is why Expanding Access to Family Planning Act gives title X the funding needed to serve women and families for the next 10 years.

This legislation is far from radical. The title X program was actually created under a Republican administration. And the original bill passed with broad bipartisan support. This is about making sure women have a way to take care of themselves, especially when they are pregnant.

Right now, I am thinking about all the women in this country facing an unacceptably uncertain future. We should all be able to agree that, at the very least, we should make sure that they have access to the basic health

services that title X provides—a provision that passed during a Republican administration, created under a Republican administration, that understood that women should be able to access to healthcare.

There is a better path forward: We pass this bill, fund family planning, and save women's lives. I call on my colleagues to join me in supporting this necessary and completely pragmatic and sensible legislation for the women of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I want to thank my colleagues Senator KLOBUCHAR, Senator WYDEN, Senator HIRONO, and so many others who have been out here speaking on behalf of women and their ability to make their own healthcare decisions after the disastrous decision from the Supreme Court. And it has been now almost a month since the Supreme Court overturned *Roe v. Wade*, ended the right to abortion, and really upended healthcare for women across this country.

And every single day, women and providers and patients have been shouting from the rooftops about how damaging this is, how women's lives are now at risk. Every single day we are seeing the horrors caused by Republicans' oppression: women forced to stay pregnant and give birth when they don't want to; patients denied prescriptions that they need; a 10-year-old forced to travel across State lines to get an abortion after being raped; a woman experiencing a miscarriage left bleeding for 10 days as providers were not clear if they could treat her due to Republicans' extreme bans.

And all the while, Republicans have been trying to ignore the devastation that they have caused. And even more cruelly, they have been trying to distract us, telling us that what we are seeing isn't really happening. They have tried to say it won't undermine birth-control access, even as patients have been denied Plan B. They have tried to say we don't need to protect the right to travel for abortion care, even as some Republicans are already writing and introducing bills to take that right away.

They have even tried to say their extreme bans won't undermine care for ectopic pregnancies or miscarriages, even as providers have already been forced to change the standard of care because Republicans' dangerous abortion bans making them perform riskier, invasive surgeries than would otherwise be necessary or even sit on their hands until patients' vital signs drop before they can do what is needed to save lives.

It really is unconscionable. And despite what we have heard from Republicans, it is happening right now in this country. And I know I am not the only one who is entirely unconvinced by Republican words about wanting to support women and families.

I am skeptical when one Republican Senator said:

We have to start thinking in terms of some of these things . . . to be more supportive of families and mothers.

I am skeptical when another one said:

It's not just a matter of saying, "We are pro-life." It's a matter . . . of promoting and allowing these people who are making very difficult decisions with their lives to make sure we can help.

I was, frankly, surprised when, just last week at a hearing that I chaired on how this Dobbs decision threatens women's health, the junior Senator from Kansas claimed he believes that "family planning opportunities need to be expanded." He even promised to continue supporting "robust funding."

Here is the chance to match that rhetoric with action because Senator SMITH and Senator WARREN and I have a bill right here that would do exactly that. In fact, it is even called the Expanding Access to Family Planning Act. I know Senator SMITH cares a lot about this. While she can't be here right now due to COVID, I want to thank her for her leadership on this and explain what this bill does for her.

This bill is pretty simple. It almost couldn't be simpler. It takes our Nation's longstanding Family Planning Program, title X, and provides the strong mandatory funding title X needs now to support patients across the country. That is it. It is very easy. It is very straightforward.

If Republicans really mean what they are saying, if they are really serious about expanding access to family planning, there is no reason why we cannot get this done right now. After all, we are talking about a program that has a long history of bipartisan support. We are talking about a program that was signed into law by a Republican, President Nixon, way back in 1970. We are talking about a program that helps patients get the birth control they need, the STI testing and the treatment they count on, the cervical and breast cancer screenings that could save their lives, and the support they need to plan a family on their own terms.

This isn't just the popular thing to do, although helping patients get the birth control they need is an overwhelmingly popular thing to do; this is the right thing to do. Let's get this done. It should not be controversial. It simply expands our Nation's longstanding Family Planning Program—a program, I should note, that we included in our bipartisan funding bill earlier this year.

Just a few months ago, some Republicans were adamantly against any increases for this program, but now, as we hear, they are changing their tune and claiming they do want to support families. They do want to expand family planning services. They want to do exactly what this bill does—unless, of course, they don't mean it, and it is simply rhetoric or just another Republican distraction from the reality that has been ushered in.

Right now, the Republicans will have a chance to go on the record on whether they actually support family planning, whether they actually want to help people get birth control. And believe me, the same people Republicans have been trying to ignore—the same people who are having their healthcare undermined, their lives upended, their controls over their own bodies taken away—are going to be watching us closely, and they are not going to forget how much or how little Republicans' promises are worth.

Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 4550 and the Senate proceed to its immediate consideration, that the bill be considered read a third time and passed, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Mr. KING). Is there objection?

Ms. ERNST. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Mr. President, this bill is a wolf in sheep's clothing. While the language touts supporting access to family planning, in reality, it is likely a \$5 billion gift for Planned Parenthood and other abortion-related providers.

Prior to the Trump administration's protect life rule, Planned Parenthood received nearly \$60 million per year in title X funds. The Biden administration reversed this rule and has aggressively deployed title X funds to abortion providers like Planned Parenthood.

Under this bill, Planned Parenthood and other abortion providers would be allowed to use the funds to build clinics, and abortion counseling referrals would be mandatory. The bill would also force religious providers to violate their beliefs. Congress should not green light family planning dollars at the expense of family destruction.

For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

Mrs. MURRAY. Mr. President, there you have it—the real Republican position on expanding family planning summed up in two simple words: “I object.”

As much as Republicans are talking now about supporting women's health, as hard as they might try to pretend that they do support family planning services, when they have been given a chance today to do exactly that—to expand a program with a long track record of helping women get the care they need; a long history, I remind all of us, of bipartisan support—they stood in the way.

Let's be clear. The bill that the Republicans blocked today does not fund abortion. The truth is, title X only provides services like birth control, STI testing, cancer screenings—services Republicans claim to support.

We are not proposing anything radical or groundbreaking; we are simply saying we should expand the national Family Planning Program that already exists, the one President Nixon signed into law decades ago, the one we have already funded before in a bipartisan way many times.

Title X is a program that is already providing patients family planning services and contraception, STI testing and treatment, screenings for breast cancer and cervical cancer, and more. I know that because I have met with title X providers and patients in my home State of Washington many times. I would strongly urge my colleagues who block this bill to do the same. Listen to those patients. Listen to the doctors. Listen to the nurses in their States. This is a program we already know helps so many people, and it can help more.

I can't say I am surprised by Republican objections today. I can't say this is the first time Republicans have said one thing about women's health and done the opposite, and I think we all know full well it won't be the last.

My message to the American people who are witnessing this: Pay attention. Pay attention. The Republican agenda is no to family planning, no to your right to travel for the healthcare you need, and no to your constitutional right to abortion.

Senate Democrats and I will not stop holding them accountable for empty promises or for the devastating harm their extreme abortion bans are now inflicting on so many patients and families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

FORMULA ACT

Mr. LEE. Mr. President, for months now, American babies have endured an unprecedented and prolonged formula shortage. Some doctors have called this the worst crisis of their careers. It has become so widespread that nearly everyone knows someone who has been personally affected. Desperate parents have scoured online marketplaces. They reached out to family and friends for help. They paid exorbitant markups just to feed their babies. In some worst-case scenarios, some have even resorted to dangerous homemade formulas. In the U.S.A., no parent should be left to wonder how they are going to feed their newborn baby.

After months of work and bipartisan collaboration with my colleagues in the House and the Senate, I rise to pass needed reforms that will finally provide relief to hungry babies. Today, we can take action to alleviate a crisis largely of the Federal Government's own creation.

Poor governance has crippled our domestic formula market. Tariffs and regulations have prevented safe foreign formulas from entering the United States, even while we are experiencing this acute shortage at home.

Currently, the government imposes a 17.5-percent minimum tariff on formula imports. This tariff has stifled competition. But it doesn't have to be that way. We can lift these substantial tariffs on the importation of baby formulas and reduce the costs borne by retailers to provide access to safe, affordable formula. Doing so will expand the severely limited formula options for American consumers. This modified version of the Formula Act does just that by waiving these tariffs through the end of this year.

While passing my bill won't provide immediate relief, our work is far from complete. I am committed to doing everything I can not only to provide this relief now but also to make the necessary permanent reforms to our system to ensure that a crisis like this never arises again.

We still have work to do, and we must further our efforts by allowing WIC recipients to buy whatever brand of formula might be available. We must make meaningful reforms to how the FDA regulates the formula industry. Passing this bill today is the first step. In the meantime, I am actively working on expanding the list of products to receive temporary relief from tariffs. While this is an important first step, it is certainly not the last.

This crisis is such that American babies cannot wait any longer than they already have. We have a moral obligation to these infants to say that we did everything we possibly could to fight for them.

Passing the Formula Act will be an incredible win for families and hungry babies everywhere. It will make meaningful headway that is so desperately needed today. By suspending the tariff on formula imports, we are providing cheaper access to individual consumers and to retailers alike. This relief has been long overdue and long overdue especially for Utahns, who have the largest families, the most children per capita, and the highest birth rate.

I am grateful for the countless hours of behind-the-scenes work and successful negotiations with my colleagues, Democrats and Republicans alike, in the House and in the Senate, which have resulted in a win for our most vulnerable Americans—babies. I look forward to continuing this important work with them.

Passing my Formula Act today is a victory for families and for babies everywhere.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 8351.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 8351) to amend the Harmonized Tariff Schedule of the United States to suspend temporarily rates of duty on imports of certain infant formula products, and for other purposes.

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

Mr. LEE. I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. LEE. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate on the bill, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 8351) was passed.

Mr. LEE. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

The PRESIDING OFFICER. The Senator from Indiana.

UNANIMOUS CONSENT REQUEST—S. RES. 687

Mr. BRAUN. Mr. President, I rise today to fix a troubling loophole in our earmark rules. Earmarks are something I strongly oppose. I believe they breed corruption, overspending, waste, and abuse.

There has been bipartisan concern about the earmarking process for decades. In 2007, the process got so out of control that even earmarking's biggest supporters decided we needed guardrails.

The Senate passed the Honest Leadership and Open Government Act. The bill created Senate standing rule 44, which requires the authors of any bill considered by the Chamber to do this: identify each earmark contained in the bill and ensure that the text is publicly available at least 48 hours prior to proceeding to the bill.

These two protections helped shine light on the earmarking process. There was significant bipartisan support for the protections in rule 44.

In 2007, on the Senate floor, Senator Hillary Clinton said that rule 44 would help curb wasteful spending by creating greater transparency "in the earmark process." It was nearly unanimous, including the two Senators from New Hampshire.

I want to read a portion of her comments.

I believe we can improve accountability by mandating publication of the earmark for a minimum period of time prior to any vote on the underlying measure, ensuring that both other elected officials and the general public have the opportunity to scrutinize the sponsored outlay. Taking these common-sense steps would ensure that legislators are made to answer for the spending they cosponsor.

A quote from Hillary Clinton. I couldn't agree more, in this case. But the drafters of Senate rule 44 left something out. The rule does not apply to legislation brought to the floor as an amendment from the House.

This means that a determined majority can ignore the protections offered under the rule simply by using a common procedural mechanism.

The bill I seek to pass today closes this loophole. Senator DURBIN commented about how important it was back then as well.

Congress should abide by the rules it created for itself. We recently saw the consequences of this loophole. The Omnibus appropriations bill considered in March contained nearly 5,000 earmarks, totaling nearly \$10 billion. The Senate passed the bill less than 48 hours after receiving the text, in violation of the spirit of rule 44.

As Dr. Tom Coburn used to say in this Chamber, earmarks are a "gateway drug." We must close this unintended loophole before the situation gets worse. In fiscal year 2010, the last year of earmarking before the congressional ban, Congress passed 11,000 earmarks at a sum of \$32 billion. We cannot go back there.

Earmarks give Congress a personal incentive to vote for the huge spending bills that are dragging America into bankruptcy. I talked about it last night when I introduced my own budget to try to go the other direction.

Return of earmarks will mean the return of earmark scandals and earmark corruption much sooner than you think. Let's do the minimum to prevent this.

I ask unanimous consent that the Committee on Rules and Administration be discharged from further consideration and the Senate now proceed to S. Res. 687; further, that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from New Hampshire.

Mrs. SHAHEEN. Reserving the right to object.

One of Congress's most basic jobs is the power of the purse. Americans rely on this body to provide Federal funds for programs that support national defense, small businesses, border defenses, conservation of public lands, food assistance for the poor, and so much more.

And as a longstanding member of the Appropriations Committee, I am proud of the work that the Appropriations Committee has done to meet the needs of this Nation. And as a senior Senator from New Hampshire, when I talk to small business owners, educators, healthcare professionals, community leaders across my State, it is unfortunate that not all of the needs of our State are being met.

And for years, New Hampshire, like most small States in this country, has received among the lowest apportionments in the country from formula grant programs that are administered by our Federal Agencies.

Congress has long used earmarks or congressionally directed spending to address funding gaps and inequities between the States. And, in fact, Senator Judd Gregg—whom I had the pleasure of serving with both when he was Governor and I was in the State senate and then when he was in the Senate and I got elected—was a big supporter of congressionally directed spending because he believed, like I do, that I know bet-

ter how money should be spent in New Hampshire than a bureaucrat here who was making decisions about how to spend Federal dollars.

Congressionally directed spending levels the playing field for States like New Hampshire, and even for Indiana, to ensure that our communities can get their fair share to address our local needs.

Unfortunately, back in 2011, when Congress instituted a ban on congressionally directed spending, we ceded the power of the purse to unelected officials in the executive branch. And while I know that many of these individuals are dedicated bureaucrats, they are public servants. They don't necessarily understand the needs of New Hampshire in the same way that I do as somebody who has represented that State for decades.

So that is why I was very pleased that under the leadership of Chairman LEAHY and Ranking Member SHELBY, Congress once again passed a bipartisan bill to include congressionally directed spending in our budget process.

And when we did that, the Appropriations Committee instituted some major reforms to improve accountability and transparency in the process of congressionally directed spending.

I am going to talk about some of those reforms because while I appreciate the perspective of my colleague from Indiana, I think he has not pointed out the reforms that exist in the process of congressionally directed spending.

First of all, Members are required to certify that neither we nor any member of our immediate family would financially benefit from the requests that are made. Secondly, those congressionally directed spending requests have to be made in writing and posted online by the Member and the Appropriations Committee so that the public has every opportunity to view the name and location of the project, the intended recipient, and the purposes of that request. For example, the requests for fiscal year 2023 are available online right now before they would be available if this government, this administration, were determining how to spend that money.

So the Senator from Indiana doesn't have to wait until those Senate bills are posted to inspect congressionally directed spending projects.

The reforms also include a 1-percent cap on discretionary spending for CDS items and a ban on congressionally directed spending items to for-profit entities.

Finally, the Appropriations Committee requires the Government Accountability Office to audit a sample of enacted congressionally directed spending items to ensure that Congress is being held accountable for these projects.

The chair and ranking member instituted these reforms to restore the trust of the American people in the appropriations process, and I believe it is

working. And I can tell you, as I travel around New Hampshire, it is one of the things that I hear from people in our communities that they are interested in.

They want to know about the appropriations process, and they want to know what other opportunities are there to support initiatives that may not fit within some grant program, that they may not be able to raise money in the private sector for but that are very important for our communities.

The resolution sponsored by the Senator from Indiana would require the chair of the Senate Appropriations Committee to certify that not just Senate earmarks have been disclosed but that all House earmarks have been disclosed.

I think that bill is a solution in search of a problem. The House already has its own rule that governs congressionally directed spending items, and it is required to identify these items.

It knows what its Members have requested, and it is responsible for disclosing them. Requiring the Senate to confirm that the House has done its job before we can consider a message from the House is unnecessary, and it could stop consideration of appropriations bills before they ever get here.

The resolution sponsored by my colleague from Indiana would change Senate rule 44 in ways that could have unintended consequences and could delay critical funding for projects that are important in my home State of New Hampshire and in so many States across this country.

So given all of those concerns, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Indiana.

Mr. BRAUN. Mr. President, with all due respect to the Senator from New Hampshire, Senator SHAHEEN, back in 2007, both New Hampshire Senators Gregg and Sununu as well as all 98 Senators who voted back then I think intended not only for the letter of the law but they wanted the spirit of the law to be aligned with it.

We now have a new way, something that can come over here that violates a standing rule of the Senate. I am guessing it will probably be used again down the road where we have to get something, we have no time to look at it. I think the spirit of the law would say that we need the 48 hours and the ability to know who is on it and who isn't.

And then in the bigger picture, I would ask this question—and the American public ought to listen, ask it themselves—is this place getting more responsible or are we giving better value to you? Do we budget? Do we use regular order? And most importantly, are we creating more and more deficit and more and more debt?

We know what the answer is. I talked about it for 15 minutes yesterday evening. We are doing everything we

can to avoid the rules, pay attention to the spirit of the law. And in what we are delivering, it is a product I think that shows less and less responsibility out of a body that should not be making rules that make it easier to run deficits and go into debt. It ought to be the opposite.

And if we don't, I think future generations will hold us accountable for the things that we seem to do best, which are the gimmicks to get around budgeting, avoiding the rules on a technicality.

The American public deserves better. I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that at 1:45 p.m., the Senate proceed to executive session and the Senate immediately vote on confirmation of Executive Calendar No. 902, the nomination of Shereef Elnahal.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF SHEREEF M. ELNAHAL

Mr. TESTER. Mr. President, look, now more than ever, the Department of Veterans Affairs needs a steady hand to guide the Veterans Health Administration. This is the Nation's largest integrated healthcare system, and its job is to deliver quality and timely care to our veterans.

I rise today because in about 15 minutes, we are going to vote on the confirmation of Dr. Shereef Elnahal to run the Veterans Health Administration. He has an impressive record of leading healthcare systems and health agencies. Most recently, Dr. Elnahal served as president and CEO of University Hospital in Newark, NJ, and, previous to that, New Jersey's 21st health commissioner. But more importantly than that, Dr. Elnahal is committed to caring for the more than 9 million veterans in VA's care—a commitment he carried out as Assistant Deputy Under Secretary for Health for Quality, Safety, and Value at the Department.

It is no secret that VHA and healthcare systems and providers are going through a challenging time. The VA continues to battle the impacts of the COVID-19 pandemic, with veterans' cases and hospitalizations and deaths on the rise again. And VA staff are dealing with burnout and increased turnover.

In the past, this body has been able to rise above politics to install quali-

fied individuals at the VA responsible for getting vets the healthcare and benefits they need today.

This is also very, very important because the VA is in the process of putting in an electronic health record. It is going to be transformational—not only for the VA, but once it is done, it is going to be transformational for the country, but we have to get it done in the VA first. There have been some challenges. We need somebody with a steady hand helping meet those challenges. Dr. Elnahal is that person.

Today, in about 12½ minutes, we need to act to confirm Dr. Elnahal as the VA's next Under Secretary for Health, and I would encourage everybody in this body to vote for him, get him in, hold him accountable, and make sure that we are living up to the promises we have made to our veterans for the healthcare they have earned.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant executive clerk proceeded to call the roll.

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

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

Mr. TESTER. Mr. President, I would ask that all time be yielded back and that we start the vote immediately on Dr. Elnahal.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant executive clerk read the nomination of Shereef M. Elnahal, of New Jersey, to be Under Secretary for Health of the Department of Veterans Affairs.

VOTE ON ELNAHAL NOMINATION

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is 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 Vermont (Mr. LEAHY), the Senator from Vermont (Mr. SANDERS), the Senator from Minnesota (Ms. SMITH), the Senator from Virginia (Mr. WARNER) and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: The Senator from Missouri (Mr. BLUNT), the Senator

from North Dakota (Mr. CRAMER), the Senator from Louisiana (Mr. KENNEDY), the Senator from Oklahoma (Mr. LANKFORD), the Senator from South Carolina (Mr. SCOTT), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 66, nays 23, as follows:

[Rollcall Vote No. 267 Ex.]

YEAS—66

Baldwin	Gillibrand	Murray
Bennet	Graham	Ossoff
Blackburn	Grassley	Padilla
Blumenthal	Hagerty	Peters
Booker	Hassan	Portman
Boozman	Heinrich	Reed
Brown	Hickenlooper	Rosen
Burr	Hirono	Rounds
Cantwell	Hoeben	Sasse
Capito	Kaine	Schatz
Cardin	Kelly	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Sinema
Cassidy	Lujan	Stabenow
Collins	Manchin	Tester
Coons	Markey	Toomey
Cornyn	McConnell	Van Hollen
Cortez Masto	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Moran	Wicker
Feinstein	Murkowski	Wyden
Fischer	Murphy	Young

NAYS—23

Barrasso	Hyde-Smith	Romney
Braun	Inhofe	Rubio
Cotton	Johnson	Scott (FL)
Crapo	Lee	Shelby
Cruz	Lummis	Sullivan
Daines	Marshall	Thune
Ernst	Paul	Tuberville
Hawley	Risch	

NOT VOTING—11

Blunt	Leahy	Tillis
Cramer	Sanders	Warner
Kennedy	Scott (SC)	Warnock
Lankford	Smith	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. VAN HOLLEN). 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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session. The majority leader.

SERGEANT FIRST CLASS HEATH ROBINSON HONORING OUR PROMISE TO ADDRESS COMPREHENSIVE TOXICS ACT OF 2022

Mr. SCHUMER. Mr. President, it is my understanding the Senate has received a message from the House of Representatives to accompany S. 3373.

The PRESIDING OFFICER. The Senator is correct.

Mr. SCHUMER. I ask the Chair to lay before the Senate the message to accompany S. 3373.

The PRESIDING OFFICER. The Chair lays before the Senate the message from the House.

The senior assistant legislative clerk read as follows:

Resolved, That the bill from the Senate (S. 3373) entitled "An Act to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant," do pass with an amendment.

MOTION TO CONCUR

Mr. SCHUMER. I move to concur in the House amendment to S. 3373.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to concur in the House amendment to S. 3373.

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

MOTION TO CONCUR WITH AMENDMENT NO. 5148

Mr. SCHUMER. I move to concur in the House amendment to S. 3373 with an amendment.

The PRESIDING OFFICER. The clerk will report the motion with an amendment.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to concur in the House amendment to S. 3373 with an amendment numbered 5148.

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

Mr. SCHUMER. I ask unanimous consent that further reading of the amendment be dispensed with.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 5149 TO AMENDMENT NO. 5148

Mr. SCHUMER. I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 5149 to amendment No. 5148.

The amendment is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike "1 day" and insert "2 days".

Mr. SCHUMER. I ask unanimous consent that further reading of the amendment be dispensed with.

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

MOTION TO REFER WITH AMENDMENT NO. 5150

Mr. SCHUMER. I move to refer S. 3373 to the Committee on Veterans' Affairs with instructions to report back forthwith with an amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to refer the bill to the Committee on Veterans' Affairs with instructions to report back forthwith with an amendment numbered 5150.

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 3 days after the date of enactment of this Act.

Mr. SCHUMER. I ask unanimous consent that further reading of the motion be dispensed with.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 5151 TO INSTRUCTIONS

Mr. SCHUMER. I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 5151 to the instructions of the motion to refer.

The amendment is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike "3" and insert "4".

Mr. SCHUMER. I ask unanimous consent that further reading of the amendment be dispensed with.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 5152 TO AMENDMENT NO. 5151

Mr. SCHUMER. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 5152 to amendment No. 5151.

The amendment is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike "4" and insert "5".

Mr. SCHUMER. I ask unanimous consent that further reading of the amendment be dispensed with.

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

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant executive clerk proceeded to call the roll.

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

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

TRIBUTE TO BETSY LAWER

Mr. SULLIVAN. Madam President, it is Thursday, and we are back at it with

our Alaskan of the Week series. We have been doing this for, geez, 6 years now, I think.

For the new pages, this is usually kind of the signal of the end of the week but also some really cool stories about Alaska. We know it is your favorite.

We think some of the reporters in town like it because it signals kind of the end of the week for them. But I want to talk about, first, what is kind of going on in Alaska. Right now, the sun is high in the sky through much of the day. Some places up north are getting 24 hours of sunlight; midnight sun, we call it.

In Anchorage, we are getting about 18 hours, but that starts to decline real quick. But even when the sun sets, it is more of a twilight look than real night. So you have got to come up and visit; you will love it. It has been pretty rainy in parts of the State. We needed that rain.

But it can't dampen the magnificent grandeur of Alaska. So, again, if you are watching on TV, you want to come up, have the vacation of a lifetime, do it. The fish are running. We are having a banner year for sockeye salmon. The rivers all across the State are choked with them.

Last weekend, actually, I partook at a particular unique Alaskan tradition with my wife and a couple buddies of mine. We went dipnetting—dipnetting. That is on the Kenai River. That is actually when there is so much fish you actually put a pole with a net at the end, and you just put it in the water—boom. You just start to catch them.

And you know, people go, Well, can you tell if there is a fish in your net? I am like, Oh, yeah, you can tell.

So my wife and I and our friends, we caught 36 beautiful sockeye salmon yesterday—or last weekend, about 5 hours of fishing. It was great. We just loved it.

So fishing, hunting, feeding our families from our land and waters is a big part of our life in Alaska. These traditions bind us. They keep us together as a State, as a community, as families.

Our longstanding businesses are also part of the fabric of our State, particularly the ones that have grown up with our State. When the State's done well, they have done well. When the State struggled, they struggled; but they have hung in there. And we want to celebrate these businesses and the families that have run them.

And the great Alaskan we are honoring today as our Alaskan of the week is Betsy Lawer. And she is part of an amazing family in an amazing business in Alaska—First National Bank of Alaska, which this year is celebrating its 100th anniversary.

So it started in 1922. This amazing financial institution has been part of the landscape of Alaska—good times, difficult times—for 100 years. Betsy has been at the helm, a strong, sturdy force helping to guide this incredible business and, by extension, other busi-

nesses and communities throughout the State, part of her family tradition—the Cuddy family—for 100 years.

So let's talk about Betsy and the family. She is the president of the First National Bank of Alaska and also part of a really impressive family that has run this bank for decades in Alaska.

So here is the beginning: Literally with a vault full of gold nuggets and untanned animal pelts, that was their original deposits. In 1922, First National was founded then in what was part of the rough-and-tumble tent city of Anchorage. Anchorage was referred to as a tent city.

In 1930, the patriarch of the Cuddy family, Warren Cuddy, began buying stock in the bank. By 1941, he purchased controlling interest, and Warren became the bank's president. Then, one of his sons, at that time, joined the bank's board—this is Dan Cuddy, the legendary Dan Cuddy, Betsy's dad. His service was remarkable. First, I would like to talk briefly about Dan Cuddy's service as an Alaskan veteran in World War II.

He served as a captain in the 1255th Engineer Combat Battalion, which was attached to General George Patton's Third Army. Dan fought in the Battle of the Bulge in Luxembourg and was one of the troops who assisted in the discovery and then closing of the Buchenwald concentration camp. This is an American hero.

And, by the way, throughout his entire career, I was so honored to meet with Dan Cuddy before he passed away in 2015. Throughout his incredible career, one thing he talked a lot about was the unspeakable atrocities that he saw in World War II, so it would never happen again.

So Dan Cuddy comes back from World War II—warrior patriot, war hero. He becomes a lawyer, and in 1951, he becomes the bank president. And the Cuddy family's involvement, again, throughout our State is legendary.

The bank thrived after that under Dan's leadership. It grew with the State. It helped Alaskans rebuild after the huge 1964 earthquake.

By the way, do you want to read about a huge earthquake? It was 9.2 on the Richter scale, one of the biggest earthquakes ever recorded. It destroyed cities, tsunamis. It lasted almost 5 minutes. Think about that, sitting through an earthquake for 5 minutes.

And the bank the whole time kept supporting communities, and it continues to do that. It was among the first in the Nation to distribute check image statements to its customers in the 1990s. The only bank in America to welcome dog mushers through drive-throughs. Yes, think about that image.

And it is probably certainly the only bank in America that has a branch that is bilingual both in English and Yupik. That is the branch in Bethel, 1 of 19 branches across America.

First National Bank of Alaska—100 years of service—has received so many

accolades and awards, including being named one of the top banks in America, and it was recognized in 2013 as one of America's most trustworthy companies by Forbes magazine.

You can see the Cuddy family integrity in this institution. But the most important thing about First National Bank of Alaska's mission statement is that it is what drives the bank: Success depends on taking care of the community, employees, and customers. If the community isn't strong, businesses won't be strong, the bank won't be strong.

So, Betsy, one of Dan and Betti's six children, was raised on those tenets that I just talked about. She saw how they worked firsthand.

On Saturdays, she would join her father Dan while he went on his outings visiting customers. Sometimes those visits happened in Anchorage, where she would politely listen to business being discussed and then grab a late breakfast at Peggy's, a mainstay in Anchorage. Sometimes they would jump into a prop plane and head out to rural Alaska, where she learned so much about that part of our great State.

Betsy said she loved those visits and she learned, in the ways that children do, that helping people realize their hopes and their dreams is what her father did, what their business did, and why it was so important to so many Alaskan communities.

Jump forward to September 10, 1969. Betsy was a college student at Duke, spending her summers, as she always did, working at the bank as a secretary at the bank.

Just down the street from First National in downtown Anchorage, the Prudhoe Bay oil lease sale was underway. This is the giant oilfield in Alaska—oil and gasfield. The first big lease sale by the State. It was a huge event for our Nation, huge event for Alaska.

Back then, the country needed Alaska oil and gas, just like today our country needs Alaska oil and gas.

On that day in September 1969, Betsy remembers looking out the window of the bank. She said the streets were completely empty, like the "Twilight Zone." Everybody was huddled in front of their radios, listening to the lease sale that would change Alaska and, in many ways, America forever.

First National Bank of Alaska—the Cuddy family's bank where she was working, her dad was president then—was assisting Bank of America on the lease sale.

After the sale, get this image, Betsy got a ride back to the east coast on a jet with bank executives headed to New York to directly deposit the \$900 million check that was made out to the State of Alaska—that is about 7 billion in today's money—that got our State up and moving. She was on that plane depositing that money. Imagine the excitement that she felt then.

The first thing Betsy did after that when she got back to Duke was to

change majors from interior design to economics, which was probably a good move for a future bank president.

Two years later—she didn't even wait for her graduation ceremony—she came back to Alaska and immediately got to work. Now, because management programs back then were mostly for men, Betsy started from the bottom up—teller, clerk, secretary—which she said later in life gave her an advantage when she began processing loans for the bank because she knew exactly how it all worked and the people at every level in that bank. She knew the bones of the bank and the banking industry.

Throughout the years, as the bank has grown, our Alaskan of the Week, Betsy, has grown with it. She became president of the bank in 2013, CEO in 2018, and she is also the board president.

She is a mother, a wife, an active member of the community. She is a great community banker, and I will tell you this. During the pandemic, there was no financial institution that was more dedicated to getting the PPP loans out to small businesses in Alaska than First National Bank of Alaska and Betsy Lawer. They did an incredible job.

Betsy helps people in our State realize their hopes and dreams, and for Betsy, it all comes down to having a deep understanding and caring for the community—the many communities that they serve. “You can't automate those relationships,” she said.

So I want to thank Betsy, the Cuddy family, congratulate the First National Bank of Alaska—100 years of service to our great State, what an amazing record. And I want to congratulate Betsy on perhaps one of her most prestigious awards ever: being Alaskan of the Week.

CHIPS ACT OF 2022

Madam President, we have been discussing on the Senate floor the USICA bill, the America Competes bill, the bill that is supposed to focus on our ability to outcompete the Chinese communist economy, and I can think of very little legislation more important than this.

This is an issue that since I arrived in the Senate in 2015, I started talking about the importance of a broad-based strategy as it relates to China and outcompeting China and recognizing that they don't play fair, that they steal, that they subsidize, that they coerce, and yet they are a huge entity in the global economy so we need a strategy to deal with them.

And this bill that we are now debating on the Senate floor, the U.S. Innovation and Competition Act of 2021, USICA is something that I, with a number of other Senators, have worked hard on for literally over the last year and a half, and I want to thank a number of Senators who have put their heart and soul into this legislation, commend them: Senators YOUNG, SCHUMER, WICKER, CANTWELL, WARNER, CORNYN.

This is important legislation. As I mentioned, I have supported it and its Senate iterations when we passed it out of the Senate, out of committee in the Commerce Committee, but I have concerns. I have concerns, and I am going to mention a few of them briefly and then one concern that permeates so much of what has been happening here in the U.S. Senate over the last year and a half that is really important to me and my constituents. And I am asking my Senate colleagues—my Democratic Senate colleagues—to help me on something that I don't think a lot of them maybe even know that they are doing, but let me get to the concerns.

First, on the chips provision—this isn't a concern. This is what Senator WARNER, Senator CORNYN, and many others have focused on—really important to shore up semiconductor manufacturing in America.

Now, look, my State, unfortunately, is not one that is competing right now hard for a big fabrication plant. I understand that. We have other assets like energy I am going to talk about here in a minute, but wherever this government support for the chips industry is going to go in America, I think it is really important because this industry is like energy. It is so important to America, and we can't let China outcompete us in that area.

But let me talk about a couple concerns. First, on energy, one of the biggest areas that we can compete against China that they are scared about competing with us is our incredible natural resources, “all of the above” resources, all of our energy.

If you read the intel and you see what China's leadership is worried about, one thing they are worried about is American energy dominance.

So I have worked hard on this legislation for a year and a half to make sure that when we are looking at research—advanced research that this legislation is going to fund—it needs to include all energy.

It has been a struggle, I will admit. Some of my Democratic colleagues, certainly the Biden administration, have this thing where they don't like certain areas of energy—oil and gas in particular. They have targeted it. They want to put it out of business. It makes no sense. It is probably the biggest strategic blunder of the Biden administration across so many areas—targeting and unilaterally disarming American energy, when it is one of our greatest comparative advantages.

Unfortunately, some of the language coming back over from the House continues this trend, and I am very concerned that we would have a bill that could give Federal bureaucrats the opportunity to continue to target American energy, as opposed to help bolster it in our competition with China.

So that is one concern. It wasn't in the Senate bill. I made sure of that. But now after some of the far-left Members in the House got to put lan-

guage in that came back over here, it is a concern, and it should concern every single American, every single Senator.

We need all of our strengths to compete with China, and to not use the strength of American energy—“all of the above” energy—is nuts. Hopefully, this administration is waking up to that, but it hasn't been a great record at all in terms of that.

There is another provision, something that built on a provision that I tried to get that I did get in the original USICA bill that Senator PORTMAN has now put forward with Democrats and Republicans, a provision to make sure that all of these Federal dollars that are going to be in this bill do not go to Chinese researchers working in our facilities—in research facilities, in university facilities—and then take them back to China.

At a recent hearing, FBI Director Wray said this is one of the biggest threats our country faces, the counter-intelligence perspective with regard to the Chinese Communist Party. He said:

They are targeting our innovation, our trade secrets, our intellectual property on a scale that's unprecedented in history.

So if we are going to spend all these Federal dollars on American research at American research institutions and American universities, we need strong guardrails to make sure it doesn't fall into Chinese hands.

Senator PORTMAN has done a great job on this. It is a commonsense amendment. Apparently, some have had concerns that this amendment would be “racist.” That is ridiculous. We need to prevent China from stealing our intellectual property. Period. It is not racist; it is common sense. I hope we can make sure that amendment gets in.

But I want to go into a little detail on the final issue that I have with this bill. And to be honest, it is kind of shocking that a bill focused on competing with China—once again, from the Democratic side of the Senate or the House, I don't know where it comes from—has provisions that actually target in a negative way Alaska Natives. OK?

This is an issue that, to be honest, I am kind of flabbergasted. It comes up everywhere. It is discrimination. It is racial discrimination—good old-fashioned racial discrimination—that I thought we tried to get rid of in this country a long time ago, and it keeps popping up.

I am tired of it, and, remarkably, it popped up in the bill that competes against China. So I am sure a lot of you are saying: Well, jeez, how did that happen? I want to explain because I really want my colleagues, many of whom I am convinced have no idea what is going on, to understand what is happening. And it happens again and again, and to be honest, it shouldn't.

I hope some people in our media finally write about this. I think it is shameful.

But I am going to explain it here right now. Here is the issue. In Alaska, we have a very big indigenous population—wonderful people, incredible people, amazing people. It is almost 20 percent of the population of my State. They bring culture, heritage, values. By the way, they have been there for tens of thousands of years. This is really important to me and to Senator MURKOWSKI. Congress—Congress, not the Native people, the Congress of the United States—over the course of many years, essentially, has classified—we in the U.S. Senate have classified—Alaska Natives into two broad categories. There are Tribal members, which is this circle here, and there are members of Alaska Native Corporations. They are in this circle here.

Now, a lot of the indigenous people of Alaska are both Tribal members and an ANC members. Some are not both. Some are just Tribal members. Some are ANC members.

But we are talking about tens of thousands of indigenous people. So whenever we work on legislation that benefits the Alaska Native people—but American Indians, writ large—what we always try to do is say: Remember, Congress did this. The Native people didn't do this. So let's make sure that we cover everybody. Let's make sure everybody is included. You wouldn't want to discriminate against one of these groups. They are all indigenous people.

So that is what me, Senator MURKOWSKI, Ted Stevens—every Senator, every great Congressman, our great Congressman Don Young, whom we just lost—we have been doing that for decades.

All of a sudden this has become controversial to some Members, to some groups. This group, the ANC members, these are indigenous people of Alaska designated as ANC members, not by themselves but by the Congress, OK?

So here is what happened. Here is the beginning. It is sad, and I am going to talk about it. It shouldn't happen, and I really want my Democratic colleagues to help me stop this because if you put another minority group in and talked about what is happening to the Native people of Alaska, people would be shocked. The New York Times and the Washington Post would write front pages stories about official discrimination by the U.S. Senate against a minority population. But for whatever reason, it seems to be OK to do it against Alaska Natives. But it is not OK.

Here is what happened. In the CARES Act we had this historic funding, \$8 billion for the Native people of America. We wrote a definition. I was very involved with it. Everybody cleared on it—Indian Affairs, majority, minority. That included all indigenous people of Alaska—OK, just like we include all indigenous people of Nevada and New Mexico. We wanted to cover with \$8 billion in the CARES Act the very vulnerable populations, all the Native people.

Unfortunately—unfortunately—as opposed to being viewed as \$8 billion, the biggest historic investment in Indian communities in history, there was a dispute, and certain groups said: Hey, we got this \$8 billion, but we don't want this group to get anything. We don't want this group, ANC members, to get any of that \$8 billion.

Remarkably, the majority leader in a tweet attacked the Assistant Secretary of the Interior, an Alaska Native woman of impeccable integrity, saying somehow that these members getting any of that money was corrupt. Of course, that was ridiculous. One of the Senate Democrats here, Senator Udall, launched an investigation of this incredible Assistant Secretary of the Interior, an Alaska Native woman, on this charge. It was refuted. It was ridiculous. It was sad.

By the way, Senator Udall apologized to her. Our Ambassador to New Zealand right now apologized to this incredible Alaska Native woman, saying: Do you know what? That was probably really bad. I am sorry.

It was bad.

So what happened is that you had a group saying: Let's exclude this group of tens of thousands of Alaska Natives from getting any CARES money.

Well, look, we wrote the language. We knew that the language was inclusive of everybody. So that, unfortunately, went all the way to the U.S. Supreme Court. The Trump administration and, to its credit, the Biden administration said: No, the language of the CARES Act included all Alaska Natives. Why would we discriminate one against the other?

So we won that. That was the way it was written. I had a lot to do with writing it. So I know. But that is just fair. OK, so that is what happened.

So then my Democratic colleagues write the American Recovery Act. The \$2 trillion relief package, with \$20 billion for American Tribes. But do you know what came out of that package? Express language written by my Democratic colleagues saying that of the \$20 billion, every Native group in America gets some of that money, but this group—tens of thousands of ANC members in Alaska—we are going to make sure they don't get any of that.

That happened, right here on the Senate floor. I have no idea why.

Let me just pose a counterfactual. Imagine you had Congress say there are two groups of minorities. Let's say not two groups but Asian American minorities in New York, group A, group B—Congress categorized them, not themselves—or African Americans, group A, group B; or Hispanic Americans, group A, group B, in the State of New York—just in the State of New York. And a Republican Congress said we are going to do a giant relief package for that minority group across the country. But, group B in New York, we are going to expressly exclude you from getting any money.

What would you call that?

I would call that good old-fashioned racial discrimination.

If that happened, if a Republican Congress did that, to say a group of African Americans or Hispanic Americans or Asian Americans, the New York Times and the Washington Post would be going crazy—rightfully so, by the way.

This happened. This happened.

OK, I don't know why. I would love it if one of my Senate colleagues came down and said: Hey, Dan, here is why we went to great lengths to exclude tens of thousands of Alaska Native indigenous people from getting relief. Here is why we did that to you.

I would love for somebody to tell me that.

They haven't.

I think it is wrong. I think most people who know about it probably would be like: Jeez, I didn't know we had \$20 billion for Tribes, but we specifically excluded this group. Was it because we were mad about the Supreme Court case?

I don't know. But here is the thing. Back to the USICA bill, there is a lot of money going to universities.

Mr. CARDIN. Madam President, I am wondering if my colleague would yield for 1 minute.

Mr. SULLIVAN. I am finishing up. So I am not going to yield. It is important to me, to my colleague from Maryland.

There is a lot of money going to universities.

This is really important to me, and I have been wanting to give this speech for a long time.

There is a lot of money going to institutions for research to compete against China. There are specific provisions that say: Hey, there is going to be money that goes to Native American groups. That is great. They have a lot to bring to this battle with China.

But that provision that came over from the House—guess what it did. It said: Not to this group. Not to this group.

So do you see where I am going with this?

I have no idea why Democrats in the House and Senate want to keep targeting this group of indigenous people. Imagine if Republicans did this to a minority group in Maryland or New York.

But it is happening, and it is happening even in this bill. So that is another big concern I have of this bill, this continuation of—I have no idea. I would love it for someone to come down and say: Hey, Dan, here is why we discriminate against tens of thousands of indigenous people in your State.

But it is happening. I sure hope my colleagues listen to this. Maybe the New York Times or the Washington Post would write about it once.

But just a ceasefire—when we are trying to help Native people in America, in Alaska we want to help them all. Remember, this is how Congress set up these groups, not the people. So all I ask is let's kind of do what we did

in the CARES Act for all legislation. But I and Senator MURKOWSKI are going to scrub every piece of darn legislation that comes out of here, and we are going to start calling out people, asking: Why are you discriminating against tens of thousands of people in my State who are indigenous?

Wrong. It is inexplicable, and it is even in the darn bill to compete with China. And I sure hope my colleagues will work with me to start making sure this doesn't happen anymore.

I yield the floor.

SIGNING AUTHORITY

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I ask unanimous consent that Senators CORTEZ MASTO, CARDIN, and HICKENLOOPER be authorized to sign duly enrolled bills or joint resolutions from July 21, 2022, until July 25.

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

ELECTORAL COUNT ACT WORKING GROUP

Mr. CARDIN. Madam President, for the past 6 months, I have been pleased to work with a bipartisan working group of about a dozen Senators for potential reforms of the Electoral Count Act and some related matters. I particularly want to thank our leaders of that bipartisan group, Senators COLLINS and MANCHIN, for organizing the group, keeping us focused on getting results, and leading to a process that has resulted in a positive outcome.

This week, we are unveiling our proposed legislation. Our legislation, the Electoral Count Reform and Presidential Transition Improvement Act of 2022 will reform and modernize the badly outdated 1887 ECA. In 1887, the Electoral Count Act was passed. It is in bad need of reform.

On July 18, 2022, the Wall Street Journal ran an editorial authored by former President Jimmy Carter and former Secretary of State Jim Baker, who had previously served as Chief of Staff for President Reagan. In this editorial they wrote:

We stand on opposite sides of the partisan divide, but we believe it is better to search for solutions together than to remain divided. This is particularly true of a vexing problem that could wreak havoc during the 2024 presidential election: the inadequacy of the Electoral Count Act of 1887.

The act is an antiquated, muddled and potentially unconstitutional law that allows uncertainty during a critical step in the peaceful transfer of power. . . . Weaknesses in the law started to become apparent after the 2000 election.

The editorial continues:

In 2021, the ambiguities of that law helped lead to the violent assault on the U.S. Capitol as efforts were being made to toss out several states' slates of electoral votes. Fortunately, those efforts failed, and the rightful winners took office. But the threat of confusion remains. Left unclosed, loopholes

in the act could allow a repeat of the same destructive path that occurred in 2021.

The Washington Post has written several editorials on this subject as well. The June 19, 2022, editorial in the Post entitled "Fix the electoral count law now, before Trump tries to exploit it again" reviewed the recent House committee hearings on the January 6 insurrection. The editorial wrote:

The House committee investigating the Jan. 6, 2021, Capitol attack heard damning testimony detailing how President Donald Trump and a coterie of partisan lawyers advanced a dangerous argument: that the vice president has the legal authority to overturn a presidential election when Congress meets to count electoral college votes. Trump official after Trump official testified that they knew it was wrong. John Eastman, a lawyer who advocated for the theory, acknowledged as much in front of Mr. Trump on January 4, according to testimony from Greg Jacob, who was Vice President Mike Pence's general counsel. But Mr. Trump and his allies nevertheless waged a relentless public campaign to pressure Mr. PENCE to betray the Nation's democracy. Belief in this antidemocratic nonsense spurred the January 6 mob, which infamously chanted, "Hang Mike Pence."

The Post editorial continued:

Americans went most of their history without having to worry seriously about arcane electoral college procedures. Even in closely fought, acrimonious presidential elections, losing candidates accepted their defeats with grace rather than seeking the vulnerabilities in the law to exploit. The country no longer has that luxury. Congress should have no higher priority than fixing the electoral college process.

The recommendations that are coming out of this bipartisan group would do just that—fix the Electoral Count Act.

I want to thank the work of the American Law Institute, which convened a bipartisan working group to consider possible ECA reforms. In particular, I want to thank coauthors Bob Bauer and Jack Goldsmith for their contributions to our efforts. I also want to thank the staff at Protect Democracy for their suggestions and work here.

Our legislation aims to ensure that Congress can accurately and correctly tally the electoral votes cast by the States, which should be consistent with each State's popular vote for President and Vice President of the United States. Our legislation clarifies some of the ambiguities in terms of the appropriate State and Federal roles in selecting the next President and Vice President of the United States as set forth in the U.S. Constitution.

In our constitutional system, election law, like many other areas of law, involves shared powers between the Federal Government on the one hand and State and local governments on the other. Article I, section 4 of the Constitution provides:

The Times, Places, and Manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof.

That clause of the Constitution continues by concluding:

But the Congress may at any time [by law] make or alter such Regulations.

We have the power here, and that is what the Electoral Count Act is about.

Article II, section 1 of the Constitution provides:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress.

The Constitution also provides:

The Congress may determine the Time of choosing of the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

The 12th Amendment to the Constitution, ratified in 1804, sets out a framework for Congress to tally and count the electoral votes from the States. Congress later passed the Electoral Count Act, the ECA, in 1887, in the aftermath of a contested Hayes-Tilden Presidential election of 1876 in which States sent competing slates of electors to Congress.

Our legislation takes several key steps to modernize the ECA and reduce the opportunity for constitutional mischief when it comes to Congress properly counting the electoral votes of the States.

First, the legislation helps to make it easier for Congress to identify a single, conclusive slate of electors from each State. The legislation requires each State's Governor as responsible for submitting the certificate of ascertainment identifying that State's electors. A State may designate another individual besides the Governor to carry out this function, such as the Secretary of State, if such an individual is named before the election day itself.

Again, the State executive official reporting their electoral votes to Congress must do such "under and in pursuance of the laws of such State providing for such ascertainment enacted prior to election day."

Our legislation, therefore, seeks to avoid circumstances in which a State attempts to change the rules after election day due to political pressure that may arise if a particular favored candidate loses the election.

Congress could not accept a slate of electors from an official not authorized to do so by State law enacted prior to election day. Our legislation provides that States following these rules will have their appointments of electors treated as conclusive by Congress subject to any subsequent State or Federal judicial relief granted prior to the date of the meeting of electors.

Our legislation states that the determination of the Federal courts shall be conclusive on questions arising under the Constitution or laws of the United States.

Second, the legislation modernizes the "failed election" language in the ECA to specify that a State could modify its period of voting on election day only as necessitated by "extraordinary

and catastrophic” events “as provided under the laws of the State enacted prior to [the election day].”

This provision makes it clear, if a State legislature tries to override the popular vote in their State, that that would not be allowed.

Third, the legislation provides for the expedited judicial review of certain claims relating to a State’s certificate identifying its electors. We have limited this special judicial review in our legislation to only be available to the aggrieved Presidential candidates. This special procedure allows for challenges made under Federal law and the U.S. Constitution to be resolved more efficiently by using a special three-judge panel with a direct and timely appeal to the U.S. Supreme Court.

Fourth, the legislation makes clear that the Vice President has a purely ministerial role in the joint session of Congress to count the States’ electoral votes. In particular, our legislation states that the Vice President does not have the power to solely determine, accept, reject, or otherwise adjudicate disputes over electors. That specifically includes objections over the proper list of electors, the validity of electors, or the votes of the electors.

President Trump pressured the Vice President to use this illegal method in order to overturn the 2020 election results. Ultimately, this effort was rejected by Vice President Pence, in his capacity as President of the Senate, as he presided over the January 6, 2021, joint session.

Fifth, our legislation increases the threshold needed to lodge an objection to electors from one Senator and one Representative to one-fifth of the duly chosen and sworn Members of both the House and the Senate. Similarly, article I, section 5 of the Constitution provides “the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those present, be entered on the Journal.”

This will reduce the risk and likelihood of frivolous objections being lodged, which requires a lengthy debate and vote in the separate Houses. The House has to vote separately; the Senate has to vote separately; and it takes a lot of time. For example, on January 6, 2021, the Senate voted to reject, by a vote of 6 to 93, the objection against the electors of Arizona and voted 7 to 92 on the objections raised as to the electors from Pennsylvania.

Sixth, our legislation clarifies that, if electors are not lawfully appointed or if an objection is sustained by Congress rejecting electors as not lawfully appointed, those electors would not be included in the denominator for determining the majority of the whole number of electors appointed.

That means we can reach a decision on the day that we count the votes.

The main focus of our work over the past 6 months has been on this sorely needed reform in the ECA, but our working group came up with a number of bipartisan reforms on some other matters related to elections.

The Presidential Transition Improvement Act would help promote the orderly transfer of power between Presidential administrations. As we saw in 2020, the failure of a timely ascertainment of the winner by the Administrator of the U.S. General Services Administration and the uncooperative attitude of the Trump administration led to a delay in providing transition resources to the incoming Biden administration. This legislation provides clearer guidelines for eligible candidates for President and Vice President to receive Federal resources to support their transitions, including allowing more than one candidate to receive these resources during the time period when the outcome of an election is in reasonable doubt.

The Postal Service Election Improvement Act seeks to improve the handling of mail-in ballots by the U.S. Postal Service and provides guidance and best practices to the States to improve their mail-in ballot processes if State law allows.

The Election Assistance Commission Reauthorization Act would reauthorize the Election Assistance Commission for 5 years. The EAC administers grants to States and develops non-binding guidance and best practices for election officials in various areas, including cyber security, election audits, and voting accessibility.

What this legislation does not include is any substantive provision to strengthen voting rights in this country, which is desperately needed, and I am sorely disappointed by that omission. Our Nation has a long history of bipartisan work on voting rights issues. I repeatedly raised voting rights issues with our larger group as well as with our smaller subgroup on voting practices.

Let me take a moment to remind my colleagues of our voting rights history.

The Voting Rights Act of 1965 was approved by a broad bipartisan vote of 328 to 74 in the House and by a vote of 79 to 18 in the Senate, and Congress had a long bipartisan track record of clarifying its intent in response to restrictive Supreme Court decisions—that is, until recently.

In 1982, Congress amended section 2 of the Voting Rights Act after the *Mobile v. Bolden* decision in which the Supreme Court interpreted section 2 as prohibiting only purposeful discrimination. That was very restrictive, making the Voting Rights Act much less effective. Congress responded to that decision by clarifying that section 2 explicitly bans any voting practice that had a discriminatory result irrespective of whether the practice was enacted or operated for a discriminatory purpose. The 1982 amendments—these are the amendments that corrected the Supreme Court’s restricted decision—passed the House by a vote of 389 to 24 and the Senate by a vote of 85 to 8. They were signed into law by President Reagan, a bipartisan action.

Over 20 years later, Congress acted to address two Supreme Court rulings to

clarify congressional intent regarding section 5 of the Voting Rights Act. This reauthorization passed 390 to 33 in the House and 98 to 0 in the Senate. It was signed into law by President George W. Bush—again, a bipartisan action.

So, after the Supreme Court’s decision in *Shelby County v. Holder* in 2013 and after *Brnovich* in 2021, Congress should have acted to clarify the intent of the Voting Rights Act, but it didn’t, and now we are faced today with totally unnecessary partisan gridlock on voting rights. We saw this gridlock play out this January when the Senate refused to even take up and debate the *Freedom to Vote: John R. Lewis Act*.

Let me mention one section of the VRA in particular. Section 2 of the Voting Rights Act protects against discriminatory voting laws. It prohibits any jurisdiction from implementing a “voting qualification or prerequisite to voting, or standard, practice, or procedure . . . in a manner which results in a denial or abridgement of the right . . . to vote on account of race,” color, or language minority status.

For nearly 40 years, case law has interpreted section 2 to combat racial discrimination without partisan favor. Prior to the *Brnovich* case, the Supreme Court and several circuit courts had adopted a standard to ensure the effective implementation of these provisions consistent with the text and purpose of the Act as amended in 1982.

The *Brnovich* decision deviated from congressional intent behind section 2. The Court adopted an unduly narrow reading of section 2 and went beyond the statutory interpretation by courts for decades by outlining five new guideposts. The decision is not tethered to the statutory text and is inconsistent with the statute’s purpose and historical usage.

It wasn’t the first time the Court narrowed our law, but in previous efforts, we came together, Democrats and Republicans, to make sure that the Voting Rights Act was effective. So I am disappointed that we could not make progress in our working group to address the needed fix to section 2.

We should have also looked at the issue of the right of private action. Since the Voting Rights Act’s enactment in 1965, Congress has intended that voters be able to sue directly to enforce the Voting Rights Act rather than depend entirely upon the U.S. Department of Justice, which has finite resources to protect voting rights.

I want to thank my colleague Senator MURKOWSKI for consistently raising this issue.

The Voting Rights Act’s private right of action is settled law as Congress has repeatedly noted in its Voting Rights Act’s amendments.

Even though the private right of action is clear and settled law, our group should have removed any ambiguity about its intent by proposing language making it more explicit the statute’s existing right for private action. Just

as we resolved ambiguities in the ECA and its potential misinterpretation, we should have done the same with this critical right of private action under the Voting Rights Act—a missed opportunity.

As a recent report from the Brennan Center points out, State legislatures have been working to make it harder to vote after the 2020 elections, even after witnessing record turnout during the pandemic. The Brennan Center wrote that in 2022:

[S]tate lawmakers, who spent 2021 passing laws that made it harder to vote, have focused more intently on election interference, passing nine laws that could lead to tampering with how elections are run and how results are determined.

Election interference laws do two primary things. They open the door to partisan interference in elections, or they threaten the people and processes that make elections work. In many cases, these efforts are being justified as measures to combat baseless claims of widespread voter fraud and a stolen 2020 election.

The Brennan Center noted that in many of these same State legislatures, lawmakers have continued to introduce or enact laws that restrict access to the vote. Legislation is categorized as restrictive if it would make it harder for eligible Americans to register, stay on the rolls, and/or to vote as compared to existing State law.

Free and fair elections are fundamental to who we are as a nation. For this reason, I strongly support the bipartisan working group's proposal to reform and modernize the ECA. As we saw in the 2020 elections, different interpretations of the Electoral Count Act can lead down a dangerous path to another January 6-style insurrection, when former President Donald Trump and his enablers attempted to overturn a free and fair election won by President Joe Biden.

Congress's work will not be complete when we pass this bipartisan proposal. We still must take up and pass voting rights legislation in order to safeguard the right to vote, which should be a right guaranteed to all Americans, regardless of their race, wealth, or social status.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Maryland.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 1045, 1046, 1047, 1049, 1057, 1058, and all nominations on the Secretary's desk in the Foreign Service; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; that any statements re-

lated to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's actions; and that the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Leslie N. Bluhm, of Illinois, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2023; Lisette Nieves, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2022; Lisette Nieves, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2027. (Reappointment); Deborah R. Coen, of Connecticut, to be a Member of the National Council on the Humanities for a term expiring January 26, 2028; Enix Smith III, of Louisiana, to be United States Marshal for the Eastern District of Louisiana for the term of four years; Adair Ford Boroughs, of South Carolina, to be United States Attorney for the District of South Carolina for the term of four years; PN1948 FOREIGN SERVICE nomination of Sara C. Schuman, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of April 7, 2022; and PN1949 FOREIGN SERVICE nominations (3) beginning Alyce Camille Richardson, and ending Diane Jones, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 7, 2022, en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

SUPPORTING THE GOALS AND IDEALS OF COUNTERING INTERNATIONAL PARENTAL CHILD ABDUCTION MONTH

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 411, S. Res. 568.

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

The bill clerk read as follows:

A resolution (S. Res. 568) supporting the goals and ideals of "Countering International Parental Child Abduction Month" and expressing the sense of the Senate that Congress should raise awareness of the harm caused by international parental child abduction.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations.

Mr. CARDIN. Mr. President, I know of no further debate on the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 568) was agreed to.

Mr. CARDIN. Mr. President, I further 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, with its preamble, is printed in the RECORD of March 30, 2022, under "Submitted Resolutions.")

RECOGNIZING, HONORING, AND COMMENDING THE WOMEN OF UKRAINE WHO HAVE CONTRIBUTED TO THE FIGHT FOR FREEDOM AND THE DEFENSE OF UKRAINE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 412, S. Res. 589.

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

The legislative clerk read as follows:

A resolution (S. Res. 589) recognizing, honoring, and commending the women of Ukraine who have contributed to the fight for freedom and the defense of 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 in italic, and with an amendment to strike the preamble and insert the part printed in italic, as follows:

S. RES. 589

Whereas, on February 24, 2022, Russian Federation President Vladimir Putin instigated an unprovoked, unjustified, and unlawful war violating the territorial integrity of the sovereign country of Ukraine;

Whereas, in response to this invasion, the people of Ukraine marshaled their will to defend their country and shared belief in a sovereign Ukraine in order to resist the imperialist ambitions of Vladimir Putin;

Whereas countless Ukrainian men, women, and children have done their part to defend democracy and freedom in Ukraine;

Whereas women have played a key role in defending Ukraine, keeping their families and innocent children safe and responding to the invasion by the Russian Federation;

Whereas, in the first 3 months of fighting in Ukraine, more than 6,100,000 Ukrainians, of which the majority are women and children, fled the country in response to Putin's war;

Whereas women play a critical role in facilitating the transit of children to safety, including by escorting the children of parents and guardians who cannot leave Ukraine so that such children are able to find safety in neighboring countries;

Whereas the women who remain in Ukraine contribute to all aspects of warfighting, including by fighting on the front lines and as part of the territorial defense, delivering supplies and weapons, and preparing cities for assaults by the Russian Federation;

Whereas between 15 and 17 percent of the armed forces of Ukraine are women;

Whereas the women of Ukraine have a long history of defending Ukraine and standing up for their rights and freedoms;

Whereas, following the 2014 invasion of the sovereign and independent state of Ukraine by the Russian Federation, the women of Ukraine joined the fight to preserve their independence;

Whereas, despite significant contributions to the war effort now and since 2014, outdated legislation in Ukraine classifies women as cooks, tailors, and administrative assistants;

Whereas women are an integral part of the armed forces of Ukraine and continue to defend their homes and their country;

Whereas, on March 9, the armed forces of the Russian Federation deliberately attacked civilian targets in Mariupol, Ukraine, which destroyed a hospital that served as both a maternity ward and a children's hospital, killing two women and a baby;

Whereas, following the devastating attack on the well-known and established hospital, the world watched in horror as pregnant women, mothers carrying newborn babies, and young children fled the rubble of what should have been a safe place;

Whereas the women at the hospital should have been celebrating new life and looking toward raising their children in peace and safety, instead, those women are seeking shelter in subways, giving birth in bunkers, and worrying for the safety of their children and the future of Ukraine;

Whereas the attack on the maternity ward and children's hospital in Mariupol was the fourth such attack on a maternity ward in Ukraine by the Russian Federation since the beginning of the invasion on February 24;

Whereas, according to Save the Children, more than 63,000 women have given birth since the start of the war, while the United Nations estimates that 80,000 Ukrainian women will give birth in between April and June of 2022;

Whereas all women, in every situation, have the right to a safe birth and access to crucial supplies necessary for the management of pregnancy complications, including oxygen and medical supplies, which are running dangerously low in Ukraine because of the ongoing violence and refusal on the part of the Russian Federation to allow for safe passage for humanitarian purposes;

Whereas, on March 17, 2022, Secretary of State Antony Blinken described the deliberate targeting of civilians in Ukraine as a war crime, which should be investigated as such;

Whereas, on March 23, 2022, Secretary Blinken announced that it was the assessment of the United States Government that "members of Russia's forces have committed war crimes in Ukraine" based on "a careful review of available information from public and intelligence sources";

Whereas the Russian Federation has deliberately attacked civilians and civilian infrastructure in Ukraine, including schools, hospitals, businesses, apartment buildings, and utility services;

Whereas the initial days of the invasion of Ukraine by the Russian Federation have resulted in a disproportionate number of women and children seeking safety outside of Ukraine;

Whereas Ukrainian women and girls, like women and girls in all humanitarian emergencies, including women and girls forced to leave their homes in conflict settings, face increased and exacerbated vulnerabilities to—

(1) gender-based violence, including rape, child marriage, domestic violence, and sexual exploitation and assault;

(2) all forms of human trafficking;

(3) disruptions in education and livelihood;

(4) lack of access to health care; and

(5) food insecurity and malnutrition;

Whereas the United Nations Security Council adopted United Nations Security Council Resolution 1325 on October 31, 2000, acknowledging

the impact of conflict and security decisions on women and calling on all member states to include "women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict";

Whereas, according to the United Nations Entity for Gender Equality and the Empowerment of Women (commonly referred to as "UN Women"), peace negotiations are more likely to end in a peace agreement when women and women's groups play a meaningful role in the negotiation process, and according to the International Peace Institute, a peace agreement is 35 percent more likely to last at least 15 years if women participate in the development of the peace agreement;

Whereas, in 2016, Ukraine adopted its first National Action Plan for the implementation of United Nations Security Council Resolution 1325, and, on October 28, 2020, Ukraine approved a new National Action Plan for 2021 through 2025 in order to address the impact on women of the aggression of the Russian Federation against Ukraine and to ensure gender equality in the security and defense sectors of Ukraine;

Whereas representation of women in politics in Ukraine has increased steadily since the first parliament of an independent Ukraine met in 1990;

Whereas more than 20 percent of seats in the ninth and current Verkhovna Rada are held by women, the most in Ukrainian history;

Whereas women across Ukraine have made political gains in recent years, including in local elections on October 25, 2020, where 38 percent of deputies elected were women; and

Whereas women in Ukraine should be involved at all levels and in all aspects of leadership, negotiation, conflict resolution, and peacekeeping in order to ensure the most enduring peace for Ukraine and the region: Now, therefore, be it

[Resolved.]

That the Senate—

(1) recognizes, honors, and commends the women of Ukraine who have contributed to the fight for freedom and the defense of Ukraine, including women who—

(A) are members of the Armed Forces and the Territorial Defense Forces of Ukraine;

(B) are volunteers, organizing and operating humanitarian organizations;

(C) are doctors, nurses, paramedics, and support personnel, providing life-saving services across Ukraine;

(D) have mobilized to assist the safe transfer of the children and other vulnerable individuals from Ukraine; and

(E) are public leaders, politicians, and diplomats;

(2) stands with the people of Ukraine in support of their fight for freedom against the Russian Federation;

(3) acknowledges the women who have risked their lives to travel through territory controlled by the Russian Federation, break siege tactics surrounding cities, and to ensure the safety of children and the elderly;

(4) commends—

(A) the bordering countries of Ukraine, including Poland, Romania, Slovakia, Hungary, and Moldova, who are accommodating more than 6,000,000 refugees; and

(B) the broader European Union for committing to provide support during the growing humanitarian crisis;

(5) calls on all countries to ensure that aid provided in support of refugees fleeing Ukraine and internally displaced persons within Ukraine takes into account the needs of women and the gender-specific risks that women face in seeking safety;

(6) acknowledges the important role women must play in resolving the conflict between Ukraine and the Russian Federation as outlined in United Nations Security Council Resolution

1325 (2016) and required by the laws of the United States and regulations of Ukraine;

(7) further calls on all countries to promote the meaningful inclusion of women in negotiations and decision-making at all levels, including security decisions; and

(8) commits to supporting the women of Ukraine wherever they are as they fight back against tyranny and work for the free and democratic future of Ukraine.

Mr. CARDIN. I further ask that the committee-reported substitute amendment to the resolution be agreed to; the resolution, as amended, be agreed to; the committee-reported substitute amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The resolution (S. Res. 589), as amended, was agreed to.

The committee-reported amendment to the preamble in the nature of a substitute was agreed to.

The preamble, as amended, was agreed to.

MORNING BUSINESS

80TH ANNIVERSARY OF KXEL

Mr. GRASSLEY. Mr. President, I want to congratulate News Talk 1540 KXEL on celebrating 80 years of broadcasting to Iowans in the Waterloo and Cedar Falls area. When I was younger, I remember joining my father at the National Cattle Congress and was excited to see one of the early on-location broadcasts of the new KXEL radio station.

Iowans look to broadcasters at KXEL as trusted leaders in the community, relying on its programs each morning, noon, and night to stay up to date on local events, learn more about breaking news, and get critical information during emergencies. As an elected Representative, I particularly want to thank everyone at KXEL for their work to provide a way to communicate with constituents. I have the pleasure of speaking with Jeff Stein at least once a month, where I answer questions on any subject and update Iowans on how I am working on their behalf in Washington.

KXEL's work every single day to report the events that matter to listeners keeps Iowans safe, informed, and engaged. I look forward to my future conversations with KXEL to achieve this shared goal.

100TH ANNIVERSARY OF WMT

Mr. GRASSLEY. Mr. President, I want to congratulate AM 600 WMT-NewsRadio on celebrating 100 years of

broadcasting to Iowans in the Cedar Rapids area. Iowans look to broadcasters at WMT as trusted leaders in the community, relying on their programs each morning, noon, and night to stay up to date on local events, learn more about breaking news, and get critical information during emergencies.

As an elected Representative, I particularly want to thank everyone at WMT for their work to provide a way to communicate with constituents. I have the pleasure of speaking with Doug Wagner at least once a month, where I answer questions on any subject and update Iowans on how I am working on their behalf in Washington.

WMT's work every single day to report the events that matter to listeners keeps Iowans safe, informed, and engaged. I look forward to my future conversations with WMT to achieve this shared goal.

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. MANCHIN. Mr. President, I ask unanimous consent to print the following letter in the RECORD.

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

U.S. SENATE, COMMITTEE ON ENERGY
AND NATURAL RESOURCES,
Washington, DC, July 21, 2022.

To the Secretary of the Senate:

S. 2980, a bill to authorize the voluntary donation of grazing permits and leases in the State of New Mexico, and for other purposes, having been referred to the Committee on Energy and Natural Resources, the Committee, with a quorum present, has voted on the bill as follows—

On the question of reporting the bill favorably with the recommendation that the bill be passed, 10 ayes to 10 noes.

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the bill because of a tie vote and ask that this notice be printed in the RECORD pursuant to the resolution.

JOE MANCHIN III,
Chairman.

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. MANCHIN. Mr. President, I ask unanimous consent to print the following letter in the RECORD.

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

U.S. SENATE, COMMITTEE ON ENERGY
AND NATURAL RESOURCES,
Washington, DC, July 21, 2022.

To the Secretary of the Senate:

S. 387, a bill to protect, for current and future generations, the watershed, ecosystem, and cultural heritage of the Grand Canyon region in the State of Arizona, to provide for a study relating to the uranium stockpile in the United States, and for other purposes, having been referred to the Committee on Energy and Natural Resources, the Committee, with a quorum present, has voted on the bill as follows—

On the question of reporting the bill favorably with the recommendation that the bill be passed, 10 ayes to 10 noes.

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the bill because of a tie vote and ask that this notice be printed in the RECORD pursuant to the resolution.

JOE MANCHIN III,
Chairman.

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. MANCHIN. Mr. President, I ask unanimous consent to print the following letter in the RECORD.

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

U.S. SENATE, COMMITTEE ON ENERGY
AND NATURAL RESOURCES,
Washington, DC, July 21, 2022.

To the Secretary of the Senate:

S. 1493, a bill to sustain economic development and recreational use of National Forest System land in the State of Montana, to add certain land to the National Wilderness Preservation System, to designate new areas for recreation, and for other purposes, having been referred to the Committee on Energy and Natural Resources, the Committee, with a quorum present, has voted on the bill as follows—

On the question of reporting the bill favorably with the recommendation that the bill be passed, 10 ayes to 10 noes.

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the bill because of a tie vote and ask that this notice be printed in the RECORD pursuant to the resolution.

JOE MANCHIN III,
Chairman.

VOTE EXPLANATION

Mr. SANDERS. Mr. President, I was necessarily absent for rollcall vote No. 267, Executive Calendar No. 902, confirmation of Shereef Elnahal as Under Secretary for Health of the Department of Veterans Affairs. If I was present, I would have voted in support.

VOTE EXPLANATION

Mr. BLUMENTHAL. Mr. President, on July 11, 2022, I was absent for rollcall vote No. 243, Executive Calendar No. 599, the motion to invoke cloture on the nomination of Ashish S. Vazirani, of Maryland, to be a Deputy Under Secretary of Defense due to testing positive for COVID-19.

Had I been present, I would have voted yes to proceed with his nomination to be Deputy Under Secretary of Defense.

Mr. President, on July 12, 2022, I was absent for rollcall vote No. 244, Executive Calendar No. 599, the confirmation of the nomination of Ashish S. Vazirani, of Maryland, to be a Deputy Under Secretary of Defense due to testing positive for COVID-19.

Had I been present, I would have voted yes to confirm his nomination to be Deputy Under Secretary of Defense.

Mr. President, on July 12, 2022, I was absent for rollcall vote No. 245, Executive Calendar No. 1037, the motion to

invoke cloture on the nomination of Steven M. Dettelbach to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives due to testing positive for COVID-19.

Had I been present, I would have voted yes to proceed with his nomination to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Mr. President, on July 12, 2022, I was absent for rollcall vote No. 246, Executive Calendar No. 1037, the confirmation of the nomination of Steven M. Dettelbach to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives due to testing positive for COVID-19.

Had I been present, I would have voted yes to confirm his nomination to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Mr. President, on July 12, 2022, I was absent for rollcall vote No. 247, Executive Calendar No. 975, the motion to invoke cloture on 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, due to testing positive for COVID-19.

Had I been present, I would have voted yes to proceed with his nomination 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.

Mr. President, on July 13, 2022, I was absent for rollcall vote No. 248, Executive Calendar No. 975, the confirmation of 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, due to testing positive for COVID-19.

Had I been present, I would have voted yes to confirm his nomination 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.

Mr. President, on July 13, 2022, I was absent for rollcall vote No. 249, Executive Calendar No. 976, the motion to invoke cloture 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 due to testing positive for COVID-19.

Had I been present, I would have voted yes to proceed with his nomination to be Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System for a term of four years.

Mr. President, on July 13, 2022, I was absent for rollcall vote No. 250, Executive Calendar No. 976, the confirmation of 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 due to testing positive for COVID-19.

Had I been present, I would have voted yes to confirm his nomination to be Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System for a term of four years.

Mr. President, on July 13, 2022, I was absent for rollcall vote No. 251, Executive Calendar No. 676, the motion to invoke cloture on the nomination of Owen Edward Herrnsstadt, of Maryland, to be a Member of the Board of Directors of the Export-Import Bank of the United States due to testing positive for COVID-19.

Had I been present, I would have voted yes to proceed with his nomination to be a Member of the Board of Directors of the Export-Import Bank of the United States.

Mr. President, on July 13, 2022, I was absent for rollcall vote No. 252, Executive Calendar No. 676, the confirmation of the nomination of Owen Edward Herrnsstadt, of Maryland, to be a Member of the Board of Directors of the Export-Import Bank of the United States due to testing positive for COVID-19.

Had I been present, I would have voted yes to confirm his nomination to be a Member of the Board of Directors of the Export-Import Bank of the United States.

Mr. President, on July 13, 2022, I was absent for rollcall vote No. 253, Executive Calendar No. 908, the motion to invoke cloture on the nomination of Kate Elizabeth Heinzelman, of New York, to be General Counsel of the Central Intelligence Agency due to testing positive for COVID-19.

Had I been present, I would have voted yes to proceed with her nomination as General Counsel of the Central Intelligence Agency.

Mr. President, on July 14, 2022, I was absent for rollcall vote No. 254, Executive Calendar No. 908, the confirmation of the nomination of Kate Elizabeth Heinzelman, of New York, to be General Counsel of the Central Intelligence Agency due to testing positive for COVID-19.

Had I been present, I would have voted yes to confirm her nomination to be General Counsel of the Central Intelligence Agency.

Mr. President, on July 14, 2022, I was absent for rollcall vote No. 255, Executive Calendar No. 968, the motion to invoke cloture on the nomination of Julianna Michelle Childs, of South Carolina, to be United States Circuit Judge for the District of Columbia Circuit due to testing positive for COVID-19.

Had I been present, I would have voted yes to proceed with her nomination to be United States Circuit Judge for the District of Columbia Circuit.

AFGHANISTAN

Mr. HAWLEY. Mr. 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.

(b) Training.

(i) Prior to deploying to the CENTCOM AOR in the spring of 2021, the units assigned to the SPMAGTF completed typical pre-deployment training, focused on their core METs (exhibits 53, 55, 56, 57, 76, 77, 79, 80, 81). Additionally, 2/1 conducted training at the Infantry Immersion Trainer (IIT) at Camp Pendleton, where they trained on embassy reinforcement and crowd control operations (exhibits 76, 77, 86). While deployed, 2/1's companies were distributed throughout the AOR, and conducted various training events that would prove beneficial while operating at HKIA later in their deployment.

(ii) Echo Company, 2/1 conducted two Mission Rehearsal Exercises (MRXs), along with STP, CLD-21 and MWSD-373, at PSAB in July 2021, where they focused on ECC operations and security and response to a MASCAL event (exhibits 53, 54, 56, 57, 76). Echo Company, 2/1 also conducted non-lethal weapons training at PSAB and additional medical training in Kuwait (exhibit 82).

(iii) Golf Company, 2/1 deployed three platoons to Jordan, and one platoon initially to Djibouti, and then to PSAB, where it supported the Tactical Recovery of Aircraft and Personnel (TRAP) mission. In Jordan, Golf Company focused on its core METs, but had the unique opportunity to train alongside the U.K.'s 2 PARA, and the 77th Royal Jordanian Marine Battalion (77th RJMB). Training with 2 PARA helped build a level of interoperability and familiarity that proved useful when Golf Company, 2/1 served alongside 2 PARA at Abbey Gate, HKIA, whereas training with 77th RJMB helped Golf Company Marines grow accustomed to operating with non-native English speakers, a skill that also proved useful at HKIA (exhibits 53, 76, 77, 80, 86, 89, 90). Third Platoon, Golf Company, 2/1 received extensive medical training while serving as the TRAP platoon, to include Tactical Combat Casualty Care (TCCC), Combat Trauma Management (CTM) training, and Valkyrie walking blood bank training (exhibits 86, 98). The rest of Golf Company conducted Combat Life Saver (CLS) refresher training, TCCC refresher training, and MASCAL training in Jordan, while Golf Company's junior Hospital Corpsmen conducted CTM and Valkyrie training prior to deploying to HKIA in support of the NEO (exhibits 77, 98).

(iv) Fox Company, 2/1 deployed to the BEC, where the company executed fixed site security and crowd control operations, and trained on non-lethal weapons employment, all of which prepared them to operate at Abbey Gate (exhibit 81). All 2/1 companies discussed ROE and the importance of treating people at the gates of HKIA with empathy and respect prior to deploying to HKIA (exhibits 53, 54, 56, 57, 76, 77, 78, 81). The STP completed multiple MASCAL drills while deployed at Al Jaber, Kuwait and PSAB, prior to deploying to HKIA (exhibit 66).

e. Leadership.

(1) Key Finding. COMREL and Task Organization. The task organization worked. This was in large part due to pre-existing or quickly forged relationships among leaders at the highest echelons and adaptability at the lower echelons.

(a) The 82nd Airborne Division, led by MG Donahue, executed their mission with a clear

chain of command (exhibits 10, 121, 124, 125). The Division rapidly adapted to the changing situation, as they were responsible for security of the airhead, support to the NEO, planning for the retrograde of all personnel and equipment, demilitarization of arms and equipment, and executing the JTE (exhibits 121, 125). In addition to security, the Division conducted initial screening and recovery of AMCITs, LPRs, locally hired embassy personnel, SIV applicants, and at risk Afghans at South and West Gates (exhibit 143). Once identified and screened, these evacuees were processed through the ECC for manifesting and departure from HKIA (exhibits 121, 125).

(b) General McKenzie established the NEO COMREL, and officially granted 82nd Airborne TACON of JTF-CR (exhibit 10, 11, 238). In reality, JTF-CR was TACON to USFOR-A FWD, and merely coordinated with the 82nd Airborne Division (exhibits 18, 21, 40, 125). This adjusted COMREL, along with the mixing of tactical responsibilities, resulted in the 82nd conducting airfield security and NEO for one sector, and JTF-CR conducting airfield security and NEO in another sector (exhibits 15, 121, 125, 143, 155). The senior officers made this division of tasks work under the circumstances with adjusted COMREL, mutual trust, and shared understanding.

(2) Engaged and Responsive Leaders.

(a) The leadership of the U.S. Forces tasked with conducting a NEO at HKIA worked collaboratively to adapt in an uncertain, chaotic, ambiguous, and high-threat environment. U.S. Forces experienced rapidly changing, complex relationships and compressed timelines to conduct a NEO. These leadership challenges were exacerbated by the reality that the Taliban, who could be described as a supporting effort, were operating under a unity of effort as opposed to a unity of command (exhibits 53, 125). This was demonstrated at each location around the perimeter of HKIA, where Taliban assistance ranged from actively supporting crowd control, to non-support, and even actively taunting the Marines (exhibits 23, 53, 100, 102, 125, 146). RADM Vasely, MG Donahue, and BGen Sullivan conducted Key Leader Engagements (KLE) to coordinate activities, ensure mission accomplishment, and protect the force (exhibits 21, 23, 125). Their coordination with the Taliban facilitated crowd control and force protection, and minimized the incidence of kinetic engagements between U.S. Forces, and Taliban (exhibits 53, 104, 125). While the ROE may not have been entirely clear at all times, due to the rapidly changing situation, U.S. Forces retained the right to self-defense, the ability to engage individuals committing hostile acts or demonstrating hostile intent, and the ability to utilize riot-control measures in defense to protect the force and civilians.

(b) Military leadership at every level was engaged and responsive, enabling security of the airhead, executing the NEO, and planning to execute the Joint Tactical Exfiltration (JTE). There were numerous examples of great leadership during an operation amounting to simultaneous combat, evacuation, and humanitarian tasks during a compressed time, with constrained resources, and severe restrictions on terrain. There are three examples to highlight, the first being how leadership engaged the NSU and Taliban forces to assist with inner and outer perimeter security and checkpoint screening. Another example was the emplacement of the Chevron obstacle at Abbey Gate, which in combination with outside influences, had a profound impact on the flow of evacuees. The last example was the battle-field rotations conducted before 26 August and immediately before the blast at Abbey Gate. It should be noted that several leaders and Marines interviewed stated operations at

HKIA were so chaotic, that even with the tremendous amounts of training conducted prior to deployment, no training would be able to prepare someone for what they faced (exhibits 107, 101). All of these examples tested leaders' ability to remain flexible in a dynamic environment and challenged them to rise above adversity.

(c) These challenges began when civilians breached the perimeter and started to occupy the southern area of HKIA on 15 August (exhibits 15, 53, 54, 56). This caused the JTF-CR to send 50 out of 53 personnel, emptying their JOC, to assist in pushing back the crowd (exhibit 15). It took almost everyone on the airfield to get the civilians off the runway in order to continue operations (exhibit 15, 53, 54, 56). Leadership recognized that they had to build and leverage relationships in order to provide better security and screening. This led to negotiations between RADM Vasely, the NSU, and the Taliban (exhibit 53). The NSU helped to clear the airfield and manned their gate, while MG Donahue instructed the Taliban regarding which areas they would need to control and clear to facilitate the NEO (exhibit 18, 21, 123, 125). The Taliban would later establish outer checkpoints and, more notably, provide security at the Chevron outside the outer corridor of Abbey Gate (exhibits 54, 77, 81, 84, 85, 86, 89).

(d) The coordination to install the Chevron, which ultimately changed the dynamics at Abbey Gate, involved the U.K., Taliban and the Commander of Golf Company, 2/1 Marines, (TEXT REDACTED) The U.K. Forces devised the idea and the placement location, but were having trouble executing (TEXT REDACTED) and other members of the senior leadership were conducting KLEs with the Taliban to discuss security and future operations (exhibit 54, 18). (TEXT REDACTED) had the Taliban move the broken vehicles that were in the way and preventing the Chevron from being emplaced, and help to help to control Afghan civilians (exhibit 77). The Taliban would later provide security in front of and on top of the Chevron containers (exhibits 54, 77, 81, 84, 85, 86, 89). (TEXT REDACTED) also coordinated with the MEU engineers to use their equipment to move jersey barriers and emplace the containers forming the Chevron (exhibits 54, 77, 81, 84, 85, 89, 103). This helped to create stand-off between troops and the crowd and control the flow of personnel coming into the Abbey Gate for processing.

(e) Leadership, from USFOR-A FWD down to the company level, would visit the gates to ensure the Service members were cared for and to gather situational awareness of the rapidly changing environment. The USFOR-A FWD team would visit gates multiple times a day (exhibit 21, 22, 23). The USFOR-A FWD (TEXT REDACTED) would visit the gates to check on Marines/Soldiers and to provide reports on the current conditions and situation at the gates (exhibits 17, 21, 96). On 26 August, just before 1700, BGen Sullivan, (TEXT REDACTED) (all of JTF-CR) had visited Abbey Gate and left the area 20 minutes before the blast (exhibits 17, 19). (TEXT REDACTED) 3/10 IBCT, (TEXT REDACTED) 2/501 PIR, and (TEXT REDACTED) 1/8 visited Abbey Gate on 26 August as well (exhibits 104, 123, 126). The (TEXT REDACTED) of 2/1, (TEXT REDACTED) attended a meeting at the Barron Hotel with Taliban and U.K. Forces to discuss the impending closure of Abbey Gate at 1600 on 26 August. As he was leaving Abbey Gate, (TEXT REDACTED) was caught in the blast (exhibits 53, 90).

(f) Leaders on the ground engaged with their teams in order to work through the evolving situation. They were coordinating support with friendly units while also nego-

tiating with the NSU and Taliban to provide security for gate operations and retrograde planning. Junior leaders were empowered to make and execute decisions, as demonstrated through the emplacement of the Chevron. Overall, military leaders executed the mission and protected their Marines and Soldiers to the best of their ability.

f. Medical Considerations.

(1) Key Finding. The wounds sustained by the KIA were so catastrophic none could be saved. Medical providers at multiple echelons stated access to additional advanced treatment and equipment would not have saved more lives. The capability at HKIA's Role II-E saved several Service Members who otherwise would have succumbed to their wounds. Providers stated the capability at HKIA was the most robust they had experienced in an operational setting. Every Service Member who could have been saved with medical treatment survived due to the medical capability at HKIA.

(2) Capabilities.

(a) Role II. Throughout the Afghanistan NEO, there were two Role II facilities at HKIA, one on North HKIA (NHKIA), referred to at times as the NATO Role II, Role II-E, or the Military Treatment Facility (MTF), had the most robust capability, while a second facility at Camp Alvarado was operated by 1/82 IBCT medical personnel (exhibits 66, 98, 128, 130, 131). The MTF hosted eight surgical teams, including three Army Forward Resuscitative Surgical Teams (FRST), one Army light surgical team, two U.S. SOSTs, one Norwegian SOST, and one U.K. surgical team. The MTF had two ORs, with the ability to surge to four patients simultaneously, and space for seven intensive care unit (ICU) and 14 ward patients, with the ability to surge on both. The MTF also had CT scanning and x-ray capability, a lab, a pharmacy, and an ER that operated 24 hours a day (exhibits 128, 131). According to multiple medical officers, the MTF at HKIA had more assets and capability than any field facility they had ever seen (exhibits 66, 128, 130, 131). The second Role II facility, located at Camp Alvarado, was operated by personnel from 1/82 IBCT and hosted an Army FRSD. The FRSD was capable of providing limited damage control surgery and resuscitation (exhibit 130).

(b) Role I. There were two Role I-E facilities at HKIA throughout the NEO. The 24th MEU's STP operated next to the PAX Terminal on NHKIA, while the SPMAGTF's STP operated out of a building between East Gate and Abbey Gate. The MEU STP had two physician assistants (PA), two nurses, and 15 corpsmen (exhibit 16). The SPMAGTF STP had two ER doctors, one PA, two nurses, and 12 corpsmen (exhibit 66). In addition to the two Role I-E facilities, the U.K. operated a Role I facility out of the Barron Hotel, in vicinity of Abbey Gate (exhibits 77, 98).

(3) MASCAL Plan. Prior to executing the NEO, the MASCAL plan for HKIA was not comprehensive, in that it did not incorporate every compound surrounding the airfield. Instead, the existing MASCAL plan only referred to NHKIA, where the aforementioned NATO Role II/MTF was located. Leading up to the NEO, TF MED leadership began refining the MASCAL plan, and attempted to designate CCPs and evacuation routes throughout the airfield (exhibit 128). The updated plan was not finalized prior to the beginning of the NEO, and as a result, during the NEO the MASCAL plan was reduced to, "In the event of a MASCAL event, utilize all available vehicles to transport casualties to the MTF as quickly as possible (exhibits 66, 128, 130, 131)". The lack of a comprehensive MASCAL plan caused some frustration and concern for units operating away from NHKIA (exhibit 66). Despite the lack of a

comprehensive plan, each unit conducted internal MASCAL rehearsals that undoubtedly contributed to the rapid, successful response witnessed following the Abbey Gate attack of 26 August (exhibits 66, 98, 128, 130, 131).

(4) Medical Rules of Engagement (MEDROE). At the start of the NEO, the MEDROE were unclear among the various medical providers (exhibits 66, 130, 131). The SPMAGTF STP and 1/82 IBCT Role II were initially under the impression they were to adhere to the standing CENTCOM MEDROE, which was complicated by the fact that service members were coming into close, regular contact with large numbers of civilians at the HKIA gates (exhibits 66, 130). After operating for several days under an ambiguous MEDROE, TF MED's (TEXT REDACTED) passed guidance to all providers at HKIA stating that they were responsible for providing care to anyone within the gates of the airfield (exhibits 66, 130, 131). The lack of initial clarity regarding MEDROE presented a challenge for some medical providers, and served as a source of frustration (exhibit 66).

(5) MASCAL Preparations Prior to 26 August. Upon his arrival at HKIA, 82nd Airborne's Commander, MG Donahue, identified the likelihood of a MASCAL event during the course of the NEO, and tasked the 82nd's senior medical officer with preparing for a MASCAL (exhibit 125). In the days leading up to the attack on 26 August, units at all echelons conducted MASCAL rehearsals (exhibits 16, 18, 21, 66, 98, 128, 130, 131). In response to the increased threat leading up to 26 August, the SPMAGTF STP (TEXT REDACTED) ran MASCAL rehearsals in her clinic, and staged an ambulance with an en route care team inside the inner gate at Abbey Gate on the evening of 25 August (exhibit 66). Beginning on the morning of 26 August, Golf Company, 2/1 established a CCP inside the outer gate, and consolidated medical supplies, litters, and corpsmen at the CCP in anticipation of a potential attack and MASCAL event (exhibits 77, 98). Following a phone call from the USFOR-A FWD (TEXT REDACTED) at 1310 on 26 August warning of a likely attack, TF MED (TEXT REDACTED) consolidated all medical personnel at the MTF, and kept them on standby throughout the afternoon so that they were prepared to respond rapidly to a MASCAL (exhibit 131).

g. Chronology/Timeline of Events. See enclosure 9.

4. Recommendations.

a. TBI Screening. During the course of the investigation, it became apparent Service Members received inconsistent evaluation for concussion and TBI after the attack at Abbey Gate. Since the initial medical evacuation of the wounded, twelve Service Members have been added to the list of those wounded in action; many for TBI. I therefore recommend forwarding findings and recommendations to all CENTCOM Service Component Commanders for consideration that all Service Members at Abbey Gate during the attack, and present in any blast zone depicted in exhibit 137, slide 7, be evaluated for TBI.

b. Mental Health Evaluation. A consistent trend during interviews with young Marines were stories involving traumatic injuries and death of children, separation of families at gates, and outright rejection of evacuees culminating in their distraught return to the civilian population outside the gate. During the response to the attack at Abbey Gate, young Marines heroically recovered the wounded and rendered life-saving care. Others carried the bodies of their deceased friends away from the canal. In consideration of the mental and emotional strain placed on these young Marines and other Service Members, I recommend forwarding

the findings and recommendations to all CENTCOM Service Component Commanders. Recommend mental health evaluations and treatment options for all personnel executing entry control point operations at Abbey Gate from 17–26 August. Evaluations and treatment options should also be pursued for personnel involved in the medical response to the attack on Abbey Gate on 26 August.

c. Interagency NEO Doctrine. Many leaders observed planning and execution with interagency partners was difficult, because there was no shared understanding or baseline concepts common to the various entities involved in the execution of NEO. To address this shortcoming, I recommend forwarding this investigation to the Joint Staff for consideration in drafting and publication of interagency doctrine for Non-combatant Evacuation Operations.

d. Further Investigation. During an interview with Platoon Commanders of Golf Company, 2/1 Marines, a Platoon Commander stated a civilian was killed by a flash bang grenade. The investigator did not pursue the line of questioning, because of the group setting and potential for misconduct and a rights advisement. After speaking with my legal advisor, I assessed this line of inquiry was outside my scope to investigate and would incur a significant delay in meeting my timeline and mandate. I recommend forwarding exhibits 84 and 128 to MARCENT for potential investigation into statements made by the Platoon Commander from Golf Company, 2/1 Marines, concerning a possible civilian casualty caused by use of a flash bang grenade.

5. The point of contact for this memorandum is the undersigned at (TEXT REDACTED) or at (TEXT REDACTED) (TEXT REDACTED) LANCE G. CURTIS BG, USA Investigating Officer

REMEMBERING CHARLES H. COOLIDGE AND HERSHEL W. "WOODY" WILLIAMS

Mrs. BLACKBURN. Mr. President, in its mission statement, the National Medal of Honor Heritage Center in Chattanooga, TN, highlights the values of patriotism, citizenship, courage, integrity, sacrifice, and commitment as central to the character of every Medal of Honor recipient. When put into action, these values culminate in uncommon acts of heroism.

Today, I have the privilege of recognizing two heroes whose valor on the battlefield earned them the Medal of Honor and the admiration of their countrymen: Charles H. Coolidge of Tennessee and Hershel W. "Woody" Williams of West Virginia. We lost Charles last year and Woody just a few weeks ago, but their legacies remain a celebration of the sacrifice, resilience, and service of the 16 million men and women who served in the Armed Forces during World War II and saved the world from the horrors of authoritarianism. The Senate came together and rallied around one final tribute to the era's Medal of Honor recipients, and on July 14, Woody Williams became just the seventh American to lay in honor in the rotunda of the U.S. Capitol. It was a lovely, fitting way to show our gratitude not only to Woody, but to all the World War II Medal of Honor recipients we lost before him.

I can think of no better way to keep this spirit of camaraderie alive than to put their legacies to work on behalf of younger generations who are just beginning to understand that the preservation of freedom for all humanity will require much more than bold words.

Liberty is not an act of sheer will, but a reflection within a people of the same values that prompted Charles and Woody to put themselves between their brothers in arms and enemy troops. On behalf of all Tennesseans, I thank these brave men for their commitment to the common cause of freedom and pray that all our Nation's leaders will endeavor to follow in their footsteps.

TRIBUTE TO ELI DICKEN

Mr. YOUNG. Mr. President, I rise to formally express my gratitude for the heroic actions of my fellow Hoosier, Eli Dicken, at the Greenwood Park Mall.

On Sunday, July 17, 2022, in the midst of unimaginable tragedy, Eli boldly stepped forward into danger to save the lives of others. As a murderer committed a heinous act of violence at the Greenwood Park Mall, Eli, after directing others around him to get to safety, drew his own firearm, and fired upon the attacker, ultimately taking his life and saving the lives of countless innocent bystanders. Within 15 seconds, Eli was able to stop an even greater tragedy. As Chief James Ison of the Greenwood, IN, Police Department noted, Eli's actions "were nothing short of heroic" and "many more people would have died . . . if it was not for his heroism." Eli's actions were possible due to this own bravery and because of actions taken by the State of Indiana to ensure that law-abiding citizens are freely able to exercise their constitutional right to keep and bear arms.

I mourn the three innocent lives that were taken and pray for the families and communities that this senseless tragedy has affected. I also pray for the continued recovery of those wounded in the attack, who were in part saved by Eli's decisive actions and also by the exceptional response and care of first responders. So today, I add my own voice to those honoring Eli and express my gratitude for his selfless courage.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF WDEL RADIO

• Mr. CARPER. Mr. President, I rise today on behalf of Delaware's congressional delegation in honor of the 100th anniversary of Delaware's first radio station, WDEL. The station was born on July 22, 1922, when amateur radio operator and shop owner Willard Wilson aired the first news reports and music out of his home in Wilmington, DE, on what was then WHAV. Over the years, the station changed its call letters to WDEL and moved out of Wilson's home to various spaces in down-

town Wilmington, where listeners could tune in to hear many famous "big bands" live from the Gold Ballroom of the Hotel Du Pont. Today, the station has a home on Shipley Road and has grown to provide local news, talk and traffic reports, with thousands of listeners from Delaware and our surrounding States tuning in daily to hear from WDEL's recognizable voices on the airwaves.

Just like our home State's motto, WDEL has been "first" many times when it comes to broadcasting. In 1933, WDEL became one of the first radio affiliates for Major League Baseball, airing the Philadelphia A's games. Today, you can still catch the crack of the bat on its signals 101.7 FM or 1150 AM during the Philadelphia Phillies season. WDEL was also the first in Delaware to provide real-time, locally produced traffic reports, filling a need when other stations weren't covering the busy roads in the Delaware region. The station also was one of the first stations to hire women for on-air positions when it wasn't popular to do so.

Over the years, WDEL has covered many historic moments in Delaware, including Presidential visits from Harry Truman, John Kennedy, Lyndon Johnson, Richard Nixon, George W. Bush, Barack Obama, and, of course, Delaware's own Joe Biden. WDEL has also covered the moments that capture the cultural fabric of Delaware, including broadcasts from the Greek, Italian, and Polish festivals, as well as the Wilmington Flower Market, and has a long history of giving back to the community by supporting Nemours Children's Hospital, Ronald McDonald House, Sunday Breakfast Mission, and many other children's charities, shelters, and soup kitchens.

WDEL's dedication to its listeners was awarded numerous times over the years. WDEL was named Medium Market Station of the Year by the National Association of Broadcasters—NAB—named News Operation of the Year by the Chesapeake AP Broadcasters Association several times, and was honored with the Edward R. Murrow Award for Overall Excellence twice, and the NAB's prestigious Crystal Award for public service.

On behalf of both U.S. Senator CHRIS COONS and U.S. Representative LISA BLUNT ROCHESTER, I rise today to honor WDEL radio on a century of hard work and dedication to serving the community. The station that started as just one among 100 in the country has withstood a century of change and innovation and has been recognized as among the best in the Nation. We wish its employees and listeners many more years of this incredible news service on the airwaves.●

TRIBUTE TO RALPH HIPPI

• Mr. MARSHALL. Mr. President, I rise today to honor and recognize Mr. Ralph Hipp of Topeka, KS.

Mr. Ralph Hipp announced this week that he will be retiring September 2

after a 48-year career in broadcasting. He first joined the WIBW-TV team in April 1990 as an anchor for 13 NEWS at 10. He briefly left WIBW-TV in the fall of 1998 for his wife's job in Tennessee, but returned to his anchor desk in Topeka exactly 2 years later, and has remained a constant at 13 NEWS ever since.

Ralph first thought of retirement more than 2 years ago, but when the pandemic began, he gladly remained part of the 13 NEWS teams to help get everyone through the tough times. The last 2 years were the most challenging and rewarding of Ralph's entire career with WIBW-TV.

Throughout his career, Ralph has hosted various programs and segments loved by many in Northeast Kansas. He was a longtime host for the Sunday night scholastic quiz bowl program "High Q," recognized exceptional students of all ages in the "Good Kids" Tuesday night segment, and has hosted hundreds of viewers from the famous red couch set since 2006. Hosting this program from the red couch has been a blessing and joy for him, especially throughout the pandemic. Helping people in their time of need is what the business is all about to Ralph, and the Red Couch Program provided him the opportunity to be able to help others.

I now ask my colleagues to join me in recognizing the wonderful impact Mr. Ralph Hipp has had on the WIBW-TV team and to honor him for his 30 years of serving the families of Northeast Kansas in what he calls "the best job in the world."•

RECOGNIZING HOUSE DOCTORS HANDYMAN

• Mr. PAUL. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize House Doctors Handyman of Hardin County, in Elizabethtown, KY, as the Senate Small Business of the Week.

For most people, retirement is the clear choice following an illustrious career in their chosen field. Franko Antolovich, on the other hand, is not like most people. After serving in the U.S. Army for 35 years, including over 20 years in the Special Forces, Franko took the road less traveled. When many would have chosen retirement, Franko embarked on a new endeavor, swapping his combat boots for work boots by becoming the franchise owner of House Doctors Handyman of Hardin County, KY.

House Doctors provides top quality home repairs and maintenance to residents of central Kentucky and the surrounding areas. Franko ensures that his customers receive exemplary service by employing handymen who are the best at what they do, with most members of his team having years of

experience in the realm of home repair. Franko understands that it takes a great amount of trust to employ someone to work on your own home. As the name House Doctors would imply, each employee of this successful franchise provides an unrivaled level of care because they understand that a house is more than just a roof over one's head. The repair men and women operating at House Doctors treat their customers' homes with as much respect as they would treat their own; that is the level of quality that Franko and his team are committed to providing to Central Kentucky.

House Doctors' services range from one-time maintenance repairs for home appliances, to small projects like drywall installation and repair, all the way up to full home remodels. Whatever the need may be, residents of central Kentucky can count on House Doctors to provide the services they need for quick and professional home repair. In addition to the wide array of services they perform, House Doctors offers a 1-year labor guarantee for each job they perform, proving their steadfast commitment to quality craftsmanship. This commitment extends beyond House Doctors' policy of a 1-year labor guarantee, as Franko ensures that all the handymen and women he employs are professional, insured, bonded, and trained. Residents of central Kentucky can achieve full peace of mind knowing that the job they have entrusted to House Doctors will be completed only after the highest standards of quality have been met.

I want to thank Frank Antolovich for the service he has paid to this country and commend him for his transition from Active Duty to being an active member in his central Kentucky community. After putting his mind and body to work for our country, he saw a franchise opportunity that allowed him to work towards the betterment and protection of central Kentucky homes. It is the level of dedication and service that has been a hallmark throughout Franko's life that makes his franchise thrive. Congratulations to Franko Antolovich and to the entire team at House Doctors Handyman of Central Kentucky. I look forward to watching your continued growth and success in Kentucky. •

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

As 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.)

PRESIDENTIAL MESSAGE

REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DE- CLARED IN EXECUTIVE ORDER 13581 OF JULY 24, 2011, WITH RE- SPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL OR- GANIZATIONS—PM 36

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011, under which additional steps were taken in Executive Order 13863 of March 15, 2019, is to continue in effect beyond July 24, 2022.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are becoming increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

Significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581.

JOSEPH R. BIDEN, JR.
THE WHITE HOUSE, July 21, 2022.

MESSAGE FROM THE HOUSE

At 3:48 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 8373. An act to protect a person's ability to access contraceptives and to engage in contraception, and to protect a health care provider's ability to provide contraceptives, contraception, and information related to contraception.

ENROLLED BILL SIGNED

The message further announced that the Speaker pro tempore (Mr. RASKIN) has signed the following enrolled bill:

H.R. 8351. An act to amend the Harmonized Tariff Schedule of the United States to suspend temporarily rates of duty on imports of certain infant formula products, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Ms. CORTEZ MASTO).

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

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

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4647. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency with respect to the situation in Hong Kong that was declared in Executive Order 13936 of July 14, 2020; to the Committee on Foreign Relations.

EC-4648. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to the UAE in the amount of \$50,000,000 or more (Transmittal No. DDTC 21-055); to the Committee on Foreign Relations.

EC-4649. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals relative to the "National Defense Authorization Act for Fiscal Year 2023"; to the Committee on Foreign Relations.

EC-4650. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Determination Under Sections 506(a)(1) and 614(a)(1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine"; to the Committee on Foreign Relations.

EC-4651. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to provide military assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC-4652. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to provide military assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC-4653. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Determination Under Sections 506(a)(1) and 614(a)(1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine"; to the Committee on Foreign Relations.

ment of State, transmitting, pursuant to law, a report entitled "Determination Under Sections 506(a)(1) and 614(a)(1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine"; to the Committee on Foreign Relations.

EC-4654. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to provide military assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC-4655. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Determination Under Sections 506(a)(1) and 614(a)(1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine"; to the Committee on Foreign Relations.

EC-4656. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Semiannual Jackson-Vanik Compliance Report for Certain Independent States"; to the Committee on Foreign Relations.

EC-4657. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "U.S. Compliance with the Authorization for Use of Military Force in Iraq, from March 6, 2022 to May 5, 2022"; to the Committee on Foreign Relations.

EC-4658. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2022-0105-2022-0118); to the Committee on Foreign Relations.

EC-4659. A communication from the Secretary to the Railroad Retirement Board, transmitting, pursuant to law, the 2022 annual report on the financial status of the railroad unemployment insurance system; to the Committee on Health, Education, Labor, and Pensions.

EC-4660. A communication from the Secretary to the Railroad Retirement Board, transmitting, pursuant to law, a report relative to the actuarial status of the railroad retirement system; to the Committee on Health, Education, Labor, and Pensions.

EC-4661. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Clinical Laboratory Improvement Amendments of 1988 (CLIA) Proficiency Testing Regulations Related to Analytes and Acceptable Performance" (RIN0938-AT55) received in the Office of the President of the Senate on July 12, 2022; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 3502. A bill to establish an Office of Civil Rights, Equity, and Community Inclusion at the Federal Emergency Management Agency, and for other purposes (Rept. No. 117-133).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 3655. A bill to amend the Civil Rights Cold Case Records Collection Act of 2018 to extend the termination date of the Civil

Rights Cold Case Records Review Board (Rept. No. 117-134).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 552. A bill to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the impact of the COVID-19 pandemic on global basic education programs.

H.R. 1036. An act to amend the State Department Basic Authorities Act of 1956 to authorize rewards under the Department of State's rewards program relating to information regarding individuals or entities engaged in activities in contravention of United States or United Nations sanctions, and for other purposes.

S. 3052. A bill to promote free and fair elections, democracy, political freedoms, and human rights in Cambodia, and for other purposes.

S. 3317. A bill to strengthen United States national security through the defense of democracy abroad and to address contemporary threats to democracy around the world, and for other purposes.

S. 4216. A bill to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

S. 4320. A bill to enhance security at United States diplomatic facilities, and for other purposes.

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.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

H.R. 4693. An act to advance targeted and evidence-based interventions for the prevention and treatment of global malnutrition and to improve the coordination of such programs, and for other purposes.

H.R. 6899. An act to prohibit the Secretary of the Treasury from engaging in transactions involving the exchange of Special Drawing Rights issued by the International Monetary Fund that are held by the Russian Federation or Belarus.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

*Army nomination of Maj. Gen. Robert A. Rasch, Jr., to be Lieutenant General.

Army nominations beginning with Col. Sarah K. Albrycht and ending with Col. Kevin J. Lambert, which nominations were received by the Senate and appeared in the Congressional Record on May 12, 2022. (minus 32 nominees beginning with Col. Gail E. Atkins)

*Air Force nomination of Lt. Gen. Tony D. Bauernfeind, to be Lieutenant General.

*Air Force nomination of Maj. Gen. Donna D. Shipton, to be Lieutenant General.

*Army nomination of Maj. Gen. Andrew M. Rohling, to be Lieutenant General.

Navy nomination of Rear Adm. (1h) Thomas J. Anderson, to be Rear Admiral.

*Space Force nomination of Maj. Gen. Philip A. Garratt, to be Lieutenant General.

Air Force nominations beginning with Brig. Gen. Anne B. Gunter and ending with Brig. Gen. Aaron G. Vangelisti, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Air Force nominations beginning with Col. Michael P. Cruff and ending with Col. Dean

D. Sniogowski, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Army nominations beginning with Brig. Gen. Kevin D. Admiral and ending with Brig. Gen. David B. Womack, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Army nominations beginning with Brig. Gen. Isaac Johnson, Jr. and ending with Col. Noel F. Palmer, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2022.

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

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

Air Force nominations beginning with Victoria D. Ables and ending with Ann M. Zenobia, which nominations were received by the Senate and appeared in the Congressional Record on May 12, 2022.

Air Force nomination of Judson C. Dressler, to be Colonel.

Air Force nominations beginning with Jimmy T. Addison and ending with Joanna J. Zemek, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Air Force nominations beginning with Timothy Jay Ablay and ending with James E. Yarnell, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Air Force nominations beginning with Daniel C. Abell and ending with Roque Zarate III, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Air Force nominations beginning with Daniel C. Adams and ending with Julia M. Ziegler, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Air Force nominations beginning with Michael Antoine Bradford and ending with Joseph R. Zito, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Air Force nominations beginning with Justin D. Atwood and ending with David J. Yu, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Air Force nominations beginning with Douglas D. Demaio and ending with Adria P. Zuccaro, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Air Force nomination of Keith A. Deering, to be Major.

Army nominations beginning with Bryan G. Adams and ending with D016618, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Army nominations beginning with Emer B. Bajuelos and ending with Connor W. Witty, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Army nomination of Leah M. Triolo, to be Colonel.

Army nomination of Joseph R. Yancey, to be Colonel.

Army nomination of Tannis D. Mittelbach, to be Colonel.

Army nomination of David M. Haynes, to be Colonel.

Army nomination of Daniel S. Rhoades, to be Lieutenant Colonel.

Army nomination of Stephen D. Ekblad, to be Major.

Army nomination of Scott F. Duncan, to be Lieutenant Colonel.

Army nominations beginning with Anna M. Arroyosantiago and ending with Zhibin Jiang, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Army nomination of Raymond A. Degennaro II, to be Colonel.

Army nomination of Kesler Weaver, Jr., to be Colonel.

Army nomination of William M. Harris, Jr., to be Colonel.

Army nomination of Lance M. Kunz, to be Colonel.

Army nominations beginning with John T. Aasman and ending with D016440, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Army nominations beginning with Sara R. A. Almcrautz and ending with Nichole M. Williams, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Army nominations beginning with Shane E. Allen and ending with Douglas B. Yates, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Army nominations beginning with Jermaine Adams and ending with D016771, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Army nominations beginning with Frances K. Alfaro and ending with D016646, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Marine Corps nomination of Dominique B. Neal, to be Colonel.

Navy nomination of Steven D. Sideri, Jr., to be Lieutenant Commander.

Navy nominations beginning with Ruben Delpilar and ending with Steven C. Wang, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Navy nominations beginning with Jason S. Allen and ending with Michael J. Patterson, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Navy nominations beginning with Louise M. Anderson and ending with William E. Parthun, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Navy nominations beginning with Dillon J. Ambrose and ending with Kathryn M. Smith, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Navy nominations beginning with Obie A. Austin and ending with Susan O. Valentine, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Navy nominations beginning with Adam D. Guthrie and ending with Renee D. Whitsell, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Navy nominations beginning with James D. Bach and ending with Donald R. Toso, Jr., which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Navy nominations beginning with Phillip I. Lieberman and ending with Frank T. Rupnik III, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Navy nominations beginning with Randell T. Buchanan and ending with Jason P. Wiese, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2022.

Navy nominations beginning with Timothy M. Flintoft and ending with Chad C. Temple, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Krystal M. Bauman and ending with Brookes A. Williams, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Andre M. Agraviador and ending with Michael Vallianos, Jr., which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Charlotte A. Benbow and ending with Ka Xiong, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Lindsay K. Barnes and ending with Sheivon A. Yuille, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Derek J. Anastasiades and ending with Scott C. Tollefson, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Michael A. Ammendola and ending with Laura C. Yoon, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nomination of William R. Fleming, to be Commander.

Navy nominations beginning with Alden Y. Argante and ending with Jason M. Setliff, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Brandon D. Carver and ending with Claiborn B. Thompson, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Eric L. Alexander and ending with John A. Woods, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Mario E. Canas and ending with Rafael M. Villarreal, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Kristin P. Acton and ending with Michael J. Zecca, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Jodi M. D. Biermann and ending with William C. Souder III, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Arthur D. Anderson III and ending with Christopher R. Tockey, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with William A. Bowen III and ending with Courtney R. Stalter, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Todd M. Anderson and ending with Jesse L. Whitfield, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Jessica B. Anderson and ending with Amelia E.

Umayam, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Thomas E. Arnold and ending with Joseph K. Spede, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Alan Cameron and ending with Leroy C. Young, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with John H. Beattie and ending with Benjamin V. Wainwright, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nomination of Javier Lopezmartinez, to be Captain.

Navy nominations beginning with Wendy A. Arnold and ending with Janet M. West, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Teresita Alston and ending with Donavon A. Yaphing, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nominations beginning with Clemia Anderson and ending with Charles R. Wilhite, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2022.

Navy nomination of Christopher J. Kane, to be Captain.

Space Force nomination of Christina N. Gillette, to be Lieutenant Colonel.

Space Force nomination of Daniel R. Hammer, to be Major.

By Mr. DURBIN for the Committee on the Judiciary.

Florence Y. Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

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

Carlos Felipe Uriarte, of California, to be an Assistant Attorney General.

Carlton W. Reeves, of Mississippi, to be Chair of the United States Sentencing Commission.

Carlton W. Reeves, of Mississippi, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2027.

Laura E. Mate, of Iowa, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2027.

Claire McCusker Murray, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2025.

Luis Felipe Restrepo, of Pennsylvania, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2025.

Claria Horn Boom, of Kentucky, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2023.

John Gleeson, of New York, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2023.

Candice C. Wong, of the District of Columbia, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2027.

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

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

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

S. 4577. A bill to improve plain writing and public experience, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY (for himself, Mr. BLUMENTHAL, Mr. WYDEN, and Mr. BOOKER):

S. 4578. A bill to create a new Federal grant program that provides grants to State libraries to allow schools with summer lunch programs to keep their libraries open for student use during the summer months; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HICKENLOOPER (for himself and Mr. BARRASSO):

S. 4579. A bill to amend the Energy and Water Development and Related Agencies Appropriations Act, 2015, to extend certain deadlines applicable to pilot projects to increase Colorado River System water to address effects of historic drought conditions, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. ROSEN (for herself and Ms. MURKOWSKI):

S. 4580. A bill to amend title 38, United States Code, to require a lactation space in each medical center of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ:

S. 4581. A bill to improve the public service loan forgiveness program under section 455(m) of the Higher Education Act of 1965, to improve loan forgiveness eligibility provisions under such Act for teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VAN HOLLEN:

S. 4582. A bill to remove obstacles to the ability of law enforcement officers to enforce gun safety laws, and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Ms. SMITH, and Mr. MERKLEY):

S. 4583. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, and to provide for Social Security benefit protection; to the Committee on Finance.

By Mr. MERKLEY (for himself, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. BOOKER, and Mr. WYDEN):

S. 4584. A bill to prohibit the use of M-44 devices, commonly known as "cyanide bombs", on public land, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARSHALL:

S. 4585. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to modify the pesticide registration process, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CRUZ (for himself and Mr. LANKFORD):

S. 4586. A bill to keep schools physically secure using unobligated Federal funds available to the Secretary of Education to respond to the coronavirus; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself, Mr. SCHUMER, and Mr. CARDIN):

S. 4587. A bill to award a Congressional Gold Medal to Benjamin Berell Ferencz, in

recognition of his service to the United States and international community during the post-World War II Nuremberg trials and lifelong advocacy for international criminal justice and rule of law; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. ROSEN (for herself and Mrs. BLACKBURN):

S. 4588. A bill to establish a public-private partnership technology investment pilot program; to the Committee on Armed Services.

By Mr. GRASSLEY:

S. 4589. A bill to amend the Internal Revenue Code of 1986 to adjust certain credits and deductions for inflation; to the Committee on Finance.

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

S. 4590. A bill to provide requirements relating to data caps on broadband internet access service, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself, Mr. WYDEN, Mr. SCHUMER, Mrs. MURRAY, and Mr. PETERS):

S. 4591. A bill to decriminalize and deschedule cannabis, to provide for reinvestment in certain persons adversely impacted by the War on Drugs, to provide expungement of certain cannabis offenses, and for other purposes; to the Committee on Finance.

By Ms. HASSAN (for herself and Mr. PORTMAN):

S. 4592. A bill 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.

By Mr. KELLY (for himself and Ms. SINEMA):

S. 4593. A bill to amend title XIX of the Social Security Act to require the Secretary of Health and Human Services to make certain information available on a public website relating to intermediate care facilities for individuals with intellectual disabilities certified for participation under the Medicaid program, and for other purposes; to the Committee on Finance.

By Mr. MARSHALL (for himself and Mr. CRUZ):

S. 4594. A bill to establish a National Regulatory Budget, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself, Mr. BOOKER, Ms. KLOBUCHAR, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. BROWN, Mr. WYDEN, Mrs. GILLIBRAND, and Mr. PADILLA):

S. 4595. A bill to support local governments for jurisdictions that elect or appoint a person with a disability in providing the accommodations needed for the elected or appointed official to carry out their official work duties, and to build the capacity of local governments to have consistent and adequate funding for accommodations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LANKFORD (for himself, Mrs. CAPITO, Mr. INHOFE, Mr. CORNYN, Mr. BARRASSO, Mr. BLUNT, Mr. COTTON, Mr. HOEVEN, Mr. RISCH, Mr. CRAMER, Mr. DAINES, Mr. MARSHALL, and Ms. LUMMIS):

S. 4596. A bill to prohibit the Secretary of Energy, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, the Secretary of Transportation, the Chair of the Council on Environmental Quality, and the Federal Energy Regulatory Commission from considering, in taking any action, the social cost of carbon, the social cost of methane, the social cost of

nitrous oxide, or the social cost of any other greenhouse gas, unless compliant with Office of Management and Budget guidance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mr. BOOKER, Mr. PADILLA, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. WYDEN, and Ms. HIRONO):

S. 4597. A bill to allow individuals with disabilities to campaign for elected office without losing access to Federally supported benefits; to the Committee on Finance.

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

S. 4598. A bill to require the Executive Office of the President to provide an inflation estimate with respect to executive orders with a significant effect on the annual gross budget, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4599. A bill to streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ (for himself and Mr. RUBIO):

S. 4600. A bill to require the reimposition of sanctions with respect to the FARC; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SASSE (for himself and Mr. VAN HOLLEN):

S. Res. 715. A resolution expressing the sense of the Senate on the value of a tax agreement with Taiwan; to the Committee on Foreign Relations.

By Mr. WYDEN (for himself, Mr. CORNYN, Mr. KELLY, Mr. CRUZ, Ms. SINEMA, Mr. WARNOCK, Mr. MARKEY, Mr. VAN HOLLEN, Mrs. SHAHEEN, Ms. SMITH, Mr. BROWN, Mr. CARDIN, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. CASEY, Mr. KAINE, Mrs. FEINSTEIN, Ms. WARREN, Mrs. MURRAY, Mr. BOOKER, Mr. SANDERS, Mr. BENNET, Ms. BALDWIN, Mr. MERKLEY, Mr. SCHATZ, Mr. PETERS, Mr. PADILLA, Mr. COONS, Mr. HICKENLOOPER, Mr. DURBIN, and Mr. WHITEHOUSE):

S. Res. 716. A resolution calling for the immediate release of Brittney Griner, a citizen of the United States, who was wrongfully detained by the Government of the Russian Federation in February 2022; to the Committee on Foreign Relations.

By Mr. RUBIO (for himself, Mr. DURBIN, Mr. CRUZ, and Mr. MENENDEZ):

S. Res. 717. A resolution honoring the life and legacy of Oswaldo Paya Sardinias and his contributions to promote democracy and human rights in Cuba on the 10th anniversary of his death; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 443

At the request of Mr. WHITEHOUSE, the name of the Senator from Arizona

(Mr. SINEMA) was added as a cosponsor of S. 443, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 1888

At the request of Mr. BOOKER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1888, a bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes.

S. 2107

At the request of Mr. WYDEN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 2107, a bill to amend the Internal Revenue Code of 1986 to establish the semiconductor manufacturing investment credit.

S. 2130

At the request of Mr. WHITEHOUSE, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Colorado (Mr. HICKENLOOPER) were added as cosponsors of S. 2130, a bill to modify the disposition of certain outer Continental Shelf revenues and to open Federal financial sharing to heighten opportunities for renewable energy, and for other purposes.

S. 2509

At the request of Mr. KAINE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2509, a bill to authorize the New Partnerships Initiative to expand and diversify the partner base of the United States Agency for International Development and to provide more entry points for organizations to work with USAID.

S. 2561

At the request of Mr. DAINES, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2561, a bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to provide that a land resource management plan or land use plan approved, amended, or revised under those Acts shall not be considered to be a continuing Federal agency action or constitute a discretionary Federal involvement or control for a distinct Federal purpose, and for other purposes.

S. 3279

At the request of Mr. RUBIO, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3279, a bill to extend duty-free treatment provided with respect to imports from Haiti under the Caribbean Basin Economic Recovery Act.

S. 3589

At the request of Mr. RUBIO, the name of the Senator from Delaware

(Mr. COONS) was added as a cosponsor of S. 3589, a bill to require a United States security strategy for the Western Hemisphere, and for other purposes.

S. 3909

At the request of Mr. KAINE, the name of the Senator from Hawaii (Ms. HIRONO) 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. 4156

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 4156, a bill to improve the workforce of the Department of Veterans Affairs, and for other purposes.

S. 4202

At the request of Ms. COLLINS, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 4202, a bill to require an annual budget estimate for the initiatives of the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer's Project Act.

S. 4208

At the request of Mr. SULLIVAN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 4208, a bill to require the Secretary of Veterans Affairs to update the appraisal requirements for certain loans guaranteed by the Department of Veterans Affairs, and for other purposes.

S. 4432

At the request of Mr. MARKEY, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Oklahoma (Mr. INHOFE) 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. 4499

At the request of Mrs. BLACKBURN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 4499, a bill to prohibit any requirement that a member of the National Guard receive a vaccination against COVID-19.

S. RES. 283

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 283, a resolution reaffirming the importance of the United States to promoting the safety, health, and well-being of refugees and displaced persons.

S. RES. 646

At the request of Mr. RISCH, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 646, a resolution expressing the Senate's support for Finland and Sweden's accession into the North Atlantic Treaty Organization (NATO) and the expedited ratification of accession protocols.

S. RES. 706

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. Res. 706, a resolution remembering former Prime Minister of Japan Shinzo Abe.

S. RES. 713

At the request of Mr. RISCH, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. Res. 713, a resolution recognizing Russian actions in Ukraine as a genocide.

AMENDMENT NO. 5139

At the request of Mr. PORTMAN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Utah (Mr. ROMNEY), the Senator from Florida (Mr. RUBIO), the Senator from Mississippi (Mr. WICKER) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of amendment No. 5139 intended to be proposed to H.R. 4346, a bill making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 715—EXPRESSING THE SENSE OF THE SENATE ON THE VALUE OF A TAX AGREEMENT WITH TAIWAN

Mr. SASSE (for himself and Mr. VAN HOLLEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 715

Whereas Taiwan is a democratic success story, an economic success story, a key part of global technology supply chains, and a close security partner of the United States;

Whereas the United States has pursued a robust unofficial partnership with Taiwan within the context of the current one-China policy of the United States;

Whereas the Taiwan Relations Act (Public Law 96-8) has played an important role in promoting democracy and prosperity in Taiwan, peace and security in the Taiwan Strait, and close relations between the United States and Taiwan since 1979;

Whereas Taiwan is the eighth-largest trading partner of the United States, United States exports of goods and services to Taiwan support at least 188,000 American jobs, and Taiwan's cumulative investment in the United States is at least \$13,700,000,000;

Whereas the United States has ongoing economic dialogues with Taiwan that cover a range of trade, technology, and investment issues through the Trade and Investment Framework Agreement Council led by the United States Trade Representative, the U.S.-Taiwan Economic Prosperity Partnership Dialogue led by the Department of State, and the Technology, Trade, and Investment Collaboration framework led by the Department of Commerce;

Whereas the Biden Administration announced the "U.S.-Taiwan Initiative on 21st Century Trade" on June 1, 2022;

Whereas the United States has income tax treaties with 66 countries, including the People's Republic of China, and has agreements with other parties, including Taiwan, related to taxation, such as facilitating implementa-

tion of the Foreign Account Tax Compliance Act;

Whereas Taiwan is the United States' largest trading partner with whom we do not have an income tax treaty;

Whereas Taiwan has income tax agreements with 34 countries, including countries that have trade agreements with the United States and do not maintain diplomatic relations with Taiwan;

Whereas the United States signed a transportation income tax agreement with Taiwan in 1988, under the auspices of the American Institute in Taiwan (AIT) and the Coordination Council for North American Affairs, which has since been renamed as the Taipei Economic and Cultural Representative Office (TECRO);

Whereas an income tax agreement between the United States and Taiwan could boost bilateral trade and investment by reducing double taxation and increasing economic efficiency and integration; and

Whereas the American Chamber of Commerce in Taipei in its "2022 White Paper" called for the United States and Taiwan to continue exploring an income tax agreement: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of Taiwan's security and prosperity to the United States' own security and prosperity;

(2) encourages the President to begin negotiations on an income tax agreement with Taiwan;

(3) encourages the President and the House of Representatives to work with the Senate on a congressional-executive agreement to establish an income tax agreement between the United States and Taiwan, consistent with United States commitments under the Taiwan Relations Act; and

(4) encourages the President to proactively seek other ways to increase trade, technology, and investment ties between the United States and Taiwan.

SENATE RESOLUTION 716—CALLING FOR THE IMMEDIATE RELEASE OF BRITTNEY GRINER, A CITIZEN OF THE UNITED STATES, WHO WAS WRONGFULLY DETAINED BY THE GOVERNMENT OF THE RUSSIAN FEDERATION IN FEBRUARY 2022

Mr. WYDEN (for himself, Mr. CORNYN, Mr. KELLY, Mr. CRUZ, Ms. SINEMA, Mr. WARNOCK, Mr. MARKEY, Mr. VAN HOLLEN, Mrs. SHAHEEN, Ms. SMITH, Mr. BROWN, Mr. CARDIN, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. CASEY, Mr. Kaine, Mrs. FEINSTEIN, Ms. WARREN, Mrs. MURRAY, Mr. BOOKER, Mr. SANDERS, Mr. BENNET, Ms. BALDWIN, Mr. MERKLEY, Mr. SCHATZ, Mr. PETERS, Mr. PADILLA, Mr. COONS, Mr. HICKENLOOPER, Mr. DURBIN, and Mr. WHITEHOUSE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 716

Whereas United States citizen Brittney Griner is a Women's National Basketball Association (referred to in this preamble as "WNBA") player;

Whereas Brittney Griner and her wife, Cherelle, are residents of Phoenix, Arizona, and are well respected leaders in that community;

Whereas Brittney Griner was raised in Houston, Texas, and many of her family members live in Texas;

Whereas after a prolific collegiate career at Baylor University, Brittney Griner was

selected with the first overall pick in the 2013 WNBA draft by the Phoenix Mercury, where she has played her entire WNBA career;

Whereas during her WNBA career, Brittney Griner has been named the WNBA Defensive Player of the Year twice and has been a WNBA All Star 7 times;

Whereas Brittney Griner represented the United States as a member of the United States Women's National Basketball Team at 2 Olympics, where she helped Team USA win gold medals in each appearance;

Whereas Brittney Griner is an international figure who has played 7 seasons of professional basketball in Russia for UMMC Ekaterinburg during the WNBA off season;

Whereas Brittney Griner is a renowned leader in the LGBTQ+ community;

Whereas Brittney Griner has made a difference in the lives of many Arizonans, including through her annual "BG's Heart and Sole Shoe Drive", which has provided shoes to nearly 2,000 people who are experiencing homelessness in the Phoenix area;

Whereas the Phoenix Mercury and the Phoenix Rescue Mission are continuing this important effort to clothe the homeless in Brittney Griner's absence;

Whereas Brittney Griner was presumably detained by Russian authorities at Sheremetyevo Alexander S. Pushkin International Airport in Khimki, Russia, on February 17, 2022, and accused of carrying vape cartridges with hashish oil;

Whereas Russian authorities opened a criminal case against Brittney Griner for the alleged transportation of drugs, a crime which can carry a prison sentence of up to 10 years;

Whereas, on March 17, 2022, a Russian court denied a request for bail and house arrest for Brittney Griner, and has since extended her detention until July 2, 2022;

Whereas the Department of State has determined that Brittney Griner is "wrongfully detained"; and

Whereas the Biden Administration has pledged to return Brittney Griner back to the United States as soon as possible: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Government of the Russian Federation to immediately release Brittney Griner;

(2) urges the United States, in all interactions with the Government of the Russian Federation, to raise the case of Brittney Griner and to press for her release;

(3) expresses the continued support for Paul Whelan and all prisoners unjustly imprisoned in the Russian Federation;

(4) urges the Government of the Russian Federation to provide consular access to Brittney Griner while she remains in detention;

(5) urges the Government of the Russian Federation to respect the human rights of Brittney Griner; and

(6) expresses support to the family of Brittney Griner and a commitment to bringing her home.

SENATE RESOLUTION 717—HONORING THE LIFE AND LEGACY OF OSWALDO PAYA SARDINAS AND HIS CONTRIBUTIONS TO PROMOTE DEMOCRACY AND HUMAN RIGHTS IN CUBA ON THE 10TH ANNIVERSARY OF HIS DEATH

Mr. RUBIO (for himself, Mr. DURBIN, Mr. CRUZ, and Mr. MENENDEZ) submitted the following resolution; which

was referred to the Committee on Foreign Relations:

S. RES. 717

Whereas the revolution led by Fidel Castro in Cuba in 1959 started 63 years of an ongoing dictatorship that systematically violates the human rights of the Cuban people, including denying them the basic freedoms of press, religion, assembly, and association;

Whereas Oswaldo Payá Sardiñas was born in Havana, Cuba, in 1952 and became a non-violent critic of the communist regime as a teenager, resulting in 3 years of imprisonment in 1969 at a work camp, formerly known as “Isla de Pinos”, in Cuba;

Whereas Oswaldo Payá Sardiñas forewent a chance to escape Cuba in the 1980 Mariel boatlift, deciding instead to continue the fight for democracy in Cuba, saying, “This is what I am supposed to be, this is what I have to do.”;

Whereas, in 1988, Oswaldo Payá Sardiñas founded the Christian Liberation Movement that called for peaceful civil disobedience against the rule of the communist party of Cuba and advocated for civil liberties and human rights in Cuba;

Whereas, in 1992, Oswaldo Payá Sardiñas announced his intention to run for the National Assembly of Popular Power of Cuba and collected hundreds of signatures to support his candidacy, and 2 days before the election, was detained by police at his home and informed by communist party officials to be ineligible to run for office and threatened that “blood will run” if he ran;

Whereas, in 1998, Oswaldo Payá Sardiñas and other leaders of the Christian Liberation Movement initiated the Varela Project, the largest civil society-led petition in the history of Cuba, in order to circulate a legal proposal to advocate for democratic political change within Cuba, including “convert[ing] into law, the right of freedom of speech, the freedom of press and freedom of enterprise”;

Whereas, in May 2002, the Varela Project delivered 11,020 signatures from eligible citizens of Cuba to the National Assembly of Popular Power, calling for an end to 4 decades of one-party rule, to which the communist regime responded by beginning its own forced collection of signatures in violation of its own rules to make Cuba’s socialist system “irrevocable”, and an additional 14,000 signatures were added to the Varela Project petition in 2003, and 10,000 more signatures were added in 2016;

Whereas, in March 2003, the crackdown on Cuban dissidents by the communist regime in Cuba, referred to as the “Black Spring”, led to the imprisonment of 75 individuals, including 40 leaders of the Varela Project and 25 members of the Christian Liberation Movement, and the formation of the Ladies in White movement by the wives of the imprisoned activists;

Whereas, in 2003, Oswaldo Payá Sardiñas developed a Call for the National Dialogue, which collected the contributions of thousands of Cubans inside and outside of Cuba;

Whereas, in 2006, Oswaldo Payá Sardiñas published the “Todos Cubanos” program, produced as a result of the National Dialogue among Cubans, to achieve peaceful changes, to propose a referendum to institutionalize human rights, to ensure that the economic and social rights of the people of Cuba are respected, to ensure that the people of Cuba are not excluded in Cuba, and to establish a rule of law;

Whereas, in 2007, Oswaldo Payá Sardiñas called on the National Assembly of People’s Power to grant amnesty to nonviolent political prisoners and to allow the people of Cuba to travel freely without a government permit;

Whereas, in 2011, Oswaldo Payá Sardiñas denounced the communist regime of Cuba’s false liberalization for not recognizing human rights and proposed to directly carry out a Binding Plebiscite to change the system towards democracy and establish a rule of law;

Whereas, on July 22, 2012, Oswaldo Payá Sardiñas and Harold Cepero, a fellow pro-democracy activist, died in a troubling car crash in Granma Province, Cuba, after being followed by regime agents of Cuba;

Whereas the communist regime of Cuba has failed to conduct a credible investigation into the car crash that led to the death of Oswaldo Payá Sardiñas;

Whereas, according to a report published in 2015 by the Human Rights Foundation, the best available evidence strongly suggests that the communist regime of Cuba is directly responsible for the deaths of Oswaldo Payá Sardiñas and Harold Cepero, evidence that was deliberately ignored by the judiciary system of Cuba;

Whereas the trial and conviction of Angel Carromero, a youth leader of the People’s Party who was visiting Cuba and driving the car at the time of the crash, did not include testimony from key witnesses, and did not resolve questions about whether another car was involved or whether Mr. Carromero was coerced by the communist regime of Cuba into signing a false statement of guilt;

Whereas, in 2013, a number of United States Senators and the Department of State called for an impartial, third-party investigation by the Inter-American Commission on Human Rights of the Organization of American States into the circumstances surrounding the death of Oswaldo Payá Sardiñas;

Whereas Oswaldo Payá Sardiñas has been formally recognized in the past for his dedication to the promotion of human rights and democracy, including by receiving the Homo Homini Award in 1999, the Sakharov Prize for Freedom of Thought in 2002, the W. Averell Harriman Democracy Award from the United States National Democratic Institute for International Affairs in 2003, and being nominated for the Nobel Peace Prize by Václav Havel, the former President of the Czech Republic, in 2005;

Whereas, in 2012, the United States Senate unanimously passed Senate Resolution 525, 112th Congress, agreed to July 31, 2012, honoring the life and legacy of Oswaldo Payá Sardiñas;

Whereas, in 2018, the United States Senate unanimously passed Senate Resolution 224, 115th Congress, agreed to April 11, 2018, recognizing the 6th anniversary of the death of Oswaldo Payá Sardiñas, and commemorating his legacy and commitment to democratic values and principles;

Whereas, in 2021, the United States Senate unanimously passed Senate bill 2045, 117th Congress, agreed to July 30, 2021, to designate the area between the intersections of 16th Street, Northwest and Fuller Street, Northwest and 16th Street, Northwest and Euclid Street, Northwest in Washington, District of Columbia, as “Oswaldo Payá Way”;

Whereas, on July 14, 2022, the City of Miami, Florida agreed to designate the area of LeJeune Avenue, between 11th and 14th streets, as “Oswaldo Payá Sardiñas Way” on the eve of the 10th anniversary of his death, July 22, 2022;

Whereas, throughout his life and since his death, Oswaldo Payá Sardiñas, his family, and friends endured years of harassment and intimidation from the communist regime of Cuba for his peaceful, political activism; and

Whereas, on July 11, 2021, thousands of people in Cuba raised their voices against the 63-year rule of the communist regime and

called for the same freedoms Oswaldo Payá Sardiñas dedicated his life to: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the life and legacy of Oswaldo Payá Sardiñas on the 10th anniversary of his death on July 22, 2022;

(2) offers heartfelt condolences to the family, friends, and loved ones of Oswaldo Payá Sardiñas on this painful anniversary;

(3) in memory of Oswaldo Payá Sardiñas, calls on the United States to continue policies that promote respect for the fundamental principles of religious freedom, democracy, and human rights in Cuba, in a manner consistent with the aspirations of the people of Cuba;

(4) urges the Inter-American Commission on Human Rights of the Organization of American States to continue reporting on human rights issues in Cuba, and to issue a favorable decision in the case of Oswaldo Payá Sardiñas and Harold Cepero that recognizes evidence which establishes the culpability of the communist regime of Cuba in their deaths;

(5) calls on the communist regime in Cuba to allow an impartial, third-party investigation into the circumstances surrounding the death of Oswaldo Payá Sardiñas; and

(6) calls on the communist regime in Cuba to cease violating human rights and to begin providing democratic political freedoms to Cuban citizens, including freedom of association, freedom of speech, freedom of the press, free elections, freedom to start private businesses, and amnesty for political prisoners.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5144. Mr. HAGERTY (for himself, Mr. KING, Mr. CORNYN, Mr. WICKER, Mr. YOUNG, Ms. SINEMA, and Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table.

SA 5145. Mr. SANDERS (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, supra; which was ordered to lie on the table.

SA 5146. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 4346, supra; which was ordered to lie on the table.

SA 5147. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, supra; which was ordered to lie on the table.

SA 5148. Mr. SCHUMER proposed an amendment to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant.

SA 5149. Mr. SCHUMER proposed an amendment to amendment SA 5148 proposed by Mr. SCHUMER to the bill S. 3373, supra.

SA 5150. Mr. SCHUMER proposed an amendment to the bill S. 3373, supra.

SA 5151. Mr. SCHUMER proposed an amendment to amendment SA 5150 proposed by Mr. SCHUMER to the bill S. 3373, supra.

SA 5152. Mr. SCHUMER proposed an amendment to amendment SA 5151 proposed by Mr. SCHUMER to the amendment SA 5150 proposed by Mr. SCHUMER to the bill S. 3373, supra.

SA 5153. Mr. MANCHIN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R.

4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table.

SA 5154. Mrs. CAPITO (for herself, Mr. WICKER, Mr. TILLIS, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, supra; which was ordered to lie on the table.

SA 5155. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, supra; which was ordered to lie on the table.

SA 5156. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 4346, supra; which was ordered to lie on the table.

SA 5157. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 4346, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5144. Mr. HAGERTY (for himself, Mr. KING, Mr. CORNYN, Mr. WICKER, Mr. YOUNG, Ms. SINEMA, and Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:
SEC. 10. FEDERAL PERMITTING IMPROVEMENT.

Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended, in the matter preceding clause (i), by inserting “semiconductors, artificial intelligence and machine learning, high-performance computing and advanced computer hardware and software, quantum information science and technology, data storage and data management, cybersecurity,” after “manufacturing.”

SA 5145. Mr. SANDERS (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:
SEC. 108. TERMS AND CONDITIONS OF ASSISTANCE.

(a) CHIPS ASSISTANCE.—

(1) REQUIRED AGREEMENT.—A covered entity to which the Secretary of Commerce awards Federal financial assistance under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652) or section 102 or 103 of this Act with amounts appropriated under this Act shall enter into an agreement that specifies that, during the 5-year period immediately following the award of the Federal financial assistance—

(A) the covered entity will not—

(i) repurchase an equity security that is listed on a national securities exchange of the covered entity or any parent company of the covered entity, except to the extent required under a contractual obligation that is in effect as of the date of enactment of this Act;

(ii) outsource or offshore jobs to a location outside of the United States; or

(iii) abrogate existing collective bargaining agreements; and

(B) the covered entity will remain neutral in any union organizing effort.

(2) FINANCIAL PROTECTION OF GOVERNMENT.—

(A) IN GENERAL.—The Secretary of Commerce may not award Federal financial assistance to a covered entity under section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652) or under section 102 or 103 of this Act with amounts appropriated under this Act, unless—

(i)(I) the covered entity has issued securities that are traded on a national securities exchange; and

(II) the Secretary of the Treasury receives a warrant or equity interest in the covered entity; or

(ii) in the case of any covered entity other than a covered entity described in clause (i), the Secretary of the Treasury receives, in the discretion of the Secretary of the Treasury—

(I) a warrant or equity interest in the covered entity; or

(II) a senior debt instrument issued by the covered entity.

(B) TERMS AND CONDITIONS.—The terms and conditions of any warrant, equity interest, or senior debt instrument received under subparagraph (A) shall be set by the Secretary of Commerce and shall meet the following requirements:

(i) PURPOSES.—Such terms and conditions shall be designed to provide for a reasonable participation by the Secretary of Commerce, for the benefit of taxpayers, in equity appreciation in the case of a warrant or other equity interest, or a reasonable interest rate premium, in the case of a debt instrument.

(ii) AUTHORITY TO SELL, EXERCISE, OR SURRENDER.—For the primary benefit of taxpayers, the Secretary of Commerce may sell, exercise, or surrender a warrant or any senior debt instrument received under this paragraph. The Secretary of Commerce shall not exercise voting power with respect to any shares of common stock acquired under this paragraph.

(iii) SUFFICIENCY.—If the Secretary of Commerce determines that a covered entity cannot feasibly issue warrants or other equity interests as required by this paragraph, the Secretary of Commerce may accept a senior debt instrument in an amount and on such terms as the Secretary of Commerce determines appropriate.

(b) APPLICATION TO ADVANCED MANUFACTURING INVESTMENT CREDIT.—

(1) FINANCIAL PROTECTION OF GOVERNMENT.—Subsection (c) of section 48D of the Internal Revenue Code of 1986 (as added by this Act) is amended to read as follows:

“(c) ELIGIBLE TAXPAYER.—

“(1) IN GENERAL.—For purposes of this section, the term ‘eligible taxpayer’ means any taxpayer which—

“(A) is not a foreign entity of concern (as defined in section 9901(6) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021),

“(B) has not made an applicable transaction (as defined in section 50(a)) during the taxable year,

“(C) has not performed a prohibited activity (as defined in section 50(a)) for the portion of the taxable year after investment credit property has been placed in service, and

“(D) meets the requirements of paragraph (2).

“(2) FINANCIAL PROTECTION REQUIREMENTS.—

“(A) IN GENERAL.—A taxpayer meets the requirements of this paragraph if—

“(i)(I) the taxpayer has issued securities that are traded on a national securities exchange; and

“(II) the Secretary of the Treasury receives a warrant or equity interest in the covered entity; or

“(ii) in the case of taxpayer other than a taxpayer described in subparagraph (A), the Secretary receives, in the discretion of the Secretary—

“(I) a warrant or equity interest in the taxpayer; or

“(II) a senior debt instrument issued by the taxpayer.

“(B) TERMS AND CONDITIONS.—The terms and conditions of any warrant, equity interest, or senior debt instrument received under subparagraph (A) shall be set by the Secretary, in consultation with the Secretary of Commerce, and shall meet the following requirements:

“(i) PURPOSES.—Such terms and conditions shall be designed to provide for a reasonable participation by the Secretary, for the benefit of taxpayers, in equity appreciation in the case of a warrant or other equity interest, or a reasonable interest rate premium, in the case of a debt instrument.

“(ii) AUTHORITY TO SELL, EXERCISE, OR SURRENDER.—For the primary benefit of taxpayers, the Secretary may sell, exercise, or surrender a warrant or any senior debt instrument received under this clause. The Secretary shall not exercise voting power with respect to any shares of common stock acquired under this subparagraph.

“(iii) SUFFICIENCY.—If the Secretary determines that a taxpayer cannot feasibly issue warrants or other equity interests as required by this paragraph, the Secretary may accept a senior debt instrument in an amount and on such terms as the Secretary determines appropriate.”

(2) RECAPTURE OF CREDIT IN CERTAIN CASES.—

(A) IN GENERAL.—Section 50(a) of the Internal Revenue Code of 1986, as amended by this Act, is amended redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively, and by inserting after paragraph (3) the following new paragraph:

“(4) CERTAIN REQUIREMENTS FOR ADVANCED MANUFACTURING FACILITIES.—If there is a prohibited activity by an applicable taxpayer before the close of the 5-year period beginning on the date such taxpayer placed in service investment credit property which is eligible for the advanced manufacturing investment credit under section 48D(a), then the tax under this chapter for the taxable year in which such transaction occurs shall be increased by 100 percent of the aggregate decrease in the credits allowed under section 38 for all prior taxable years which would have resulted solely from reducing to zero any credit determined under section 46 which is attributable to the advanced manufacturing investment credit under section 48D(a) with respect to such property.”

(B) PROHIBITED ACTIVITY.—Section 50(a)(7) of the Internal Revenue Code of 1986, as amended redesignated by the preceding provisions of this Act, is amended adding at the end the following new subparagraph:

“(E) PROHIBITED ACTIVITY.—For purposes of this subsection, the term ‘prohibited activity’ means, with respect to any applicable taxpayer, any of the following:

“(i) the repurchase an equity security that is listed on a national securities exchange of the taxpayer or any parent company of the taxpayer, except to the extent required under a contractual obligation that is in effect as of the date of enactment of this subparagraph;

“(ii) the outsourcing or offshoring of jobs to a location outside of the United States;

“(iii) the abrogation of existing collective bargaining agreements; or

“(iv) the failure of the taxpayer to remain neutral in any union organizing effort.”.

(C) CONFORMING AMENDMENTS.—

(i) Section 50(a)(5) of the Internal Revenue Code of 1986, as redesignated by the preceding provisions of this Act, is amended—

(I) by striking “or any applicable transaction to which paragraph (3)(A) applies” and inserting “any applicable transaction to which paragraph (3)(A) applies, or any prohibited transaction to which paragraph (4) applies”, and

(II) by striking “or applicable transaction” and inserting “, applicable transaction, or prohibited transaction”.

(ii) Section 50(a)(7)(C) of such Code, as amended and redesignated the preceding provisions of this Act, is amended by striking “or (3)” and inserting “(3), or (4)”.

(iii) Section 1371(d)(1) of such Code, as amended by this Act, is amended by striking “section 50(a)(5)” and inserting “section 50(a)(6)”.

SA 5146. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OFFSET OF COSTS USING UNOBLIGATED FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021 AND THE CARES ACT.

(a) DEFINITION.—In this section, the term “total cost of this Act” means the sum, as determined by the Director of OMB, of the amounts appropriated under any division of this Act or an amendment made by any division of this Act and the amounts authorized to be appropriated under any division of this Act or an amendment made by any division of this Act.

(b) RESCISSIONS.—Effective on the date of enactment of this Act, there is rescinded, on a pro rata basis—

(1) of the unobligated balances made available under the American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 4), the amount necessary to reduce the total amount of such unobligated balances by an amount equal to the total cost of this Act; and

(2) if the unobligated balances described in paragraph (1) are less than the total cost of this Act, of the unobligated balances made available under the CARES Act (Public Law 116–136; 134 Stat. 281), the amount necessary to reduce the total amount of such unobligated balances by an amount equal to the difference between the amount rescinded under paragraph (1) and the total cost of this Act.

SA 5147. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, lines 9 and 10, strike “or semiconductor manufacturing equipment” and insert “semiconductor manufacturing equipment, or substantial or essential components of semiconductor manufacturing equipment”.

On page 34, lines 5 and 6, strike “or semiconductor manufacturing equipment” and insert “semiconductor manufacturing equip-

ment, or substantial or essential components of semiconductor manufacturing equipment”.

SA 5148. Mr. SCHUMER proposed an amendment to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; as follows:

At the end add the following:

SEC. EFFECTIVE DATE

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 5149. Mr. SCHUMER proposed an amendment to amendment SA 5148 proposed by Mr. SCHUMER to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; as follows:

On page 1, line 3, strike “1 day” and insert “2 days”.

SA 5150. Mr. SCHUMER proposed an amendment to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 3 days after the date of enactment of this Act.

SA 5151. Mr. SCHUMER proposed an amendment to amendment SA 5150 proposed by Mr. SCHUMER to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; as follows:

On page 1, line 3, strike “3” and insert “4”.

SA 5152. Mr. SCHUMER proposed an amendment to amendment SA 5151 proposed by Mr. SCHUMER to the amendment SA 5150 proposed by Mr. SCHUMER to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; as follows:

On page 1, line 3, strike “4” and insert “5”.

SA 5153. Mr. MANCHIN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

On page 790, on line 4, insert “In selecting recipients, the Secretary shall consider for prioritization severely distressed eligible areas, in addition to other factors.” after “recipients.”

SA 5154. Mrs. CAPITO (for herself, Mr. WICKER, Mr. TILLIS, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 776, strike line 18 and all that follows through page 790, line 4.

SA 5155. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 40, strike line 5 and all that follows through line 23 on page 42, and insert the following:

“(ii) UPDATES.—

“(I) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this clause, the term ‘appropriate congressional committees’ means—

“(aa) the Committee on Commerce, Science and Transportation, the Select Committee on Intelligence, and the Committee on Armed Services of the Senate; and

“(bb) the Committee on Energy and Commerce, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives.

“(II) IN GENERAL.—Subject to subclause (III), not later than 2 years after the date of enactment of the CHIPS Act of 2022, and not less frequently than once every 2 years thereafter for the 8-year period after the last award under this section is made, the Secretary, after public notice and an opportunity for comment and if applicable and necessary, shall issue a public notice identifying any additional semiconductor technology included in the meaning of the term ‘legacy semiconductor’ under clause (i).

“(III) NOTICE TO THE APPROPRIATE CONGRESSIONAL COMMITTEES.—

“(aa) NOTICE.—Not later than 10 days after the Secretary determines that any additional semiconductor technology should be included in the meaning of the term ‘legacy semiconductor’ under clause (i) and before the Secretary issues the initial public notice described in subclause (II), the Secretary—

“(AA) shall notify the appropriate congressional committees of that determination; and

“(BB) shall not issue the initial public notice described in subclause (II) unless each of the appropriate congressional committees affirmatively agrees in writing in accordance with item (bb) to the proposed inclusion of the additional semiconductor technology in the meaning of the term ‘legacy semiconductor’.

“(bb) AGREEMENT.—Upon receipt of a notice described in item (aa) by an appropriate congressional committee, the appropriate congressional committee—

“(AA) shall review the notice; and

“(BB) if the appropriate congressional committee agrees to the inclusion, not later than 30 days after the date of receipt of the notice, shall submit to the Secretary a written affirmative agreement that the relevant additional semiconductor technology should be included in the meaning of the term ‘legacy semiconductor’.

“(iii) FUNCTIONS OF THE SECRETARY.—The functions of the Secretary under this paragraph shall not be subject to sections 551, 553 through 559, and 701 through 706 of title 5, United States Code.

“(iv) CONSULTATION.—In carrying out clause (ii), the Secretary shall consult with the Director of National Intelligence and the Secretary of Defense.

“(v) CONSIDERATIONS.—In carrying out clause (ii), the Secretary shall consider—

“(I) state-of-the-art semiconductor technologies in the United States and internationally, including in foreign countries of concern; and

“(II) consistency with export controls relating to semiconductors.

“(B) DEFINITION OF SEMICONDUCTOR MANUFACTURING.—In this paragraph, the term ‘semiconductor manufacturing’—

“(i) has the meaning given the term by the Secretary, in consultation with the Secretary of Defense and the Director of National Intelligence; and

“(ii) includes front-end semiconductor fabrication.

“(C) REQUIRED AGREEMENT.—

“(i) IN GENERAL.—On or before the date on which the Secretary awards Federal financial assistance to a covered entity under this section, the covered entity shall enter into an agreement with the Secretary specifying that, during the 10-year period beginning on the date of the award, subject to clause (ii), the covered entity may not engage in any transaction, as defined in the agreement, involving the expansion of semiconductor manufacturing capacity in the People’s Republic of China or any other foreign country of concern.

“(ii) EXCEPTIONS.—

“(I) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this clause, the term ‘appropriate congressional committees’ means—

“(aa) the Committee on Commerce, Science, and Transportation, the Select Committee on Intelligence, and the Committee on Armed Services of the Senate; and

“(bb) the Committee on Energy and Commerce, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives.

“(II) APPLICATION OF EXCEPTIONS.—The prohibition in the agreement required under clause (i) shall not apply to—

“(aa) existing facilities or equipment of a covered entity for manufacturing legacy semiconductors; or

“(bb) significant transactions involving the material expansion of semiconductor manufacturing capacity that—

“(AA) produces legacy semiconductors; and

“(BB) predominately serves the market of a foreign country of concern.

“(III) NOTIFICATION.—If the Secretary grants an exception or otherwise becomes aware of any facility, equipment, or significant transaction that qualifies for an exception under subclause (II), the Secretary shall submit notice of the exception to the appropriate congressional committees not later than 10 days after the date on which the Secretary grants or becomes aware of the exception.”.

SA 5156. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ADDITIONAL “RIP AND REPLACE” FUNDING.

Section 4(k) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1603(k)) is amended by striking “\$1,900,000,000” and inserting “\$4,980,000,000”.

SA 5157. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. ____ . COUNTERINTELLIGENCE AND NATIONAL SECURITY PROTECTIONS.

(a) COUNTERINTELLIGENCE SCREENING PROCESS.—

(1) ESTABLISHMENT.—The Director of National Intelligence, the Director of the National Counterintelligence and Security Center, and the Director of the Federal Bureau of Investigation shall jointly establish a counterintelligence screening process to protect the United States against efforts of China and other foreign entities to engage in economic espionage and to misappropriate United States intellectual property, research and development, and innovation efforts.

(2) FUNCTIONS.—Subject to the joint direction and control of the Director of National Intelligence, the Director of the National Counterintelligence and Security Center, and the Director of the Federal Bureau of Investigation, the counterintelligence screening process established under paragraph (1) shall assess and screen all funds provided under this Act (including grants awarded under this Act) for potential national security threats.

(3) FUNDING.—Amounts required to carry out the process established under paragraph (1) shall be derived from amounts appropriated to carry out this Act.

(b) PROTECTIONS.—

(1) CERTIFICATION REQUIRED FOR RECEIPT OF AMOUNTS.—Notwithstanding any other provision of this Act, no person may receive any amount (including an amount as part of a grant awarded under this Act) or purchase, lease, or otherwise obtain any intellectual property developed through a grant awarded under this Act, unless the Director of National Intelligence, the Director of the National Counterintelligence and Security Center, and the Director of the Federal Bureau of Investigation jointly certify that the person has sufficient protections in place to protect against misappropriation of United States intellectual property, research and development, and innovation efforts, and other threats from foreign governments and other entities.

(2) CERTIFICATION REQUIREMENTS.—Notwithstanding any other provision of this Act, no certification may be made under paragraph (1) with respect to a person unless such person discloses to the Director of National Intelligence, the Director of the National Counterintelligence and Security Center, and the Director of the Federal Bureau of Investigation the following:

(A) Any funding received by the person from a foreign source during the most recent 10-year period.

(B) Any financial or in-kind support received by the person from any entity—

(i) owned or controlled by the Government of the People’s Republic of China; or

(ii) in which the Government of the People’s Republic of China has an ownership interest.

(C) Any participation of the person in a foreign government talent recruitment program, consistent with sections 10631 and 10632.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CARDIN. Mr. President, I have five 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 ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, July 21, 2022, at 9:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, July 21, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, July 21, 2022, at 10 a.m., to conduct a business meeting.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, July 21, 2022, at 10:15 a.m., to conduct a hearing on a nomination.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, July 21, 2022, at 9 a.m., to conduct an executive business meeting.

PRIVILEGES OF THE FLOOR

Mrs. BLACKBURN. Mr. President, I ask unanimous consent that the following interns from my office be granted floor privileges for the remainder of the Congress: Isabella Andrews-Zachry and Eliza Roddy.

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

ORDERS FOR MONDAY, JULY 25, 2022

Mr. CARDIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, July 25, 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 resume consideration of the House message to accompany S. 3373; further, that the cloture motion filed during yesterday’s session ripen at 5:30 p.m. and that the mandatory quorum call be waived.

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

ADJOURNMENT UNTIL MONDAY, JULY 25, 2022, AT 3 P.M.

Mr. CARDIN. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 4:21 p.m., adjourned until Monday, July 25, 2022, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF ENERGY

JEFFREY MATTHEW MAROOTIAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENERGY EFFICIENCY AND RENEWABLE ENERGY), VICE DANIEL SIMMONS.

DEPARTMENT OF TRANSPORTATION

SHAILEN P. BHATT, OF MICHIGAN, TO BE ADMINISTRATOR OF THE FEDERAL HIGHWAY ADMINISTRATION, VICE NICOLE R. NASON.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

STEPHEN A. OWENS, OF ARIZONA, TO BE CHAIRPERSON OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE KATHERINE ANDREA LEMOS, RESIGNING.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 21, 2022:

DEPARTMENT OF VETERANS AFFAIRS

SHEREEF M. ELNAHAL, OF NEW JERSEY, TO BE UNDER SECRETARY FOR HEALTH OF THE DEPARTMENT OF VETERANS AFFAIRS.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

LESLIE N. BLUHM, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2023.

LISETTE NIEVES, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2022.

LISETTE NIEVES, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2027.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DEBORAH R. COEN, OF CONNECTICUT, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2028.

DEPARTMENT OF STATE

REUBEN E. BRIGETY II, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SOUTH AFRICA.

DEPARTMENT OF JUSTICE

ENIX SMITH III, OF LOUISIANA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF LOUISIANA FOR THE TERM OF FOUR YEARS.

ADAIR FORD BOROUGHS, OF SOUTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF FOUR YEARS.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF SARA C. SCHUMAN. FOREIGN SERVICE NOMINATIONS BEGINNING WITH ALYCE CAMILLE RICHARDSON AND ENDING WITH DIANE JONES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 7, 2022.