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## Senate

The Senate met at 12 noon and was called to order by the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado.

### PRAYER

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

Let us pray.

Eternal God, our hearts are steadfast for You. Though evil sometimes seems to prosper, we trust You to cause justice to prevail. In these turbulent times, our hope is in Your goodness that continues to sustain us.

Today, give our Senators the ability to realize more fully that they are servants of Heaven. As good servants, give them Your perspective on their daily tasks and decisions. In faithfulness to You, provide the litmus test by which they evaluate each decision.

Lord, give our lawmakers such integrity that they will refuse to be careless about their spiritual and moral fitness.

We pray in Your strong 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, August 2, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Elizabeth Wilson Hanes, of Virginia, to be United States District Judge for the Eastern District of Virginia.

#### RECOGNITION OF THE MINORITY LEADER

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

#### FLOODING IN KENTUCKY

Mr. McCONNELL. Mr. President, we learn more each day about the devastating toll that ongoing flooding has inflicted on Eastern Kentucky. As rescue and recovery efforts continue, Kentuckians are grieving lost family members and friends and neighbors.

One of the victims of last weekend's flash floods was Gabe Hensley, a 30-year-old coal miner and father. Gabe

was working a shift when the floods hit. On his way home to rescue his wife and son, he stopped to help a man who had wrecked a four-wheeler. He cleared trees and turned people away from danger. Then, tragically, the floodwaters swept Gabe away.

As Gabe's cousin told the Herald-Leader yesterday, "Eastern Kentucky lost a hero."

We are all grieving for the men, women, and children this flood has taken from us. The Hensley family has asked that people honor Gabe by helping other flood victims. Flooding, high winds, and power outages are still ongoing, and forecasters predict more heavy rainfall in the region throughout next week. The threat of even more disaster in Eastern Kentucky is acute.

I spoke with the Governor, State legislative leaders, and officials on the ground in Eastern Kentucky yesterday. They echoed the need for food, cleaning supplies, and water.

In such dire times, the ray of hope is the fact that generous Kentuckians from across the Commonwealth are hearing these calls for help and answering loud and clear. Already, the Eastern Kentucky relief fund has received about \$2.3 million in charitable donations. Across my home State, from the Winchester VWF to neighborhood restaurants in Northern Kentucky, locals are organizing donation drives. The University of Kentucky and the University of Louisville's men's basketball teams are both fundraising for flood relief, and police departments from around the region donated cruisers to help with search and rescue.

All this generosity will play a crucial role as we begin to rebuild. As the officials I spoke to emphasized, it will be a long road ahead for the families affected by these awful floods. But I know I speak for every Kentuckian when I say: We will be with them every single step of the way.

#### INFLATION REDUCTION ACT

Mr. President, on a different subject, the Democrats have had a tough few

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



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days rolling out their latest reckless taxing-and-spending spree. It turns out that proposing huge, job-killing tax hikes and more runaway spending during inflation and a recession doesn't go over very well. Here are a few of the things nonpartisan—nonpartisan—experts have already proven about the Democrats' proposal.

No. 1, the so-called Inflation Reduction Act would actually increase inflation in the short term and do nothing to tackle the problem in the long term. That is from the University of Pennsylvania.

No. 2, their tax hikes would shatter President Biden's promise not to impact households earning below \$400,000. Many billions of dollars of the new tax hikes would fall—listen to this—directly on the working class and the middle class. That, of course, is not from Republicans but from the Joint Committee on Taxation.

No. 3, also from the Joint Committee on Taxation, fully half of the Democrats' \$300-plus billion—billion—new tax on American jobs would come crashing down on American manufacturers in particular—manufacturers in particular.

Now, those groups that I cited are neutral and nonpartisan. But, just for fun, let's take a look at the most favorable numbers—most favorable numbers—for Democrats. Let's look at their own spin.

One of the Biden administration's favorite outside economists, somebody who has consistently been overoptimistic about inflation and Democrats' policies, claims their bill will reduce the Consumer Price Index by a grand total—listen to this—of one-third of 1 percent—one-third of 1 percent—between now and the end of the year 2031—wow—0.33 percent over 9 years. That is one twenty-eighth of the inflation Democrats have caused in just the last 12 months. For goodness' sake, Democrats added four times that much inflation just in the month of June alone.

So, listen, the friendliest estimate for Democrats says their taxing-and-spending spree would take 9 years—9 years—to unwind literally 1 week's worth of recent inflation. Hundreds of billions of dollars in tax hikes, hundreds of billions of dollars in new spending, and it would take 9 years to remove 1 week's worth of Democrats' inflation—goodness.

So let me repeat it one more time. This is the most generous estimate for Democrats. Neutral experts like the University of Pennsylvania say even this is too optimistic, and their bill would actually make inflation even worse in the coming months.

So, look, this isn't an Inflation Reduction Act—not even close. It is just a catalog of tax hikes and green boondoggles that Democrats have wanted, literally, for years with a false new label slapped on the front. The Inflation Reduction Act won't reduce inflation any more than the American Rescue Plan actually rescued America.

The Inflation Reduction Act won't reduce inflation any more than the American Rescue Plan actually rescued America. The only thing the so-called rescue plan rescued the country from was stable prices and a functioning economy. And the only thing their inflation reduction plan will reduce is American jobs, wages, after-tax incomes, energy affordability, and new lifesaving medicines. Wow. What an accomplishment.

So the Democrats say they need to pass another massive economic failure because their first huge economic failure has made it necessary. Well, the American people see things quite differently.

#### TAIWAN

Mr. President, now on one final matter, public reports indicate the Speaker of the House just landed in Taiwan as she travels through Asia. I believe she has every right to go, and it has been unseemly and counterproductive for President Biden and his aides to have publicly sought to deter her from doing so.

There is significant precedent for high-ranking U.S. officials visiting Taiwan, including a past Speaker of the House. Beijing claims such a visit is now unacceptable. They claim that things have changed. Well, it is certainly true China has stepped up its aggressive actions. They are trying to change the status quo through force. They have expanded militarily in the South China Sea. They have invested in anti-ship and anti-aircraft capabilities to threaten U.S. vessels. They have manipulated and threatened neighbors and mounted an all-out assault on democracy and autonomy in Hong Kong.

Now Beijing wants to dictate Taiwan's future to its people and snuff out the island's democracy, and they are building the military capacity to actually bring that about. That is what is provocative. And to hear those responsible for this aggression complain—complain—that Speaker PELOSI's travel itinerary is provocative is utterly absurd.

So I welcome the Speaker's display of support for Taiwan's democracy, but I hope she returns from Asia more mindful of the military dimensions of the Chinese threat and more committed to working with Republicans to address the changing balance of military power in the region. What that requires is selling the right mix of weapons to Taiwan on a prompt timeline, while helping Taiwan's military prepare for likely threats.

The Biden administration has had 2 years to build on the robust investments their immediate predecessors made in military modernization. Instead, they submitted defense budget requests that pointed in the completely wrong direction. While China keeps ramping up, the Biden administration proposed to actually cut—cut—our defense spending after inflation.

So when Congress debates the Defense authorization and appropriations

bills, we must address national security challenges in the Indo-Pacific head-on. And I hope the Speaker's travels will mean that we do so with more of a bipartisan consensus on American might than we have seen in the recent past.

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

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

#### RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

#### BIDEN ADMINISTRATION

Mr. SCHUMER. Mr. President, over the last 5 days, we have seen what President Biden and a Democratic-led Congress are focused on getting done: bringing terrorists to justice, lowering costs, reducing inflation and the deficit, helping out our veterans, and better competing with countries like China.

I want to begin with a word on last night's strike. Last night, President Biden reported that the United States conducted a strike that targeted and killed Ayman al-Zawahiri, the notorious mass murderer, the leader of al-Qaida, and one of the sick planners of the September 11 attacks, which in New York and around the country and the world we are still mourning.

The strike against al-Zawahiri is a major victory for the United States. It will make our country and the entire world a safer place. It will also help bring an element of justice for the 9/11 families, as well as the many Americans who still carry the scars deep within.

I applaud President Biden for bringing final justice to this loathsome murderer who orchestrated the killing of thousands of my fellow New Yorkers, including some people I knew quite well. I also want to thank the President's national security team for keeping Congress fully and currently informed throughout the process. Finally, I want to applaud the skill and bravery of our dedicated intelligence community, servicemembers, and diplomats who work day and night—day and night—to keep America safe.

This successful mission will send a chill down the spines of terrorists all over the world and likewise will send a clear message to those who wish to cross our Nation and harm our citizens: You will find no comfort. You will find no quarter. You can run, but you can't hide. We will hunt you down to the ends of the Earth until justice is carried out.

#### PACT ACT OF 2022

Mr. President, now on the PACT Act, every day that passes without action on the PACT Act is another day that our Nation's veterans have to do the

unthinkable: fight for basic healthcare benefits they rightfully deserve.

Two months ago, the Senate overwhelmingly passed this bill that secured the largest healthcare benefit expansion for our veterans in decades. We are dealing by and large with that exact bill again, so there is no justification to delay swift passage of the PACT Act any longer.

I am very hopeful that Republicans can work with Democrats to break through the impasse on the PACT Act immediately. We have offered Senator PAUL and Senator TOOMBY votes on the amendments they have been calling for, set at a 60-vote threshold, just like the cloture vote has a 60-vote threshold. We hope to reach an agreement where we can act on this bill as soon as today, but for that to happen, our colleagues on the other side of the aisle should work with us in good faith.

There is no better message we can send to the veterans who have camped out for nights in front of the Capitol than that their long wait and the wait of veterans everywhere is finally over. These brave Americans risked life and limb to keep our country safe, and the very least we can do is ensure they receive top care.

I urge my colleagues to come together so we can get the PACT Act done ASAP, as soon as today.

#### INFLATION REDUCTION ACT

Mr. President, now on the Inflation Reduction Act of 2022, the Senate is on track to consider passing the groundbreaking and truly historic Inflation Reduction Act later this week.

I want to thank the Office of the Senate Parliamentarian and all of the committee staff on both sides of the aisle for their tireless work on the Byrd bath process that is currently underway. All text and CBO and JCT scores have been submitted for review in this process. The Parliamentarian and her team have dedicated long hours on our legislation, and I think I can speak for all Senators in thanking them for their work. We are on schedule to consider this bill later this week.

The more that people learn about what is in the Inflation Reduction Act, the more they find reasons to praise the bill and the more absurd the Republican attacks sound.

This morning, a group of 126 leading economists—including 7 Nobel Prize winners, 3 former Chairs of the Council of Economic Advisers, and 2 former Treasury Secretaries—wrote a letter to congressional leaders calling for swift passage of our bill. They found that our bill “will fight inflation and lower costs for American families while setting the stage for strong, stable, and broadly-shared long-term economic growth.”

That is seven Nobel laureates, three former Chairs of the CEA, two former Treasury Secretaries. Let me read it again. This bill will “fight inflation and lower costs for American families while setting the stage for strong, stable, broadly-shared long-term economic growth.”

Another analysis from the Committee for a Responsible Federal Budget—hardly a liberal organization—began with the headline that:

The Inflation Reduction Act will HELP FIGHT INFLATION.

They believe it is aptly named. It is. The headlines go on and on and speak for themselves.

The New York Times—this is a headline:

Analysis Deems Biden’s Climate and Tax Bill Fiscally Responsible.

#### CNN:

Top economists say Democrats’ health care and climate package will put “downward pressure on inflation.”

#### The Hill:

Economists say reconciliation bill will lower prices for all Americans.

These are just a few examples out of many. They join right alongside other voices like that of former Treasury Secretary Larry Summers, the Republican leader’s favorite inflation expert, who said our bill is “directly fighting the rate of inflation.”

They join voices like that of Mark Zandi, Moody’s top economist and former adviser to Senator John McCain, who said that our bill would have a “material beneficial economic impact” and “will push inflation lower.”

Taken together, these voices say the same thing: The Inflation Reduction Act will lower costs, fight inflation, and secure historic wins in the fight against climate change.

Now, Republicans have spent the last few days launching the same stale, predictable, and alarmist attacks they use against virtually any Democratic proposal, regardless of the facts. They claim that our bill is some crazy tax hike for the vast majority of Americans. Balderdash. This is the Republican bunk. They want to only help the rich when it comes to taxes. And when we do something against the rich, they howl.

Our bill does not increase any taxes for small businesses and families making under \$400,000 a year. Let me say that again. Our bill does not increase any taxes for small businesses and families making under \$400,000 a year. What we will do is close loopholes that the largest businesses in this country have long abused to bring their tax rate down, sometimes to nothing. If nurses and firefighters and teachers pay their fair share of taxes, so, too, should megacorporations. Americans don’t think that is crazy. It is just common sense.

Here is the truth. Republicans will say anything to smear our proposal because they know they are on the wrong side of many of the issues our bill would solve.

Republicans know they are on the wrong side of taxes after the American people rejected their sweeping boondoggle of a tax bill that overwhelmingly went to the wealthy and the largest corporations.

Republicans know they are on the wrong side of healthcare and prescription drug reform after spending years trying to repeal healthcare while cozying up to Big Pharma. Republicans don’t have good answers for a bill that will finally bring drug costs down.

And Republicans know they are on the wrong side of the climate debate. This bill is going to make the biggest investments in clean energy ever, which will not only reduce emissions by roughly 40 percent but will also help prevent nearly 4,000 needless deaths and 100,000 asthma attacks each year. Republicans, who have bowed down for years to our Nation’s biggest polluters, know they have little credibility with the American people when it comes to climate.

The American people do not want to hear the same fearmongering over and over again from Republicans. They actually want us to take steps to bring costs down. They want us to preserve our planet for future generations. They want to make sure everyone plays by the same rules on taxes and everything else. They want to have high-quality healthcare without worrying about going bankrupt.

The Inflation Reduction Act is going to take meaningful steps on all these issues, and Democrats will pass the bill in the coming days.

I yield the floor.

#### NOMINATION OF ELIZABETH WILSON HANES

Mr. DURBIN. Mr. President, today, the Senate will consider another highly qualified judicial nominee to the Federal bench. We will vote to confirm Judge Elizabeth Hanes to the Eastern District of Virginia.

Judge Hanes currently serves as a U.S. magistrate judge in the Eastern District of Virginia, a position to which she was appointed by the current judges of the district court in 2020. She has already issued 100 opinions during her time on the bench.

A lifelong Virginian, Judge Hanes has deep ties to the Eastern District. She was born in Roanoke, VA, and attended the University of Richmond and the University of Richmond School of Law. After graduating, she clerked for Judge Joseph R. Goodwin on the U.S. District Court for the Southern District of West Virginia and for Judge Robert B. King on the Fourth Circuit.

Judge Hanes began her career in public service as an assistant federal public defender in the Office of the Federal Public Defender for the Eastern District of Virginia, a role she held for 7 years. She then joined Consumer Litigation Associates in Richmond. Judge Hanes gained significant trial experience during this time. And throughout her time in legal practice, she represented indigent defendants in criminal matters and low-income clients—including veterans—in civil claims related to predatory lending practices.

Judge Hanes received a “qualified” rating from the American Bar Association and has the strong support of Virginia’s Senators, Mr. WARNER and Mr.

KAINE. With her depth of experience and proven commitment to equal justice, Judge Hanes will continue to serve the Eastern District of Virginia with distinction. And importantly, as a former public defender, she will bring vital professional diversity to the Federal bench.

I urge my colleagues to join me in supporting this outstanding nominee.

### RECESS

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

Thereupon, the Senate, at 12:34 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

### EXECUTIVE CALENDAR—Continued

#### VOTE ON HANES NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

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

Ms. BALDWIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CORNYN), and the Senator from Missouri (Mr. HAWLEY).

Further, if present and voting, the Senator from Missouri (Mr. HAWLEY) would have noted "nay."

The result was announced—yeas 59, nays 37, as follows:

[Rollcall Vote No. 276 Ex.]

#### YEAS—59

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

#### NAYS—37

Barrasso	Cassidy	Daines
Blackburn	Cotton	Ernst
Blunt	Cramer	Fischer
Boozman	Crapo	Hagerty
Braun	Cruz	Hoeben

Hyde-Smith	Moran	Sullivan
Inhofe	Paul	Thune
Johnson	Risch	Toomey
Lankford	Rubio	Tuberville
Lee	Sasse	Wicker
Lummis	Scott (FL)	Young
Marshall	Scott (SC)	
McConnell	Shelby	

#### NOT VOTING—4

Burr	Hawley
Cornyn	Leahy

The nomination was confirmed.

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

The Senator from Illinois.

#### CORONAVIRUS

Mr. DURBIN. Madam President, this is my first day back in the Senate since I contracted COVID last week. It is good to be back, particularly for a historic week. I am grateful to the healthcare professionals and brilliant scientists who developed the COVID vaccines and therapies so quickly and am thankful for the Federal funding that made their work possible. Luckily, I am double-vaxxed and double-boosted, and I encourage everyone: Get your shots.

#### AYMAN AL-ZAWAHIRI

Madam President, at 6:18 a.m. this past Sunday morning, in a wealthy neighborhood in Kabul, Afghanistan, two U.S. Hellfire missiles delivered justice—at last—to al-Qaida leader Ayman al-Zawahiri. Al-Zawahiri is dead, and the world is better for it. He was a terrible man who brought horrific suffering to countless numbers of people, innocent people, throughout the world.

He was second in command to Osama bin Laden during 9/11, which claimed nearly 3,000 innocent American lives. He was the mastermind behind the bombings of the U.S. Embassies in Kenya and Tanzania in 1998 and behind the bombing of the USS Cole in the Yemeni port in 2000. He claimed to act on behalf of Islam; yet his hands were stained with the blood of innocence, including of countless Muslims.

Since the death of bin Laden 11 years ago, Zawahiri has been the leader of al-Qaida. He has been rumored variously to be hiding in the tribal areas of Pakistan and Afghanistan. He was finally discovered living with his family in a wealthy neighborhood in the center of Kabul.

The U.S. intelligence community and the CIA deserve great credit for their careful, professional work over months to verify Zawahiri's location and identity. President Biden also deserves credit. At least three U.S. Presidents hunted down this man. Joe Biden's administration finally succeeded in riding the world of this terrible person.

The war in Afghanistan was America's longest war by far—20 bloody years. Donald Trump, before he left office, set the deadline to end that war—a decision that Joe Biden inherited and America completed 1 year ago this

month. I supported that decision to withdraw the troops from Afghanistan. At the same time, President Biden and military leaders warned extremists not to confuse the withdrawal of American boots on the ground with any reduction of our commitment to the fight against terrorism.

The death of Zawahiri is proof that those who harm U.S. citizens, U.S. troops, and U.S. interests will find no safe quarter in this world.

#### PACT ACT OF 2022

Madam President, you don't have to go to Ground Zero in New York or to the Pentagon or to the field in Shanksville, PA, to see the reminders of the terrible suffering that came out of 9/11; you can walk outside of the Senate Chamber and see Iraq and Afghanistan veterans and their families, who still bear the scars of war.

For years, they and many others have urged the Veterans Health Administration to finally provide healthcare for the veterans who were exposed to toxic burn pits and other forms of deadly toxic pollution during their service.

Last Thursday, many of these veterans traveled to Washington. They came here to see a celebration—the passage of the PACT Act—and President Biden promised to sign it. It is a critical bill designed to provide VA health services for 3.5 million toxic-exposed veterans. Instead of a celebration, they witnessed a betrayal. At the last minute, 25 Republican Senators, who had just voted for the PACT Act 6 weeks earlier, voted against it. They voted against giving toxic-exposed military veterans the VA healthcare they deserved.

Since then, these veterans, their family members, and supporters have been holding a vigil—what they call a fire watch—on the steps of the Capitol. They have remained there through rain and steaming heat to remind us of our duty to help them.

Veterans across this Nation and some out on the steps are sick and dying with cancer and other disorders because they were exposed to burn pits, Agent Orange, and other chemical poisons. These are wounds of war, and they should be treated that way. Veterans who have risked their lives for our freedom must not be treated as collateral damage in a political skirmish.

JON TESTER, the chairman of the Veterans' Affairs Committee, has shown real leadership on this. JON states it ever so simply, and I think we should all remember: We have to face the real costs of war. We talk about our annual budgets. We talk about the body counts. We talk about all of the issues that face us, but we face the reality that those who served in our wars come home many times with physical but often invisible scars that haunt them for a lifetime. Those are the real costs of war. This bill, the PACT Act, which JON TESTER and Senator MORAN of Kansas brought to this floor, addressed those costs.

It is time for us to get it right in the U.S. Senate. There is a rumor on the floor that there may be an agreement that even today we are going to vote on this. None too soon. Those veterans who are waiting on the steps deserve it. Millions at home are watching this—and their families and others who love them—in the hopes that what we do on the floor of the Senate will finally give them some comfort in their lives. The Senate must hold another vote on the PACT Act, and I hope it will be today. That is the rumor on the floor.

Let's get it right this time. Let's reassemble that bipartisan coalition that passed the bill originally. Let's restore the faith of the veterans community and many Americans in the U.S. Senate. On a bipartisan basis, we can stand up for those who stood up and served our Nation.

JANUARY 6

On another matter, Madam President, the last several days have brought a stream of troubling revelations about the disappearance of Secret Service and Department of Homeland Security text messages from around the time of the deadly January 6, 2021, insurrection on this Capitol. The missing texts could provide critical evidence about one of the worst crimes and greatest threats to our Constitution ever perpetrated on America. The disappearance of this critical information could jeopardize the efforts to learn the full truth of January 6 and hold responsible anyone who planned and participated in that attack.

I don't know whether the failure to preserve these critical government texts of January 6 is a result of bad faith or stunning incompetence, but I do know that the man who has overseen this fiasco is not the right person to investigate it. This man has lost whatever credibility he may have once had on this matter. That is why I have asked Attorney General Merrick Garland to step in and take control of this investigation into the missing texts.

This is what we know so far: Joseph Cuffari was nominated to be inspector general for the Department of Homeland Security by former President Donald Trump. He remains in that position today. The Department of Homeland Security includes the Secret Service and many other critical government Agencies. Inspectors general are supposed to be independent watchdogs for their Departments and make sure that the people working in that Department don't engage in waste, fraud, or abuse. If there is any problem, the inspector general is required by law to report it to Congress.

In recent weeks, we learned belatedly from Mr. Cuffari, this inspector general, that, No. 1, his office asked the Secret Service last February for text messages, emails, and other records that could shed light on January 6, and he was met with months—months—of delay and stonewalling.

Mr. Cuffari has known since at least February of this year that the Secret

Service texts from January 6 had been erased in supposedly routine resets of the Agency's phones.

Imagine that—Agencies entrusted with the security of the United States and when there is a handoff of official phones, they are erased at that time.

Mr. Cuffari did not share that information with Congress for 5 months—5 months.

Mr. Cuffari also belatedly informed Congress that texts from the cell phones of the top two leaders in the Department of Homeland Security during the insurrection, Acting Secretary Chad Wolf and Acting Deputy Secretary Ken Cuccinelli, were apparently lost during another reset after they turned in their government phones.

Imagine the fumbling of critical information about an event as historic as the January 6 Trump insurrectionist mob who invaded this Capitol.

According to public reports, Department staff actually came up with a plan to retrieve the deleted emails when they first learned about them. Listen to this: Mr. Cuffari's office inexplicably killed the plan.

This isn't just another government Agency we are talking about, as important as that would be; the Department of Homeland Security has some of the most sophisticated intelligence and investigative capabilities not just in the United States but in the world. It is hard to believe that this Department accidentally deleted texts that could shed light on one of the greatest constitutional events and crimes ever committed in the history of the United States, but it would be just as problematic if they did. Either way, we need to get to the bottom of this.

This month, after news of the missing texts became public and his office came under criticism, Mr. Cuffari belatedly opened a criminal investigation into the Secret Service's missing text messages. It was the right thing to do, but he is the wrong person to do it. Mr. Cuffari has lost his credibility.

The same law that allows Mr. Cuffari to conduct this criminal investigation, the Inspector General Act, gives to the Attorney General of the United States the power to take control of it. It is time for Attorney General Garland to step in and oversee this investigation with impartial professionalism that justice and history demand.

#### CRYPTOCURRENCY

Madam President, it was February when I was watching the Super Bowl with my family at home. I noticed something that was odd. There was LeBron James on TV. In a commercial, he tells a younger version of himself: "If you want to make history, you gotta call your own shots." He was promoting crypto.com, a cryptocurrency exchange based in Singapore.

Soon after, one of my favorite comedians appeared on the screen, Larry David. His ad had a similar note. He warned viewers not to "miss out on crypto." That ad was sponsored by a different crypto exchange that was headquartered in the Bahamas.

I saw these ads and thought to myself, What is going on here? This is a football game. Both companies were just a few years old, and 30-second ads cost millions of dollars—\$7 million, I understand. I can't imagine enlisting LeBron James and Larry David for that purpose. So how exactly can these exchanges that most Americans have never heard of afford to shell out tens of millions of dollars on Super Bowl ads? Better yet, why?

Last week, National Public Radio ran a story that helped answer my question. You see, these crypto companies weren't simply promoting their products; they were trying to create a veneer of credibility. These Super Bowl ads were high-stakes attempts to convince hard-working Americans into investing in a volatile, unwieldy, and poorly regulated asset class called cryptocurrency. Unfortunately, it seems to be working.

Let me tell you about Michelle Milkowski. She lives in Washington State. She watched the same ads I did during the Super Bowl. She shared her story with National Public Radio. When Michelle saw celebrities promoting crypto products, she said it convinced her that "[it's] not just scammers [that] are using [them]. . . . [I] felt safe . . . to put my money in there." So how did Michelle's crypto investment pan out? Well, 3 months after the Super Bowl, she was down \$8,000. She was another victim of the crypto market meltdown that began in May.

For the record, in the course of 24 hours, more than \$200 billion of value in the crypto industry vanished. And, just last week, the industry lost more than 5 percent of its value—again, in 1 day.

These rapid losses convinced Michelle to cash out. How does she feel about her crypto experience today? She said:

There's definitely peace that comes with . . . selling off such a volatile asset . . . I don't have to worry [every day] am I losing . . . [another] thousand dollars . . .

Michelle was lucky she was able to wash her hands and cut her losses, but, Madam President, for the majority of Americans who cannot afford even a \$1,000 emergency, losing \$8,000 in 3 months is a disaster. That is the difference between paying your rent and living on the street.

Look, if you are a retail investor with money to invest and you want to try your hand at the crypto casino, by all means, grab your chips and head to the tables—within reason. But when we are talking about an industry that has reached more than a trillion dollars in value, that has shed hundreds of billions of dollars in the past few months, it is time for caution.

As I mentioned, cryptocurrencies—even the most well-known like Bitcoin—are poorly regulated, if they are regulated at all. And Bitcoin has seen wild swings. Bitcoin has lost roughly two-thirds of its value since

last November. The cost of one Bitcoin fell from \$68,000 to under \$21,000.

And these assets are not only volatile, they are virtually untraceable. Compare that to an investment like a share of stock—and, yes, there is risk in the stock market—or an exchange-traded fund. If you are a retail investor and you buy a couple hundred dollars' worth of shares in a company, you know you are assuming some risk. That is the nature of investment.

But here is the difference. When you buy a stock, under the law, you can find out important information about the company: How many products are they selling? How much are they paying their executives? What risk does the company foresee?

You have significantly more information and transparency about where your investment is going. Many ETFs even disclose their holdings every day. After all, they have to. They are required by law. They are regulated by the Securities and Exchange Commission.

With cryptocurrencies like Bitcoin, there is no such transparency. They are decentralized, illiquid, and highly speculative. Where are the disclosures? Where are the consumer protections? In many cases, there are none. Instead of encouraging working families to risk their hard-earned cash into remarkably unstable investments, let's pump the brakes on the rocket to the Moon.

Last Tuesday, I sent a letter, along with my colleagues Senators Warren and Smith, to Fidelity Investments. They are one of the biggest 401(k) providers in the world. In April, they made a decision that surprised me and, frankly, concerned me. Fidelity says they will soon allow 401(k) plan sponsors to offer plan participants exposure to Bitcoin.

Here is the issue. A 401(k) account is a nest egg. It is a vehicle that tens of millions of Americans rely on so that, many years from now, they can retire in dignity. And during this period of economic uncertainty, I can't think of any reason to expose retirement savers to new risk.

As we all saw on Super Bowl Sunday—whether it is Matt Damon, LeBron James, or Larry David—there is no shortage of options for people who want to invest in crypto. But retirement accounts must be held to a higher standard, and my hope is that Fidelity will live up to its name and meet that standard by reversing this decision.

It is also important to recognize that, even if you don't invest in a single cryptocurrency, we all have a stake in this industry. Why? Because the process for the so-called mining of these digital assets consumes jaw-dropping amounts of energy. As of May, according to the Public Broadcasting System:

The world's . . . Bitcoin mining operations had an annual energy budget nearly equal to the entire country of Argentina . . . or all the tea kettles in England boiling water for 26 years.

And seven of the largest Bitcoin mining companies consume enough energy alone to power every single home in Houston. That is just Bitcoin. That calculation doesn't even account for the fossil fuels being burned to produce other coins, like Dogecoin.

When companies like Fidelity and celebrities like Larry David are hawking an asset class that is unstable, untraceable, and pumping untold tons of carbon into our atmosphere, we should all have the good sense to step back and wrap our heads around this trillion-dollar industry that is not even old enough today to drive a car.

Madam President, I have been in several meetings with my colleagues on this cryptocurrency. I am by no means an expert. I have tried to learn as much as I can, but it is an extremely complicated operation. I will tell you this. I fear that we will do something but not enough. I fear that just a limited amount of regulation by the Federal Government may convince people that we really have a grip on what is happening in this industry. There is risk associated with it that is major.

I have had some well-known and very successful individuals in my office, and I have asked them—they have made millions of dollars—What about crypto? Most of them have said: I wouldn't touch it.

Yet we have got to tell the American people, when it is advertised, when it is available, you have got to be careful—particularly when it comes to people with limited assets, people with an adverse situation when it comes to risk, and people who are putting, literally, their savings and their retirement on the line on these investments.

That is why I joined my colleagues in writing to Fidelity and asking them to rationalize how this can be part of any 401(k) plan. We owe it to the American people to provide them the protection in this industry, as we have in so many other areas of investment. It is fundamental, it is fair, and it is the only way to guarantee them that they have some grip on making investments that could be in their best interest and might not be as well.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—S. 3373

Mr. SCHUMER. Madam President, I have some good news. The minority leader and I have come to an agreement to vote on the PACT Act this evening. There will be 3 amendment votes, a 60-vote margin on the Toomey amendment, on the Paul amendment, and on the Blackburn amendment, and then 60 votes for the bill. I am very optimistic that this bill will pass, so our veterans across America can breathe a sigh of relief.

The treatments that they deserve and have needed but have been denied by the VA because of all kinds of legal barriers and presumptions will now be gone. Veterans who were exposed to the toxic fumes of burn pits will be

treated by the VA like they should have been from the very beginning.

So this is good news. It took us a while to get here, but I am grateful for the bipartisan cooperation and support that will allow us to move forward today.

And a little bit more good news: The fact that we can finish PACT today gives us a real opportunity to do the treaties that will allow Finland and Sweden to join NATO. And that can happen tomorrow if we can come to a time agreement. I am very hopeful that that can happen as well.

Madam President, I ask unanimous consent that at 4 p.m. today the Senate proceed to legislative session and resume consideration of the House message to accompany S. 3373, with the time until 5 p.m. equally divided; further, that it be in order to consider and vote in relation to a Paul motion to concur with amendment No. 5184, a Toomey motion to concur with amendment No. 5186, and a Blackburn motion to concur with amendment No. 5185; that at 5 p.m., the Senate vote in relation to the motions in the order listed; that following disposition of the motions to concur with amendments numbered 5184, 5186, and 5185, the motion to refer and the amendments pending thereto and the motion to concur with amendment No. 5148 and the amendment pending thereto be withdrawn and the Senate vote on the motion to concur in the House amendment to S. 3373; that the Paul, Toomey, and Blackburn motions and the motion to concur be subject to a 60-vote affirmative threshold, with 2 minutes for debate, equally divided, prior to each vote; and that all votes after the first vote be 10-minute votes; all without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

INFLATION REDUCTION ACT

Mr. THUNE. Madam President, Democrats dropped the latest version of their tax-and-spending spree last week. And like every previous version, this bill is a bad deal for the American people.

So where should I start? Well, maybe with the bill's title. In true Orwellian style, Democrats are calling the bill the Inflation Reduction Act, even though the bill would do nothing to reduce inflation. And you don't have to take my word for it.

The nonpartisan Penn Wharton Budget Model analyzed the bill and found that the bill would not reduce inflation. In fact, the analysis found that

the Democrats' bill would contribute to inflation through 2024 and have no material impact on inflation in the long term.

Inflation has hit working Americans hard. Their grocery bills have ballooned. Rents have skyrocketed. Filling up their cars costs 75 percent more per gallon than it did when the President took office. Their utility bills have increased. And the list goes on.

Families are having to cut back on purchases and dig into their savings or pull out their credit cards—or in some cases, visit a food bank—to make ends meet.

And what does Democrats' tax-and-spending spree do to help? Nothing. Americans are dealing with the worst inflation in more than 40 years, and Democrats' bill does nothing to help end our current crisis.

So what does the bill do? Well, for one thing, it raises taxes. That is right. Our economy has shrunk for each of the past two quarters—in fact, by any common definition we are now in a recession—and the Democrats' bill raises taxes by hundreds of billions of dollars.

Here is what the Democratic leader previously had to say about raising taxes in a recession.

If we're in a recession and we're in a difficult economic time, I don't think Sen. Obama or anyone else is going to raise any taxes. You don't want to take money out of the economy when the economy is shrinking.

That is something the Democratic leader has previously said.

President Obama himself expressed a similar sentiment when he said:

[T]he last thing you want to do is to raise taxes in the middle of a recession.

"The last thing." Apparently, that doesn't apply when Democrats have Green New Deal projects they want to pay for.

The Democrats' bill attempts to offset the cost of the Green New Deal spending spree by raising taxes on American businesses, particularly—particularly—manufacturers. The proposed book minimum tax would be a \$313 billion tax hike, with roughly half of that increase falling on American manufacturers.

I don't think I need to tell anyone the likely outcome of raising taxes on businesses, particularly when the economy is contracting. The likely outcome is less growth, lower wages, and fewer jobs.

According to an analysis from the National Association of Manufacturers, in 2023 alone, the bill would reduce real gross domestic product by more than \$68 billion and result in 218,108 fewer workers in the overall economy—218,000 fewer workers in 2023 alone. That is according to the National Association of Manufacturers if the Democrats' bill passes.

The Democrats' bill also raises taxes on the energy sector—specifically, on domestic oil and gas production. It is another face-palm move from Democrats.

Currently, gas prices are 75 percent higher than they were when President Biden took office. Electricity prices are up. The cost of utility gas service is way up. And yet Democrats think it is a good idea to raise taxes on domestic oil and gas production. Apparently, Democrats want our current high energy prices to stick around for the long term.

So what are Democrats going to use all that tax-hike money for? Well, for one thing, they are going to use it to fund Green New Deal projects; critical priorities like monitoring gaps in tree canopy coverage and road equity and funding—funding—for the post office's purchase of electric delivery vehicles.

And then there are the multiple slush funds for Green New Deal projects and the tax credit for the purchase of a new electric car or truck. Of course, you will only be able to use the credit if you can afford to spend somewhere in the neighborhood of \$60,000, which is the average price for a new electric vehicle, while we are in the middle of a recession.

So it would almost undoubtedly be mostly Americans with higher salaries—and according to the bill, up to \$300,000 per household—who would be able to make use of this credit. So it is a tax credit to buy electric vehicles for rich people.

But I guess Democrats think electric vehicle tax credits for wealthier Americans are a good use of taxpayer dollars.

What else is in here? I mentioned the bill's tax hikes, but the Democrats' bill also attempts to raise revenue by increasing IRS audits and enforcement. That is right. The Democrats' bill would more than double the current number of IRS employees, making the Agency nearly three times larger than the U.S. Customs and Border Protection—the Agency, I might add, that is charged with security at all of our Nation's borders—and more than 50 percent larger—this is the IRS on the Democrats' plan—more than 50 percent larger than the entire U.S. Department of Agriculture.

Democrats give the IRS a whopping \$80 billion in additional funding over the next 10 years. Of that \$80 billion, 57 percent goes to enforcement; 4 percent goes to taxpayer services. That is right: 4 percent. This is an Agency that only succeeded in answering about 1 out of every 50 phone calls during the 2021 tax season, and yet 4 percent of the \$80 billion is going to taxpayer services. Fifty-seven percent goes to enforcement so that the IRS can spend more time harassing taxpayers around this country. Democrats are focused not on improving the IRS's responsiveness to taxpayers, but on boosting the number of IRS audits.

I still haven't mentioned the bill's socialist-style price controls for prescription drugs—price controls that would result in fewer new drugs and treatments. A study from last November found that Democrats' price con-

trol plans would result in 135 fewer new drugs through 2039. That is a lot of potentially life-changing and lifesaving treatments to lose.

Then, of course, there is Democrats' plan to expand Obamacare subsidies to higher earning Americans, a move which would drive up the cost of health insurance.

I could go on.

Most Americans remember the lead-up to Democrats' American Rescue Plan spending spree last March. We were promised—they were promised—at the time that passing that bill would have big benefits for our economy and for American families. Well, we know what actually happened. Democrats' reckless spending spree helped trigger the worst inflation for decades, and American families have suffered as a result.

Now we are being asked to swallow a similar story about the Democrats' latest spending legislation. This bill will help our economy, we are told, even though we know it would make life harder for American businesses and workers at a time when the economy is already contracting. Make no mistake about that. This is the second consecutive quarter where we have had negative economic growth, negative GDP growth, in our economy.

It will help inflation, Democrats claim, even though a nonpartisan analysis said it would do nothing—nothing to help alleviate our current crisis.

It will reduce our deficit, Democrats say, relying on some very shady accounting measures to reach their supposed deficit reduction number.

It will help lower energy prices, the President claims, even though new energy taxes would further inflate near-term energy bills during a season of already historic prices.

You would think Democrats might have been chastened by their disastrous American Rescue Plan spending spree, but you would be wrong. Apparently, Democrats are determined to get in another disastrous spending bill. And, once again, it will be the American people that will be left to suffer the consequences.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

#### CLIMATE CHANGE

Mr. CARPER. Madam President, the Republican leader knows I am a huge fan of his. Every Thursday, we gather, along with Senator GILLIBRAND, we gather in a Bible study, bipartisan Bible study. Most people think we would never pray together, read the scripture together, much less agree on anything, but we do that every week. We agree on a lot of things. In this one area, I am afraid we don't see eye to eye, as he knows.

As a leader prepared to lead the floor, I just want to remind us all of this: Two weeks ago, the United Kingdom broke its record for the highest recorded temperature multiple times, reaching a high of 105 degrees Fahrenheit. How high is that? They don't



have air conditioning in most places of England. They don't have air conditioning—105 degrees. Airport runways that week were melting in the United Kingdom. Railways in the United Kingdom were buckling from the heat, with riders warned to stay home.

Over 1,100 people that week died in Spain and Portugal from heat-related causes. Wildfires in France forced about 30,000 people to evacuate. Organizers planned to pour—listen to this—tens of thousands of gallons of water on the course of the Tour De France big bicycle race in order to keep the road from melting. And more than 40 million people in the United States are under extreme heat warnings across, in our country, the Great Plains and California.

Something like 60 million Americans will likely see temperatures at or above 100 degrees. Last week, they actually did, as I understand it. Nearly 60 percent of California has been dealing with excessive drought while 20 percent—20 percent—of Texas experiences exceptional drought, the most extreme level on the drought scale. Firefighters continue to battle huge wildfires across the United States—12 States, no less—wildfires as big as my State of Delaware.

The reason why we have put together legislation that actually addresses these tale of horrors is because it is getting worse. The scientists and people who we look to for advice on stuff like this say it is not going to get better any time soon; it is going to get worse.

In Louisiana, you know what they lose from sea level rise every 100 minutes? They lose a piece of land the size of a football field. I will say that again. In Louisiana, they lose a piece of land to the sea the size of a football field—not every 100 days, not every 100 weeks—every 100 minutes.

Something is happening here, and I think what it is, is exactly clear. There is way too much carbon in the air. The question is, What are we going to do about it? And there is something that we can do about it that not only addresses the climate crisis so these young pages sitting down here will not only have a planet to live on, but some day, they will have kids and grandchildren, and there will be a planet for them as well. That is why we have to do something.

Here is the good thing about the PACT Act that we will be voting on later this week. It is paid for. Larry Summers—the former Secretary of Treasury, former president of Harvard, renowned economist—basically says this package is not only balanced in terms of its budgetary effect, but in terms of its effect on inflation, it is actually counterinflationary.

The idea that somehow the IRS would get more money to do their job, let me say this: I have been on the Finance Committee for a number of years here in the Senate. Every couple of years, we have the Commissioner of the

IRS come before us. I don't care if it is a Democrat or Republican administration. They beg us to provide resources for the IRS so they can do their jobs.

The people that actually get audited the most are actually poor people. Folks that get audited the least are wealthy people, maybe the big corporations. The IRS needs resources. They need human beings; they need folks with the right skills; they need the kind of technology—they want to do their jobs. If they do that, they can collect hundreds of billions of dollars, not by raising taxes but by making sure people are paying their fair share of taxes. That is what we are really trying to do with this legislation. It is paid for. It actually works against inflation.

It helps people, particularly people who happen to be older and actually need access to pharmaceuticals. The legislation we have actually says if you happen to be a senior citizen and you are on Medicare Part D for the drug program, there is no way you are going to pay over \$2,000 in a year—no way. Today, you pay a lot more than that. We put a cap on that.

But by the same token, as a Senator from a State where we actually have a big interest in biopharmaceuticals—our whole area, including Philadelphia, New Jersey, and so forth—we don't want to kill the goose that lays the golden egg. We want to make sure they are still successful. We don't want to stifle innovation in the biopharmaceutical world. This legislation does not do that. It does not do that.

It does say with the jobs for which there is no competition, there has to be some cap on the ability to raise the price of those drugs. I think it is common sense. I think it is common sense.

Some of us have heard the term “unforced error.” My detractors have sometimes said: I am guilty of making an unforced error. If truth were known, we all make unforced errors. Our Republican friends made an unforced error here. What they have done is they chose—because of their anger or unhappiness with the agreement with Senator MANCHIN and Senator SCHUMER to move forward and address climate change in a way that is paid for and actually adds to economic job creation—they were unhappy and, unfortunately, they, apparently, took their anger out on the ability for us to move to legislation that actually helps the veterans deal with injuries they suffered in their lives from being exposed to toxic substances from these burn pits around the world.

I know a little bit about the military. I am the last Vietnam veteran serving in the U.S. Senate. We had a bite out of this apple in Southeast Asia in the Vietnam war. It was called Agent Orange. It was called Agent Orange, and hundreds of thousands of Vietnamese were exposed to Agent Orange. But a lot of folks in American service, men and some women, as well, were exposed. They had all kinds of

maladies. And later on, they had questions that we are thinking about: Are we going to make sure you are eligible for care from the VA and don't have to pay for all of it out of their pocket? We have done that and, I think, in a very appropriate way. We did it decades ago. I am privileged to be a supporter of that, as were many of our colleagues, Democratic and Republican.

We have a different kind of situation, but it is a similar situation in that we have a bunch of veterans who served in places like Afghanistan and other places where they breathed air that was toxic. It is not their fault. And later on, they became sick. The question is, What do we do about it?

The veteran service organizations have been very angry at our Republican colleagues. I am glad our Republican friends have come back and said: We realize we voted to derail the PACT Act to help veterans from these burn pit injuries. We realize we maybe shouldn't have done that. We all make mistakes. Everybody makes mistakes.

I am the only Democrat I know in this body who ever quotes Richard Nixon. Richard Nixon used to say that the only people who don't make mistakes are people who don't do anything. Think about that. That is pretty good, huh? The only people who don't make mistakes are people who don't do anything.

They made an unforced error. They voted in a way that was not consistent with their interests and not consistent with the interests of veterans, of which I am one.

They have an opportunity here—I will say this in a spiritual tone here—they have an opportunity to atone for their sins, and my hope is they are going to do that.

I hope at the same time as we do that, we will keep in mind this list of horrors that just went down—going on in the face of the Earth just a week or 2 ago. We have to do something about it. It is real. We have to do something about it. Time is not on our side. Time is not on the side of these young people here who are like 16, 17 years old.

I have one last point here. I am going to go back to what some people say—I am privileged to chair the Committee on Environment and Public Works. We have jurisdiction over clean air, clean water, climate change, roads, highways, bridges, water, sanitation—a bunch of stuff, good stuff. As a result of that, we have the opportunity to write legislation that hopefully addresses a real cause, a real problem.

One of the problems we found in climate change is the biggest source of carbon dioxide, the biggest source of greenhouse gas emissions comes from the cars, trucks, and vans that we drive, the vehicles that we drive. That is the biggest source. There used to be—as Senator GILLIBRAND knows—a bank robber, Willie Sutton. He used to rob a lot of banks. He finally got caught. He was dragged into court, and



at trial, the judge said: Mr. Sutton, why do you rob banks?

Your Honor, I rob banks because that is where the money is.

One of the reasons why we want to encourage people in this country to buy vehicles that don't spew out a lot of greenhouse gases is because that is the biggest part of where our emissions are. Thirty percent of greenhouse gases in this country come from cars, trucks, and vans. We want to encourage people, as they are ready to buy a new vehicle, to consider an electric vehicle.

One of the things that I really like about the bill that we are going to be debating later this week is, we actually encourage people to buy not just the new, expensive vehicles, but to buy used electric vehicles. So the middle- and lower-income people who may not be able to afford a new electric vehicle, they can buy one. If they want to be good to the planet, kind to the planet, they can buy a used one. We provide a modest tax cut for them.

The tax cuts, I might add, in the bill that we will take up later this week are a lot more modest than they were originally. I think that is a good thing.

Again, we all make unforced errors. I know I have, and I believe—I say this lovingly—our Republican colleagues made a big one, and I think they regret it. They have the opportunity to do something about it and to do the right thing.

Let's do that. Let's do the right thing by veterans, and let's move on. And then later this week, we will take up another challenge, and that is, how do we save this planet and make sure that my kids, my grandchildren, our grandchildren, have the opportunity to have a planet that is worth growing up on?

I yield the floor.

#### LEGISLATIVE SESSION

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

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session and resume consideration of the House message to accompany S. 3373, which the clerk will report.

The bill clerk read as follows:

House message to accompany S. 3373, a bill to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant.

Pending:

Schumer motion to concur in the House amendment to the bill.

Schumer motion to concur in the House amendment to the bill, with Schumer amendment No. 5148 (to the House amendment to the Senate amendment), to add an effective date.

Schumer amendment No. 5149 (to Schumer amendment No. 5148), to modify the effective date.

Schumer motion to refer the bill to the Committee on Veterans' Affairs, with in-

structions, Schumer amendment No. 5150, to add an effective date.

Schumer amendment No. 5151 (to the instructions (Schumer amendment No. 5150) of the motion to refer), to modify the effective date.

Schumer amendment No. 5152 (to amendment No. 5151), to modify the effective date.

The PRESIDING OFFICER. Under the previous order, the time until 5 p.m. is equally divided.

The Senator from New York.

Mrs. GILLIBRAND. Madam President, I rise to discuss helping our servicemembers exposed to toxic burn pits.

For days now, servicemembers and their families have been camping outside this very building in desperation. They are pleading with us, they are begging us to pass this bill. They have been out there all weekend in 90-degree heat, sheltering themselves from thunderstorms, as well as oppressive humidity. I have been down there to visit them three times now, and I can tell you, they are exhausted. They miss their families. They want to go home, but they will not. They will not go home until the job is done because the suffering they are enduring now pales in comparison to the suffering they, their fellow veterans, or their fellow family members experience every day because of the injuries sustained because of the exposure to the toxins released at these burn pits.

Last week, before it became clear that the PACT Act would fail, these families came to DC ready to celebrate. The mother-in-law of SFC Heath Robinson, who died because of burn pits, came with Heath's daughter Brielle, who was excited to finally celebrate her father's legacy finally coming to fruition. Instead, we had to explain to a crying 9-year-old girl why this would not be happening, why the Senate had failed them.

So I don't want anyone to just listen to me rattle off a bunch of statistics or facts about burn pits; I want you to listen to these people, the families, people who are literally giving every ounce of their being in service to this country, people with families, people with kids, people who are willing to upend their lives at the very moment's notice to fight for the values that make us who we are. Instead, when their lungs were filled with toxins, the government turned its back on them when they needed us the most. We made a promise to them to care for them when they came home, and that promise has been broken.

Failure to pass this bill again is not just some small disappointment, something that can be easily brushed off or disregarded; failure to pass this bill quite literally for many is a death sentence because every single day, every hour, every minute they don't get the healthcare they need to save their lives is just another minute lost to the diseases that are devouring them. It is another minute they won't have to be with their loved ones, to hug their children; another minute they don't get to be with their loved ones to kiss them

goodbye; another minute they cannot do the things they love to do. So we don't have time to wait another week, another month; we have to do this now.

This is what is at stake with this bill. It is the lives of the men and women who went to combat for this country over the last many decades and unfortunately have been so riddled with disease because of that exposure that they need our help. They need the VA to cover their healthcare. That is what this bill does. This is what they deserve.

I hope that this Chamber can come back together again where it was before last week to do the right thing, to stand by those who stood by us, to stand by those who went into the breach, to stand by those who are now suffering and dying because it is a debt that we owe them.

I yield the floor.

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

Mrs. BLACKBURN. Mr. President, late tonight, the Senate will vote on my amendment No. 5185 to the PACT Act, and as my colleague from New York was just saying, it is time that we deal with the issues of toxic exposure. As a member of the VA Committee, this is something I have worked on for the last few years.

Tennessee has a large population of veterans, and we have talked a good bit about this issue and how they receive their care.

One of the concerns that we had discussed in committee, in our hearings—we have discussed it with our VSOs, and we have discussed this issue as we have talked with veterans who have come to us and to our meetings—is their frustration with having access to the queue but not getting access to the care. I think we have to look at this and say: Those are very different.

Now, I join our veterans in being frustrated with the fact that there is access to the queue to get on that wait list but not getting that care. So the amendment I am offering is not political. It is not controversial. It is a simple but much needed improvement to the PACT Act that will allow toxic-exposed veterans to gain access to community care to ensure they have a speedy process to care.

The amendment is critical to the success of this program, and we all want the program to be successful, but what we know is that the VA is not capable of implementing the PACT Act as it is written. They have neither the infrastructure nor the personnel to do that.

What we have learned is that the VA cannot deliver what is promised because it does not have the capacity to handle the increased cases. Secretary McDonough said as much in testimony submitted to the VA Committee in March of this year.

Right now, the claims backlog at the VA sits at 168,000 cases. The PACT Act as written will increase that backlog by more than 1 million cases.

Right now in Tennessee, this is the practical effect of this in Tennessee:

Veterans who come to me are telling me they are waiting about 100 days for a primary care appointment at the VA. For many of our veterans, that is just step 1—getting that primary care appointment so they get on the list. So after they call, they are waiting 100 days to get that first appointment, and then they get a referral to someone else, a specialist.

Now, for our veterans in Tennessee, once they get that referral, it is 39 days to get to mental health care, 44 days to get to a dental appointment, 33 days if they are trying to see a cardiologist, 28 days to see a gynecologist, and 30 days to get to someone who can help them with pain. That is the amount of wait. To me, that is unacceptable, completely unacceptable.

My colleagues on both sides of the aisle know that many, if not most, of these veterans who have toxic exposure are deteriorating rapidly. They do not have time to wait while the VA decides how they are going to implement this. They deserve access to care as quickly as they can possibly get it.

We are so close to getting these veterans the care they deserve, but if the PACT Act is going to work for veterans, we need to step up and give them access to community care. My amendment will open up that access. It will make that an option so they don't have to struggle through waiting in the queue. They can go to a physician in their community for that primary care appointment so that they can get this process started. This will help them to avoid the long wait times and the arbitrary hurdles, and it will let them seek that care in the community if they can get it faster than making that trip to the VA.

As I said, this is not controversial. There is no political scandal on it. It is a simple fix that will ensure that this promise that we are going to make in the PACT Act will be made to every single veteran who has experienced toxic exposure so that we are certain that the PACT Act does not end up as a false promise or a false hope.

These veterans have given so much. They have served honorably. It is imperative that we provide them not access to the queue but access to the care they have earned.

Thank you. I urge my colleagues to vote yes on the amendment when it comes up for a vote later this evening. I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, we absolutely must take care of those who were harmed in service to our country. I have supported several bills to take care of our veterans. In February of this year, I supported a bill that passed the Senate called the Health Care for Burn Pit Veterans Act, which extends the eligibility period for combat veterans who served after 9/11 and were exposed to toxic substances so they are able to receive care at the VA. I have also supported the VA MISSION Act,

the Dr. Kate Hendricks Thomas SERVICE Act, the TEAM Caregivers Act, and the Veterans Appeals Improvement and Modernization Act, all of which expand care for veterans. When the war in Afghanistan came to a close, I proposed using those funds saved by ending the war to give a \$2,500 bonus to all members of the military who served in the Global War on Terrorism.

We must take care of our veterans and keep our country strong. This bill puts our economy, though, at risk by creating presumptions of service connection for the most common of ailments. For example, this legislation creates a presumption of service connection for Vietnam veterans for hypertension, but according to the CDC, 50 percent of men and 44 percent of women in the United States have hypertension. More than 60 percent of people over the age of 60 have hypertension. In total, the CDC estimates that 116 million Americans have hypertension. The legislation also creates a presumption of service connection for Global War on Terror veterans for asthma. The CDC estimates that 1 in 12 people has asthma, which is approximately 25 million Americans.

This bill would cost hundreds of billions of dollars at a time when the national debt is climbing over \$30 trillion and inflation is at a 40-year high. But the Federal debt was created by Congress and not our vets, and those who serve in the armed services should not be the ones to pay the cost for government mismanagement. That is why I propose that we pay for this bill by establishing a 10-year moratorium on foreign aid disbursed by USAID, except for Israel. USAID is riddled with waste, and those dollars could be better put to use to help to take care of our veterans' healthcare.

Just this year, USAID unveiled a \$50 million Visit Tunisia program to encourage more tourism in Tunisia although Tunisia is already one of the most visited countries in Africa.

In 2016, USAID started a program to help the Afghan Government help farmers as it cut checks to NGOs to fund Afghan farmers.

The program paid for 72 farmers to receive drip irrigation, pipes, wheelbarrow, 2,000-liter water tank, and a 5-kilowatt generator for a cost of \$87.9 million. Whether the systems are still in function or were actually built is another question.

USAID spent over \$37 million to assist the Filipino Government to get roughly 3 million Filipinos back to school. Maybe we ought to do the same in America.

USAID devoted 20 million to teach the Laotians the Laotian language.

In another instance, USAID allocated up to \$150,000 to send 10 Koreans to Washington, DC, for 2 weeks to learn about climate change activism. That is a great use of our money.

Wouldn't Congress rather spend the money on our veterans? Wouldn't it make more sense to spend taxpayer

dollars on veterans who have risked it all for their country than on encouraging travel to Tunisia?

That is why I seek my colleagues' support for my amendment that would help pay for the hundreds of billions of dollars in this bill. Our veterans should come first.

I ask your support for my amendment on this pay-for amendment.

The PRESIDING OFFICER. The Senator from Kentucky.

MOTION TO CONCUR WITH AMENDMENT NO. 5184

Mr. PAUL. Mr. President, I move to concur in the House message to accompany S. 3373 with amendment No. 5184.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] moves to concur in the House amendment to S. 3373 with an amendment numbered 5184.

Mr. PAUL. Mr. President, I ask that the reading be dispensed with.

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

The amendment is as follows:

(Purpose: To offset the increased spending authorized by this Act by temporarily prohibiting the expenditure of any Federal funds by the United States Agency for International Development other than spending for Israel.)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . OFFSET THROUGH TEMPORARY REDUCTION IN FOREIGN ASSISTANCE PROGRAMS.**

During the 10-year period beginning on October 1, 2022, no Federal funds may be expended by the United States Agency for International Development other than funds that have been appropriated for Israel.

The PRESIDING OFFICER. The Senator from Pennsylvania.

S. 3373

Mr. TOOMEY. Mr. President, I rise to discuss the PACT Act, on which we will be voting for several amendments and then we will have a final passage vote later this evening.

This could have been resolved months ago, as I suggested it would be, but finally we have gotten to the point where we can resolve this.

And I have to say we are witnessing a very old Washington trick playing out on what might be an unprecedented scale.

And what is that trick?

That trick is you take a very sympathetic group of Americans—it could be children with rare diseases; it could be victims of crime; it could be veterans who are suffering an illness after having been exposed to toxic chemicals while serving our country—you take this sympathetic group, craft legislation to address their problems, and then sneak in something that is completely unrelated that could never pass on its own and dare anyone to stand up and say a word about that because we all know, if you raise a concern about the unrelated provision, people in this Chamber and outside will stand up and make up all kinds of fabrications and falsehoods.

They will enlist some pseudo celebrities, they will get their accomplices

in the media to propagate the dishonest charge that: Oh, those mean Republicans don't care about those sympathetic figures. That is what has been going on here for some time now.

It is in the PACT Act. We have an exceptionally sympathetic, overwhelmingly popular group of Americans—and rightly so. They are veterans who put on the uniform, served overseas, took huge risks, and along the way were exposed to toxic chemicals that have resulted or could have resulted in their illness.

There is overwhelming consensus to provide the resources to at least cover their healthcare costs and provide them with disability benefits because of their service to our country.

In fact, the cause is so popular that the \$280 billion of new spending contemplated by this bill is completely unoffset. It is mandatory spending. It is like OCO, and there is nobody I know of—certainly not myself—who is asking that it be offset. It is like, this is what we need to do and people acknowledge this and we agree on it.

But that is not where the PACT Act ends. That is not all there is to the PACT Act. It also includes the old Washington trick. And the form the trick takes in this bill is a complicated change to budget rules that allows current spending—by which I mean spending that is going to happen under existing law unrelated to the PACT Act, that spending that is routine already—to be basically shifted off the books, so to speak, in such a way that is designed to make it easier for future Congresses to spend a whole lot more money on completely unrelated programs.

The Congressional Budget Office estimates that this clever little device will result—could result in up to maybe even a little more than \$400 billion of additional spending over the next 10 years; again, totally outside of the veteran space, totally outside.

Now, the chairman of the Committee on Veterans' Affairs is my friend JON TESTER, a guy I know and like. He pretty much essentially acknowledged that yes, the legislation could be exploited this way. But he said: But you should have faith. You should have confidence and trust in your colleagues, future Congresses, that we wouldn't do a thing like that.

Seriously? I am supposed to trust this and future Congresses not to go on a spending spree—seriously? That is unbelievable. And, by the way, if I should have that trust, then why did they design this feature precisely so they could go on a spending spree?

This isn't the first time this has happened. A good example is the CHIPS program. That is an acronym for the Children's Health Insurance Program. It was created in 1997. It is a very popular program. It is mandatory spending, completely unoffset. It is a very good cause. That is why.

In 2009, Congress started providing more funding than was necessary to

fund the program—much more than would actually be spent on the kids that qualified for it. Congress did this very knowingly and started doing it annually. Why, you might ask, would Congress provide more funding than the program requires? Because the amount by which this funding exceeds what gets spent can be spent on other programs.

It is a trick. It is a budget trick that allows for more spending in unrelated areas.

The Crime Victims Fund has a very similar dynamic. Criminal penalties go into a fund that is supposed to go to victims of crime, but they set up the rules so that, in any given year, if we spend less than the amount of money that went into this fund, they can pretend those are budget savings and then spend the money somewhere else.

So my point is that we have seen this before. It is being played out again, but I don't think we have ever seen it on this scale—\$400 billion over the next 10 years.

We have budgets and we have budget rules for reasons. They are meant to try to provide some guardrails on spending. Now, Congress can always disregard them. Any Congress can always disregard budget rules for a good reason or a bad reason. If there are 60 votes, the budget rules can be waived.

By the way, there are five budget points of order against this bill. I am not aware that anyone has raised a single one. We are not going to have a vote on any one, and that is because people say the new spending for these veterans is so important that we are going to waive the budget rules that this bill breaks, and I think that is the right thing to do. But to think that the appropriations process is going to be a sufficient check on the abuse of this gimmick that is in this bill is very unrealistic.

You know, the Senate can always vote against a future spending bill that would take advantage of this. All right, so this is one of the arguments we have heard: Well, yes, you can always vote against this if Congress were to exploit this gimmick and start spending these \$400 billion.

But here is the problem. In a given year, that would be about \$40 billion, right? Four hundred over 10 years means \$400 billion of this extraneous spending annually. Except, as the Presiding Officer knows very well, we typically fund the government with one giant bill—an omnibus spending bill that is over 1,000 pages long, usually. Nowadays, it is about \$1.7 trillion. And \$40 billion is a lot of money, but it is 3 percent of \$1.7 trillion.

So if you object to exploiting this budget gimmick and exploiting this loophole and spending \$40 billion that shouldn't be spent on who knows what, you can vote against the whole bill and that is your only option—vote to shut down the government and not spend any money at all. That is no disciplinary mechanism. That is no mechanism for proper oversight.

Now, you may hear that my amendment caps spending for veterans, and I want to be very clear about this. The chairman of the Veterans' Affairs Committee said my amendment would place a limit on the amount of funding Congress could provide to cover care and benefits to veterans made available by this legislation and could create a scenario where the VA runs out of funding.

That is completely, 100-percent factually false. It is very hard to believe that the chairman of the Veterans' Affairs Committee is not aware of that.

But here is the truth. The fund that is created in the PACT Act—the fund that the chairman of the Veterans' Affairs Committee is referring to, the fund where we cap the money that goes into this fund—that fund does not have the meaning that any normal person thinks a fund has. This is not a pool of money. This is not an account at a bank from which doctors are paid. This is nothing more than an accounting device. This is just a mechanism that the Federal Government uses to classify spending as mandatory instead of discretionary. That is all it is.

And there are no limits whatsoever. This is an important point. My amendment has no limits whatsoever on the amount that Congress can appropriate in any given year or in the cumulative total of years for veterans' healthcare or other benefits. My amendment doesn't affect that in any way whatsoever. Congress can appropriate a trillion dollars in a given year.

What my amendment would do is it would limit the amount of that appropriation that could be considered mandatory spending as opposed to discretionary spending. That is it. My amendment is 100 percent about how the government designates the spending. It has nothing to do with how much is actually spent.

Now, what matters to a veteran who is ill because of a toxic exposure? I think what matters to him is that the money is there to cover what he needs. That is what he should be concerned about, and that will be there.

What I am trying to limit is the extent to which they can use a budgetary gimmick to reclassify spending so that they can go on an unrelated spending binge.

So what would happen if the cost for actually caring for veterans in a given year is bigger than the cap we set? Appropriators simply appropriate the amount that is needed. My cap has no bearing on how much appropriators can spend. It only limits how much gets treated as mandatory spending.

If my amendment is adopted, spending on veterans' benefits would not be reduced by one penny. Spending on veterans' families would not be reduced by one penny. The \$280 billion in new spending as a result of the PACT Act would not be reduced by a penny. It would not be offset.

We have no attempt to make any change to any of that. If anyone is suggesting that my amendment would, in

any way, reduce care for veterans or require rationing of care, they are either completely misinformed or they are being dishonest.

So why does this matter? Why did the authors of the bill want to create this device that shifts this spending that is going to happen anyway from discretionary spending to mandatory spending? Because we have a cap on total discretionary spending, and for any spending that gets pulled out of the discretionary spending category and goes to a different category, that creates a hole under the cap. Congress will fill that hole with spending on who knows what. That is the way this is going to play out. That is what is going to happen.

Now, some people have suggested that my amendment, if adopted, would kill the bill. Now, think about that. An amendment that does not cut spending on veterans' care or veterans' benefits by one dime but does make it harder for Congress to go on an unrelated \$400 billion spending spree—that is going to kill the bill? Really?

Well, if that would kill the bill, then it speaks volumes about what is really important to the people who would vote no as a result of making it clear that unrelated spending is more important than the spending on the veterans—if my amendment would kill the bill.

So I don't think passage of my amendment would kill the bill. It would frustrate the efforts of those who want to have the skids greased for a massive spending binge. It would definitely do that. But it wouldn't cut one dime of spending for veterans' care, and I think in the end the bill would pass.

I have this very simple solution. It allows us to fully fund our vets. It eliminates this budgetary gimmick that greases the skids for unrelated spending. And I would just urge my colleagues that hiding unrelated spending behind the sacrifice our veterans have made is no way to go. I would urge support for my amendment.

MOTION TO CONCUR WITH AMENDMENT NO. 5186

Mr. President, I move to concur in the House message to accompany S. 3373 with amendment No. 5186.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. TOOMEY] moves to concur in the House amendment to accompany S. 3373 with an amendment numbered 5186.

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

Mr. TOOMEY. I ask unanimous consent that the reading be dispensed with.

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

The amendment (No. 5186) is as follows:

(Purpose: To improve the Cost of War Toxic Exposures Fund)

Beginning on page 115, strike line 14 and all that follows through page 117, line 23, and insert the following:

“(C) AUTHORIZATION OF APPROPRIATIONS.—(1) There is authorized to be appropriated to the Fund amounts specified in paragraph (2) for investments in—

“(A) the delivery of veterans' health care associated with exposure to environmental hazards in the active military, naval, air, or space service in programs administered by the Under Secretary for Health;

“(B) any expenses incident to the delivery of veterans' health care and benefits associated with exposure to environmental hazards in the active military, naval, air, or space service, including administrative expenses, such as information technology and claims processing and appeals, and excluding leases as authorized or approved under section 8104 of this title; and

“(C) medical and other research relating to exposure to environmental hazards.

“(2) The amounts specified in this paragraph are not more than the following:

“(A) \$1,400,000,000 for fiscal year 2023.

“(B) \$5,400,000,000 for fiscal year 2024.

“(C) \$7,000,000,000 for fiscal year 2025.

“(D) \$11,300,000,000 for fiscal year 2026.

“(E) \$13,100,000,000 for fiscal year 2027.

“(F) \$15,900,000,000 for fiscal year 2028.

“(G) \$17,900,000,000 for fiscal year 2029.

“(H) \$21,200,000,000 for fiscal year 2030.

“(I) \$23,400,000,000 for fiscal year 2031.

“(J) For fiscal year 2032 and each fiscal year thereafter, an amount equal to the amount specified under this paragraph for the preceding fiscal year increased by the percentage (if any) by which—

“(i) the Consumer Price Index for All Urban Consumers: Medical Care (CPI-M), as published by the Bureau of Labor Statistics, for the fiscal year preceding the beginning of the fiscal year for which the increase is made, exceeds

“(ii) the Consumer Price Index for All Urban Consumers: Medical Care, as published by the Bureau of Labor Statistics, for the fiscal year preceding the fiscal year described in clause (i).

“(d) BUDGET SCOREKEEPING.—(1) Immediately upon enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022, expenses authorized to be appropriated to the Fund in subsection (c) shall be estimated for fiscal year 2023 and each subsequent fiscal year and treated as budget authority that is considered to be direct spending—

“(A) in the baseline for purposes of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907);

“(B) by the Chairman of the Committee on the Budget of the Senate and the Chair of the Committee on the Budget of the House of Representatives, as appropriate, for purposes of budget enforcement in the Senate and the House of Representatives;

“(C) under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), including in the reports required by section 308(b) of such Act (2 U.S.C. 639); and

“(D) for purposes of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.).

“(2)(A) Except as provided in subparagraph (B), amounts appropriated to the Fund for fiscal year 2023 and subsequently, pursuant to subsection (c) shall be counted as direct spending under the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) and any other Act.

“(B) Any amounts appropriated to the Fund for a fiscal year in excess of the amount specified under subsection (c)(2) for that fiscal year shall be scored as discretionary budget authority and outlays for any estimate of an appropriations Act.

“(3) Notwithstanding the Budget Scorekeeping Guidelines and the accompanying list of programs and accounts set

forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217, and for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) and the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the Fund shall be treated, during the period beginning on the date of the enactment of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 and ending on September 30, 2031, as if it were an account designated as ‘Appropriated Entitlements and Mandatories for Fiscal Year 1997’ in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, in just a few minutes—in fact, maybe I should say finally in just a few minutes—the Senate will vote once again on the Sergeant First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022, known as the PACT Act.

Thousands of veterans who answered their call to serve after the terrorist attacks of 9/11 suffered the consequences to their health with exposure to open burn pits. Many of these veterans are simultaneously experiencing a battle with the VA—a battle with their health conditions and now a battle with the Department of Veterans Affairs—to gain access to healthcare and the benefits that they desperately need and, in reality, earned and deserve.

For more than 2 years, I worked with my colleagues on the Senate Committee on Veterans' Affairs, its chairman Senator TESTER, our colleagues in the House and Senate, multiple VSOs, veterans across the country, and veterans in Kansas and their families on how we can provide toxic-exposed veterans the healthcare benefits that they deserve.

Chairman TESTER and I made a commitment to each other to get to this point today, and we have had a couple of procedural hurdles. But, despite that, I am pleased that we have still brought this bill to the floor in a bipartisan manner. Our veterans have waited long enough, and it is time to pass the Heath Robinson PACT Act.

Not only will this legislation provide long overdue healthcare and benefits to the 3.5 million post-9/11 veterans who were exposed to burn pits, but this legislation will deliver care for all generations of veterans, including Vietnam veterans and those who served in Southeast Asia suffering from the exposure to Agent Orange.

No legislation is perfect. Is this bill the way I would draft it if I were the only person writing the bill? It is not. It is a legislative process that involves a give and take, and we will still have more work to do once the legislation is signed into law.

I remain committed to working with the Department of Veterans Affairs, with our veterans service organizations, with individual veterans and their families, and with my colleagues

here in the Senate, both Republican and Democratic, to make certain that this legislation is effective for veterans and the unintended consequences from this legislation are addressed.

Once we pass legislation, the work continues because it then has to be implemented by the Department of Veterans Affairs. I know from experience that that is a challenge, and this bill in particular—with the magnitude, the number of veterans affected, the amount of resources necessary, the demand for care that will arise under this legislation, and the demand for benefits that arises under this legislation—will make its implementation a significant challenge. But we are ready and able to make certain that the intended results—while there has been a lot of demand that we pass legislation, really what we are after are intended results, and those intended results are that our veterans receive the care and benefits that they deserve.

There is no doubt that the cost of caring for our veterans is high, and the truth is that freedom is not free. There is always a cost to war, and we need to remind ourselves that that cost is not fully paid when the war ends.

We are now on the verge of honoring that commitment to America's veterans and their families. I support this legislation. I support moving forward with a vote in favor of cloture. As to something that we thought might have happened earlier, I am pleased that there will be amendment votes before we get to that final passage. I expect and urge my colleagues, regardless of the outcome of the amendment votes, to continue to move this bill forward by taking this opportunity to pass the bill.

By taking advantage of the circumstance we have now worked our way to get to, and now that we are at this point, I hope that it passes, the Sergeant First Class Heath Robinson Honoring Our PACT Act, and that, with the Presidential signature, it becomes law.

To my colleagues who have worked on this, I express my gratitude to my colleagues, Republicans and Democrats, on the Committee on Veterans' Affairs. I appreciate the opportunity that I have to be in leadership on that committee and to work every day on behalf of those who have served our Nation.

Let's pass this legislation. Let's deliver the most comprehensive toxic exposure package to veterans in our country's history.

With that plea and suggestion, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. 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 stand in front of this body, yet again, to urge the passage of the Sergeant First Class Heath Robinson Honoring Our PACT Act.

Before I get into my remarks, Senator MORAN is on the floor, and I listened to a good portion of what he had to say.

I just want to say thank you, Senator MORAN. As a team member on the Veterans' Affairs Committee, for the last year and a half, we have been working in good faith to get a bill that addresses the challenges of toxic exposure that our veterans, quite honestly, have endured since World War I. With the burn pits and Agent Orange and radiation exposure that this bill addresses, I would just say that we would not be here today if we had not both committed to work together to get to a result that, hopefully—I was a little more sure last week than I am today, but, hopefully, we will get to a point where this bill passes.

We have talked about this bill a lot, and we have talked about what it does. Basically, what it does is to make sure that the veterans who have been exposed to toxins—in this case, burn pits but also, as I said before, Agent Orange and radiation—are made whole again.

So we get these folks; we train them to be warriors; and we send these men and women off to war. We tell them to go out and protect our freedoms and protect this country. They do it, and, oftentimes, things happen that change their lives. Sometimes those are injuries we can see, and sometimes we can't see them. In this particular case, with toxic burn pits, they come home, and they have developed disorders because they have breathed these toxins in.

If anybody has ever been around a burning barrel that has plastics in it, you know exactly what I am talking about. You breathe these toxins in, and it causes cancer, and it causes lung issues.

The problem is that these folks couldn't get away. These burn pits were right outside the camps; they were right next to the chow line; they were right next to the beds they slept in, and they had to breathe this garbage, sometimes day and night. It has resulted in some pretty serious injuries that have resulted oftentimes in death.

Now, the reason I say that is that, over the last year and a half, the Senate's Veterans' Affairs Committee has had several hearings, and we have had witnesses come forth who have been impacted by burn pits and toxic exposure. I can tell you that some of those folks aren't with us today. The toxins got them. So not only was the veteran's life ended, which is unfortunate in and of itself, but also the family who was dependent on that veteran had their lives turned upside down.

So it is time that we set that record straight and make sure that those folks who have been impacted by war are taken care of. I hope that there is

nobody in this body who thinks that that is unreasonable because the truth is, I think most of the folks in this body have been to the Middle East and have seen what a different world that is and how it makes me damned glad to be a Montanan and to be an American.

But we have got the ability today to step up and do the right thing. There have been a lot of claims made over the last week or two. I would go into those claims and refute those claims, but, quite frankly, I don't see the sense in it. If the folks here haven't read this bill and if they haven't read the letter that I sent out to every Senator in this body earlier today, I would ask that you would. If you have any questions, come run me down, and I will answer any of them.

The fact is, we have done this whole process in a very transparent manner—with no surprises, no last-minute stuff put into this bill, no slush funds. This is a bill that will work for this country; that will work for the taxpayers in this country; and that will work, most importantly, for the veterans and their families.

We have an opportunity, as I said last week, to do the right thing today. We have an opportunity to have the American people be proud of the Senate and the work they do. I would hope we would get a resounding vote on this bill, and I would hope that we wouldn't amend it and for it to have to go back to the House because that, once again, would delay benefits and do real damage to this bill.

So I would ask my fellow Senators, when they come to the floor and vote, to think about the veterans who are standing outside the Capitol out here, to think about the veterans in your home State, and to think about the veterans whom you met while they were on Active Duty on your codels. Remember them, and do the right thing: vote to pass the Sergeant First Class Heath Robinson Honoring Our PACT Act.

I yield back all remaining time.

VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. All time has been yielded back.

Under the previous order, the question occurs on the Paul motion to concur with an amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted "nay."

The result was announced—yeas 7, nays 90, as follows:

[Rollcall Vote No. 277 Leg.]

## YEAS—7

Blackburn	Johnson	Paul
Braun	Lee	
Hagerty	Marshall	

## NAYS—90

Baldwin	Hassan	Risch
Barrasso	Hawley	Romney
Bennet	Heinrich	Rosen
Blumenthal	Hickenlooper	Rounds
Blunt	Hirono	Rubio
Booker	Hoeven	Sanders
Boozman	Hyde-Smith	Sasse
Brown	Inhofe	Schatz
Cantwell	Kaine	Schumer
Capito	Kelly	Scott (FL)
Cardin	Kennedy	Scott (SC)
Carper	King	Shaheen
Casey	Klobuchar	Shelby
Cassidy	Lankford	Sinema
Collins	Lujan	Smith
Coons	Lummis	Stabenow
Cortez Masto	Manchin	Sullivan
Cotton	Markey	Tester
Cramer	McConnell	Thune
Crapo	Menendez	Tillis
Cruz	Merkley	Toomey
Daines	Moran	Tuberville
Duckworth	Murkowski	Van Hollen
Durbin	Murphy	Warner
Ernst	Murray	Warnock
Feinstein	Ossoff	Warren
Fischer	Padilla	Whitehouse
Gillibrand	Peters	Wicker
Graham	Portman	Wyden
Grassley	Reed	Young

## NOT VOTING—3

Burr	Cornyn	Leahy
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The PRESIDING OFFICER (Mr. MARKEY). On this vote, the yeas are 7, the nays are 90.

Under the previous order requiring 60 votes for the adoption of this motion to concur with amendment, the motion is rejected.

The motion was rejected.

The PRESIDING OFFICER. Under the previous order, the question occurs on the Toomey motion to concur with amendment No. 5186.

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, a lot has been said about my amendment that is completely false, mostly outside of this Chamber, so let me say very simply what it does. My amendment does only one thing, it would maintain the current policy of classifying currently authorized VA healthcare spending as discretionary spending, rather than change that classification going forward to mandatory spending as the PACT Act would allow.

My amendment does not cap any spending. It does not reduce veteran spending. It does not change the classification of PACT Act spending.

But by preventing this change in classification, we would prevent a budget gimmick that is designed to grease the skids for up to \$400 billion in totally unrelated spending.

So let's pass the PACT Act, but let's pass it without enabling an unrelated \$400 billion spending spree. Support my amendment.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, the Toomey amendment does place an arbitrary limit on the amount of funding

that Congress can spend each year in support of veterans, those are called caps. Don't take my word for it. That comes from the Appropriations Committee and the Budgets Committee. And when you place caps, that results in rationing of care.

Look, just like every other mandatory account that the VA has, you come forth as part of the President's budget; the VA has to justify it; Congress, Congress, Congress details the estimates and needs for the funds, for the purpose, whether it is toxic exposure or anything else; it will be reviewed as part of the standard appropriation process.

I would recommend, if you don't trust your appropriators, to put somebody else on the committee, because that is what this all comes down to, is the appropriators. I would ask you to vote no on this amendment.

## VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. The question occurs on agreeing to the motion to concur with amendment No. 5186.

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

The PRESIDING OFFICER. The Senator from Pennsylvania requests the yeas and nays.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Vermont (Mr. LEAHY), and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted "yea."

The result was announced—yeas 47, nays 48, as follows:

[Rollcall Vote No. 278 Leg.]

## YEAS—47

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

## NAYS—48

Baldwin	Durbin	Manchin
Bennet	Feinstein	Markey
Blumenthal	Gillibrand	Menendez
Brown	Hassan	Murphy
Cantwell	Heinrich	Murray
Cardin	Hickenlooper	Ossoff
Carper	Hirono	Padilla
Casey	Kaine	Peters
Collins	Kelly	Reed
Coons	King	Rosen
Cortez Masto	Klobuchar	Sanders
Duckworth	Lujan	Schatz

Schumer	Stabenow	Warnock
Shaheen	Tester	Warren
Sinema	Van Hollen	Whitehouse
Smith	Warner	Wyden

## NOT VOTING—5

Booker	Cornyn	Merkley
Burr	Leahy	

The PRESIDING OFFICER (Mr. PETERS). On this vote, the yeas are 47, the nays are 48.

Under the previous order requiring 60 votes for the adoption of this motion to concur with the amendment, the motion is not agreed to.

The motion was rejected.

## MOTION TO CONCUR WITH AMENDMENT NO. 5185

Mrs. BLACKBURN. Mr. President, I move to concur in the House amendment to accompany S. 3373 with amendment No. 5185.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mrs. BLACKBURN] moves to concur in the House amendment to S. 3373 with an amendment numbered 5185.

Mrs. BLACKBURN. Mr. President, I ask the reading be dispensed with.

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

The amendment is as follows:

(Purpose: To require the provision of care under the Veterans Community Care Program for toxic-exposed veterans)

On page 15, between lines 14 and 15, insert the following:

**SEC. 105. REQUIREMENT TO PROVIDE CARE UNDER VETERANS COMMUNITY CARE PROGRAM FOR TOXIC-EXPOSED VETERANS.**

Section 1703(d)(1) is amended—

(1) in subparagraph (D), by striking “; or” and inserting a semicolon;

(2) in subparagraph (E), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(F) the covered veteran is a toxic-exposed veteran.”.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, this is the amendment that will allow our veterans to immediately move into community care. Our veterans need to be able to have access to the care, not just access to the queue.

The VA will have a problem getting this implemented because the current wait time to see a primary care doctor is 100 days. So let's not make them wait. Let's give them access to community care so that they have the care they have earned and they deserve.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. The Blackburn amendment would provide automatic eligibility to community care for any toxic-exposed veteran for any condition. However, I want to make it clear that if a veteran should ever need care the VA cannot provide, they are automatically eligible in that case.

We can talk about the cost. We can talk about the accountability. We could talk about the timelines of going into the private sector. Unfortunately,



we don't have those times, and we don't have those metrics, but what we do know is this. The VA is a leader in healthcare in treating our veterans for diseases and conditions as a result of their military service, and more than that, time after time after time again, we have heard that veterans prefer getting their care from the VA. We should not privatize the VA. That is what this amendment is about. I would appreciate a "no" vote.

## VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. The question is on agreeing to the motion to concur with the Blackburn amendment.

Mrs. BLACKBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Vermont (Mr. LEAHY), and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted "yea."

The result was announced—yeas 48, nays 47, as follows:

[Rollcall Vote No. 279 Leg.]

## YEAS—48

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

## NAYS—47

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

## NOT VOTING—5

Booker	Cornyn	Merkley
Burr	Leahy	

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 47.

Under the previous order requiring 60 votes for the adoption of this motion to concur with amendment, the motion is rejected.

The motion was rejected.

## AMENDMENTS WITHDRAWN

Under the previous order, the motion to refer and the amendments pending thereto and the motion to concur with amendment No. 5148 and the amendments pending thereto are withdrawn.

The Senator from Kansas.

Mr. MORAN. Mr. President, we are poised once again with the opportunity to pass a piece of legislation of historic significance, something that demonstrates the U.S. Senate can come together and take care of Americans, particularly those who served our Nation.

While it is historic, it is more important to many individuals—historic for the country, historic for veterans, but important, lifesaving, supportive of those who have encountered toxic exposure from Vietnam and Southeast Asia through Agent Orange and through burn pits in Iraq and Afghanistan.

Mr. President, I thank the Heath Robinson family and all the advocates who got us to this point today. I ask my colleagues to pass this legislation, and I ask the President to sign it as quickly as possible.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, 15 years ago, when I was appointed to the Senate Veterans' Affairs Committee, I had a Vietnam veteran come up to me and say: "You are not going to treat this generation of veterans like you have treated us." This bill rights that and makes that veteran's request come true. Why? Because we are dealing with toxic exposure. In fact, we are even dealing with it with Agent Orange and the burn pits.

This fully pays the cost of war, and I would encourage everybody in this body to vote for this motion.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, this long-awaited moment for our Nation's veterans is occurring now. The Senate is finally—finally—going to pass the most significant expansion of veteran healthcare benefits in generations. This is a very good day, a long-awaited day, a day that should have happened long ago.

For decades, many of our Nation's veterans have endured a shameful reality. They went abroad to serve our country bravely, got sick from toxic exposure in the line of duty, but came home and learned they didn't qualify for the benefits they needed to treat their illnesses. It is shameful. It is infuriating.

Today, we tell our veterans suffering from cancers, lung diseases, and other ailments from burn pits: The wait is over for the benefits you deserve. No more pointless delays on getting the healthcare you need. No more jumping through hoops and even hiring lawyers just to get an answer from the VA.

Today, if you are a veteran—from Vietnam to Iraq, to Afghanistan, to ev-

erywhere in between—and you get sick from burn pit exposure or Agent Orange, you will finally be able to get your earned benefits guaranteed.

I want to thank my colleagues from both sides of the aisle for working together to push the PACT Act over the line, especially Senators TESTER and MORAN, who were the original leaders of the bill, my colleague Senator GILLIBRAND from New York, and I thank in advance all my colleagues on both sides of the aisle who will vote for this much needed legislation.

Importantly, I want to thank the many veterans, veterans service organizations, and advocates, like Jon Stewart and John Feal, who led a righteous, mighty movement to get this bill done. It wouldn't have happened without you.

Especially, I want to thank the veterans who camped at the foot of Capitol Hill for the past few days, enduring scorching heat and drenching rain just to get to this point. They said they would never go home until they got this bill done. They are here.

Well, I have good news. In a few minutes, after this bill passes, you can go home knowing the good and great thing you have done and accomplished for the United States of America.

Because of them, veterans everywhere will finally get the dignity and care they deserve.

The PACT Act is now going to the President's desk.

I thank my colleagues for their work, and I ask for the yeas and nays.

## VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. The question is on agreeing to the motion to concur in the House amendment to S. 3373.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted "yea".

The result was announced—yeas 86, nays 11, as follows:

[Rollcall Vote No. 280 Leg.]

## YEAS—86

Baldwin	Casey	Graham
Barrasso	Cassidy	Grassley
Bennet	Collins	Hagerty
Blackburn	Coons	Hassan
Blumenthal	Cortez Masto	Hawley
Blunt	Cotton	Heinrich
Booker	Cramer	Hickenlooper
Boozman	Cruz	Hirono
Braun	Daines	Hoeben
Brown	Duckworth	Hyde-Smith
Burr	Durbin	Inhofe
Cantwell	Ernst	Johnson
Capito	Feinstein	Kaine
Cardin	Fischer	Kelly
Carper	Gillibrand	Kennedy



King	Peters	Smith
Klobuchar	Portman	Stabenow
Lujan	Reed	Sullivan
Manchin	Rosen	Tester
Markey	Rounds	Thune
Marshall	Rubio	Van Hollen
McConnell	Sanders	Warner
Menendez	Sasse	Warnock
Moran	Schatz	Warren
Murkowski	Schumer	Whitehouse
Murphy	Scott (FL)	Wicker
Murray	Scott (SC)	Wyden
Ossoff	Shaheen	Young
Padilla	Sinema	

#### NAYS—11

Crapo	Paul	Tillis
Lankford	Risch	Toomey
Lee	Romney	Tuberville
Lummis	Shelby	

#### NOT VOTING—3

Cornyn	Leahy	Merkley
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The PRESIDING OFFICER (Ms. HASSAN). On this vote, the yeas are 86, the nays are 11.

Under the previous order requiring 60 votes for the adoption of this motion to concur, the motion is agreed to.

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, this is a wonderful moment, especially for all the people who have made this happen who are observing it. Thank you, thank you, thank you, thank you.

#### MORNING BUSINESS

Mr. SCHUMER. Madam President, now I ask unanimous consent that the Senate be in a period of morning business for debate only and with Senators permitted to speak therein for up to 10 minutes each.

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

#### NATO

Mr. SCHUMER. Madam President, now, I am about to lock in an agreement that will allow the Senate to pass the resolution of ratification for the Finnish and Swedish applications to join NATO. Our NATO alliance is the bedrock that has guaranteed democracy in the Western World since World War II. This strengthens NATO even further and is particularly needed in the light of recent Russian aggression.

When Leader MCCONNELL and I met with the Finnish President and Swedish Prime Minister in May, we committed to do this as fast as we could and certainly before we go home for the August recess.

With the help of Chair MENENDEZ, Ranking Member RISCH, Senator SHAHEEN, and Senator TILLIS, we were able to get to this point.

I appreciate their hard work and bipartisan work. I know Leader MCCONNELL does too. For the awareness of my colleagues, I invited the Ambassadors from Finland and Sweden to join us in the Gallery during our debate and votes tomorrow.

#### ORDER OF BUSINESS

Mr. SCHUMER. And so now, I ask unanimous consent that on Wednesday,

August 3, 2022, at 1:30 p.m., the Senate proceed to executive session to consider Calendar No. 5, treaty document 117-3; that the treaties be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolution of advice and consent to ratification; that there be 3 hours for debate, equally divided between the two leaders or their designees, on the treaties and resolution of advice and consent to ratification; that the only amendments in order to the resolution of advice and consent to ratification be the following: Sullivan 5191, Paul 5192; that following the debate, the Senate vote in relation to the amendments in the order listed; and that upon disposition of the amendments, any committee conditions, declarations, or reservations be agreed to as applicable, and the Senate vote on the resolution of advice and consent to ratification as amended, if amended, with no intervening action or debate; that if the resolution of advice and consent to ratification is agreed to, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

I yield the floor to the great Senator from the State of Montana.

The PRESIDING OFFICER. The Senator from Montana.

#### PACT ACT OF 2022

Mr. TESTER. Madam President, 86 to 11. 86 to 11. We have been fighting for this for decades—for decades. And I will tell you that the last few days have not been particularly easy for me, and they have been even more difficult for the veterans around this Nation who thought they had a benefit on June 16 and then found out that it wasn't there.

But today, the Senate took the historic step of delivering healthcare and benefits to all eras of veterans by the passage of the Sergeant First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act, otherwise known as the PACT Act.

For hundreds of thousands of veterans of all generations, for our all-volunteer military, this bill puts us on a path to finally paying the cost of war.

Look, I take my cues from the veterans as chairman of the Senate Veterans Affairs Committee. When I first introduced this bill last year, we set out with a clear goal to right the wrongs of decades of inaction and failure by us—the U.S. Government—to provide all eras of toxic-exposed veterans the VA care and benefits that they have earned.

We knew the only way to do this was to put forth a comprehensive package that took care of our past, present, and future veterans. I am grateful—and I mean this—this wouldn't have hap-

pened without my good friends Ranking Member JERRY MORAN, JOHN BOOZMAN, and MARTIN HEINRICH. We all worked together to make sure that this toxic exposure package came together so we could have the vote we had today, with help from both sides of the aisle.

I am thankful for the leadership of President Joe Biden who addressed this issue in his State of the Union speech and got the ball rolling; to the VA Secretary, Denis McDonough, for his leadership as Secretary of the VA, and the House Veterans Affairs Committee chairman, MARK TAKANO, and so many others that I can't even list them all, so I am not going to start down this line.

This bill is legislation we envisioned when we set out to right wrongs of our toxic-exposed veterans. The PACT Act recognizes that responsibility, and it recognizes the cost of war.

Veterans service organizations across this country and the veterans they represent and the advocates have understood this for a long time. That is why not only have they been incredible partners in this, but that is why this has been the No. 1 issue for veterans service organizations in this country—the No. 1 issue.

And, in fact, so important to them and the folks that pretty much left here—the Chamber—but it is so important to them that they were willing to sleep on the steps of the Capitol for the last 5 days. Now, you might not think that is a big deal, but it isn't exactly nice in Washington, DC, the 1st of August or the end of July.

And last night, we had one heck of a thunderstorm, rolled me right out of bed. Those folks were out there. They were making their names be heard. They were making the policies be heard that they fought for.

And I am just going to say one more thing: If you take a look at our military, the finest in the world, there is a reason for that. There is a reason for that. And that reason is these folks are willing to get the job done, and they did. And that is why we got a vote of 86 to 11.

That is why folks said: Enough is enough. We are not doing any more games; we are going to vote on this bill. That is what the folks sent us here to Washington, DC, to do, and we did it.

And I couldn't be prouder of the U.S. Senate, but I am also more proud of the folks who served this country in the military and their families. I got on this floor earlier today and said: The longer we delay, the longer we are going to deny healthcare for our veterans and veterans are going to continue to be in crisis and they are going to continue to die. Now, we have passed the bill that rights that wrong, that is going to help these veterans across the board. And I think we are going to see improvement in all sorts of things—not only the diseases caused by toxic exposure, but the mental health that is also associated with service to this country.

We put politics aside. We delivered results through action, through real action. And we said thank you to the men and women who have served in our military. Thank you for what you have done for this country. Thank you for protecting our freedoms. Thank you for keeping us safe.

And most importantly, we told them you held up your end of the bargain; we held up ours.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### INFLATION REDUCTION ACT OF 2022

Mr. SANDERS. Madam President, I wanted to come down to the floor and say a few words about the so-called Inflation Reduction Act, which may be coming to the floor this week.

But before I do, I want to put this reconciliation bill into the context of where we are as a nation from a political perspective. And where we are is not a good place to be.

According to the most recent Gallup poll, the approval rate for Congress is at 16 percent with massive numbers of people disapproving of the work we are doing here. Further, according to a recent University of Chicago poll, a strong majority of Americans believe that the government is "corrupt and rigged against me." That is how people perceive the government.

Further, according to a recent USA TODAY poll, a very strong majority no longer believe that the Democratic or Republican Parties are responding to their needs, and we have to move away from a two-party system to a multiparty system.

And most frighteningly, there is a growing number of Americans who actually believe that they have to take up arms—literally become violent—against their own government in order to accomplish what they think needs to be done. And, of course, we saw an example of that on January 6 of last year, with the terrible violence and deaths that occurred.

All of this speaks to a very dangerous moment for American democracy and in some ways resembles the conditions that existed in Europe in the late 1920s and early 1930s, which eventually led to fascism and totalitarianism.

And I should mention that, as we speak right now, while working families and the middle class are falling further and further behind economically, the billionaires in this country, through their super PACs, are doing everything that they can to elect Members of Congress who will support the wealthy and powerful against the needs

of average Americans. In both parties, huge amounts of money from billionaires are coming into campaigns to elect the candidates who will represent the 1 percent.

The people of this country believe, in my view correctly, that we have a corrupt political system dominated by the wealthy and powerful and that we have a rigged economy, in which large corporations are seeing massive increases in their profits while the middle class and working families of the country continue to see a decline in their standard of living.

We don't talk about it much here in the Senate or in the corporate media, but at this moment in American history, we have more income and wealth inequality than at any time in the last 100 years.

Now, I know we are not allowed to talk about it. It is not fashionable. We might offend some wealthy campaign contributors. But today, obscenely, you have got three people who own more wealth than the bottom half of American society. You have the top 1 percent owning more wealth than the bottom 92 percent; you have 45 percent of all new income going to the 1 percent; and you have got CEOs of major corporations making 350 times more than average workers.

In other words, the people in the middle, working people, struggling; people on top doing phenomenally well, and the people on the top have enough money to elect candidates who represent their interests.

And that is the overall context, in my view, in which this reconciliation bill is coming to the floor.

Now, I have heard from some of my colleagues that the Build Back Better legislation passed by the U.S. House of Representatives and supported by some 48 out of 50 Members of the Senate Democratic caucus and by the President of the United States is dead; it is not going anywhere; can't get the 50 votes that are needed.

Now, I don't know if that is absolutely true or not, but I do know that if it is true, it would be a disaster for the working families of our country who, today, are desperately trying to survive economically.

So let me briefly review what was in the original Build Back Better plan and contrast it with what is in the so-called Inflation Reduction Act.

And I should mention that every one of the provisions that I will briefly be discussing has overwhelming support from the American people according to poll after poll after poll. In other words, that is what the American people want.

At a time when the United States has the highest rate of childhood poverty, shamefully, of almost any major nation on Earth, this reconciliation bill that will soon be coming to the floor does not extend the \$300-a-month-per-child tax credit that working parents of this country had last year. That is gone. That is not in this bill.

If you are a parent today, paying \$15,000 a year for childcare—which is what it costs in Vermont and is about the average cost all over America, \$15,000 a year to have a kid in childcare—this bill completely ignores that crisis and does absolutely nothing for you.

And, of course, unlike the original Build Back Better plan, this bill does not provide free and universal pre-K.

So if you are a working parent right now, struggling to pay for childcare, this bill turns its back on you.

At a time when 45 million Americans are struggling to pay student debt and when hundreds of thousands of bright, young people every year are unable to afford to go to college and get a higher education, this bill ignores that reality and does nothing for these young people.

The original Build Back Better plan did not go as far as I wanted it to, but it would have provided 2 years of free education at a community college. That is a big deal for millions of young people, but that is no longer going to happen.

If you are an elderly American—one of the millions of elderly people trying to survive on your Social Security benefits—and you cannot afford to go to a dentist and your teeth are rotting in your mouth or you have no teeth so that you can digest your food or you can't afford to get a hearing aid to communicate with your kids or grandchildren or you can't afford the eyeglasses that you need, this bill does nothing, zero, to expand Medicare to cover these very basic healthcare needs that the American people want to see covered.

As a result, millions of seniors will continue to have rotten teeth and lack of dentures, lack of hearing aids or eyeglasses that they deserve.

Further, at a time when millions of elderly and disabled Americans would prefer to stay in their homes rather than be forced to go into a nursing home, this bill does absolutely nothing to address the very, very serious home healthcare crisis in our country. We will continue to lack the decent-paid, decent-trained staffing that we need to address the home healthcare crisis. This bill ignores that issue completely.

I think there is no disagreement on the part of anybody that we have a major housing crisis in this country. Some 600,000 people are homeless in America, sleeping out on the streets all across this country, including a few blocks away from the Capitol.

In addition to that, some 18 million households in our country are spending an incredible 50 percent of their incomes for housing.

Yep, you guessed it. This bill does nothing to address the major housing crisis that exists in State after State after State all across the country. We are ignoring that major issue as well.

One of the criticisms made against the original Build Back Better plan is that it would be inflationary because it

would increase Federal spending. That criticism is untrue. Every nickel spent on that bill would have been fully paid for by increased taxes on the wealthy and large corporations. Unlike the recently passed microchip corporate welfare bill that adds \$79 billion to the Federal deficit, unlike the proposed military budget that came out of the Senate Armed Forces Committee recently, which would increase defense spending by 45 billion more than the Pentagon even requested, the Build Back Better plan would not have increased the deficit at all.

Now, let me say a few words about what is in this legislation, a bill which, in my view, has some good features but also has some very bad features.

One of the issues that it deals with is prescription drugs, and the good news is that the reconciliation bill finally begins to lower the outrageous price of some of the most expensive prescription drugs under Medicare.

According to the most recent data, if we do nothing, Medicare will spend about 1.8 trillion over the next decade on prescription drugs, and our Nation as a whole will spend \$5 trillion. And that is not only outrageous, but it is unsustainable.

But here is the bad news: The prescription drug provisions in this bill are extremely weak, and it is hard to deny that. They are extremely complex; they take too long to go into effect; and they go nowhere near as far as they should to take on the greed of the pharmaceutical industry, whose actions are literally killing Americans. One out of five Americans today cannot afford the prescription drugs their doctors prescribed, and some of them will die.

Under this legislation, Medicare—for the first time in history—would be able to negotiate with the pharmaceutical industry to lower drug prices, and that is the good news.

The bad news is that the negotiated prices would not go into effect until 2026, 4 years from now. So you are not going to see any changes over the next 4 years.

Further, in 2026, only 10 drugs—10 drugs—would be negotiated, with more to come in later years. Moreover, with the possible exception of insulin, this bill does nothing to lower prescription drug prices for anyone who is not on Medicare.

Under this bill, at a time when the pharmaceutical companies are making outrageous profits, the drug companies will still be allowed to charge the American people, by far, the highest prices in the world for prescription drugs.

I recently—not recently. A couple of years ago, I took a trip with some midwesterners over the border into Canada where they purchased insulin for one-tenth of the price that was being charged in the United States because in Canada, like virtually every other country on Earth, they negotiate prices with the industry.

If we are really serious about reducing the price of prescription drugs, something that the American people desperately want us to do, it is no secret as to how we can achieve that goal. For over 30 years, the Veterans' Administration—and I am very proud of the legislation that we just passed a moment ago for the VA—but the VA has been negotiating with the pharmaceutical industry to lower the price of prescription drugs. They have been doing it for 30 years—not a new idea.

Moreover, for decades, virtually every other major country on Earth has been doing exactly the same thing, which is why the price of prescription drugs in Canada, Mexico, all over Europe is far less expensive than in the United States. The result of where we are today is that Medicare pays twice as much for the exact same prescription drugs as the VA, and Americans, in some cases, may pay 10 times more for a particular drug as the people of any major country on Earth.

So you have the absurd situation where one government Agency, the VA, because they have been negotiating drugs—all drugs—for 30 years, pays half of what Medicare is paying today. In other words, if we are going to solve this problem when it comes to reducing the price of prescription drugs under Medicare, we don't have to reinvent the wheel; we could simply require Medicare to pay no more for prescription drugs than the VA. If we did that, we could literally cut the price of prescription drugs under Medicare in half. We could cut the price in half in a matter of months, not years.

In February, I introduced legislation with Senator KLOBUCHAR that would do exactly that. Under that legislation, we could save Medicare \$900 billion over the next decade. That is nine times more savings than the rather weak negotiation provisions in this bill.

By the way, with those enormous savings, we could expand Medicare to provide comprehensive dental, vision, and hearing benefits to every senior in America. It could be used, furthermore, to lower the Medicare eligibility age to at least 60, and it could be used to extend the solvency of Medicare. That is what we could do with those savings that we are not achieving under this proposed bill.

What are the other prescription drug provisions in the reconciliation bill? Well, under this legislation, pharmaceutical companies would essentially be prohibited from increasing prescription drug prices above inflation pegged to the year 2021.

Should we be making sure that pharmaceutical companies cannot increase their prices above general inflation? Yes. But let us be clear. This provision would lock in all of the extraordinary price increases the pharmaceutical industry has made in recent years and would do nothing to lower those outrageously high prices. It would control costs in the future, limiting what the

industry could charge, but it would not lower prices.

Under this legislation, out-of-pocket prescription drug costs for seniors would be capped at \$2,000 a year, and that is a good benefit which will benefit up to 2 million seniors who currently pay over \$2,000 a year for prescription drugs, often people who are dealing with cancer and with other very serious illnesses that require expensive drugs. But the \$25 billion cost of that provision will not be paid for by the pharmaceutical industry, which is making recordbreaking profits. In other words, we are going to cap the price. Guess who is paying for it. You got it. It will be paid for by increased premiums on virtually every senior citizen in America, although there is a provision to smooth out those premium increases.

The current reconciliation bill that we are looking at would also provide free vaccines for seniors—the only population for which vaccines are not already free—and this is a good thing, something we should have done a long time ago.

Finally, in terms of prescription drugs, it looks like the reconciliation bill will cap copays for insulin at \$35 a month, which is a good step forward for people with health insurance but will do nothing to lower the cost of insulin for the 1.6 million diabetics who are currently uninsured and, in fact, need our help the most.

So the bill does some things in terms of prescription drugs but nowhere near enough given the crisis that we face.

In terms of the Affordable Care Act, this legislation will extend subsidies for some 13 million Americans who have private health insurance plans as a result of the Affordable Care Act, and they will be extended over the next 3 years. Without this provision, millions of Americans would see their premiums skyrocket, and some 3 million Americans could lose their healthcare altogether.

So this is a good provision, but let us not fool ourselves. The \$64 billion cost of this provision will go directly into the pockets of private health insurance companies that made over \$60 billion in profits last year and paid their executives exorbitant compensation packages. It would also do nothing to help the more than 70 million Americans today who are uninsured or underinsured. There are the estimates out there now that some 60,000 people in our country die every year because they don't get to a doctor when they should because they are uninsured or underinsured.

So this bill does nothing—absolutely nothing—to reform a dysfunctional, broken healthcare system which is based on the greed of the insurance industry. It does nothing to address the fundamental crisis of the United States paying by far the highest prices in the world for healthcare, let alone the 70 million of us who are uninsured or underinsured. It doesn't even touch that.

Madam President, let me say a word about climate change and what this bill does and does not do.

This legislation provides \$370 billion over the next decade to combat climate change and to invest in so-called energy security programs. The good news is that if this legislation were to be signed into law, it would provide far more funding for energy efficiency and sustainable energy than has ever been invested by the government before. That is the good news. This is, however, substantially lower than the \$555 billion in the original Build Back Better plan, which understood that climate change is an existential threat to this planet, and it must be addressed in an extremely bold way if we are going to leave a country and world in which our kids and grandchildren can thrive.

But this legislation does provide serious funding for wind, solar, batteries, heat pumps, electric vehicles, energy-efficient appliances, and low-income communities that have borne the brunt of climate change. That is the good news. But the very bad news that very few people in the media or in Congress want to talk about is that this proposed legislation includes a huge giveaway to the fossil fuel industry, both in the reconciliation bill itself and the side deal that was just made public yesterday.

Under this legislation, the fossil fuel industry will receive billions of dollars in new tax breaks and subsidies over the next 10 years on top of the \$15 billion in tax breaks and corporate welfare they are already receiving.

In my view, if we are going to make our planet healthy and habitable for future generations, we cannot provide billions of dollars in new tax breaks to the very same fossil fuel companies that are currently destroying the planet. Think about it. At a time when the scientists all over the world tell us that we have to break our dependence on fossil fuel, this legislation provides billions in new tax breaks to fossil fuel companies. In my view, instead of giving them more tax breaks, we should end all of the massive corporate welfare that the fossil fuel industry already enjoys.

Under this legislation, up to 60 million acres of public waters must be offered up for sale each and every year to the oil and gas industry before the Federal Government could approve any new offshore wind development. To put that into perspective, 60 million acres is the size of the State of Michigan. That is a lot of territory.

Let me read to you the headline that appeared in a July 29 article in Bloomberg: "Exxon . . . Loves What Manchin Did for Big Oil in \$370 Billion Deal." According to Bloomberg, the CEO of ExxonMobil called the reconciliation bill "a step in the right direction" and was "pleased" with a comprehensive set of solutions included in this proposed legislation.

Barron's recently reported that ExxonMobil, Chevron, and Occidental

Petroleum are just a few of the fossil fuel companies that could benefit the most under this bill.

Now, if the CEO of ExxonMobil—a company that has done as much as any entity to destroy this planet—is "pleased" with this bill, then I think all of us should have some very deep concerns about what is in this legislation.

Further, under this bill, up to 2 million acres of public lands must be offered up for sale each and every year to the oil and gas industry before leases can move forward for any new energy development on public lands. In total, this bill would offer the fossil fuel industry up to 700 million acres of public lands and waters, going to oil and gas drilling over the next decade—far more than the oil and gas industry could possibly use.

That is not all. The fossil fuel industry will not just benefit from the provisions in the reconciliation bill; a deal has also been reached to make it easier for the fossil fuel industry to receive permits for their oil and gas projects. This deal would approve the \$6.6 billion Mountain Valley Pipeline—a fracked gas pipeline that would span 303 miles from West Virginia to Virginia and potentially on to North Carolina. This is a pipeline that would generate emissions equivalent to those released by 37 coal plants or by over 27 million cars each and every year. It seems to be a very strange way to combat climate change.

Let me quote a statement from 350.org, one of the leading environmental groups in the country on this subject. They say:

This latest bill has a few good pieces: lengthening the tax credits for green energy projects from two to ten years to ensure steady growth in the wind and solar industry; providing incentives for consumers to buy electric vehicles; and installing heat pumps to make green energy use more widespread. However, the amount of giveaways to the fossil fuel industry . . . is so wide in scope, that it turns all the gains in addressing the climate crisis into a moot point.

That is from 350.org.

Here is what the Center for Biological Diversity had to say on this bill:

This is a climate suicide pact. It's self-defeating to handcuff renewable energy development to massive new oil and gas extraction. The new leasing required in this bill will fan the flames of the climate disasters torching our country, and it's a slap in the face to the communities fighting to protect themselves from filthy fossil fuels.

That is from the Center for Biological Diversity.

In my view, we have to do everything possible to take on the greed of the fossil fuel industry, not give billions of dollars in corporate welfare to an industry whose emissions are causing massive damage today and will only make this situation worse in the future.

In the reconciliation bill, there is a provision regarding tax reform. Let me say a word on that.

At a time of massive income and wealth inequality, at a time of soaring

corporate profits, at a time in which we have a broken tax system, riddled with all kinds of loopholes for the rich and the powerful, this bill makes a few modest changes to reform the Tax Code.

Under this bill, corporations will be required to pay a minimum tax of 15 percent. That is the good news. The American people are sick and tired of companies like AT&T, Federal Express, and Nike making billions of dollars in profit in a given year and paying nothing—zero—in Federal income tax. This provision has been estimated to raise over \$300 billion over the next decade.

Further, under this bill, the IRS will finally begin to receive the funding that it needs to audit wealthy tax cheats. Each and every year, the top 1 percent are able to avoid paying \$160 billion in taxes that they legally owe because the IRS does not have the resources and the staffing they need to conduct audits of the extremely wealthy. This bill begins to change that.

This bill would also make a very modest change to the so-called carried interest loophole that has allowed billionaire hedge fund managers on Wall Street to pay a lower tax rate than a nurse, teacher, or firefighter.

But the bad news is that, while there are some positive aspects for the tax provisions in this bill, this bill does nothing to repeal the Trump tax breaks that went to the very wealthy and large corporations. Trump's 2017 tax bill provided over \$1 trillion in tax breaks to the top 1 percent and large corporations. In fact, 83 percent of the benefits of the Trump tax law are going to the top 1 percent—83 percent of the benefits—and this bill repeals none of those benefits. They remain in existence.

Let us not forget that it is very likely that Congress will be doing a so-called tax extenders bill at the end of the year that could provide corporations with up to \$400 billion over the next decade in new tax breaks. If that occurs, that would more than offset the \$313 billion in corporate revenue included in this bill.

So that is where we are today. We have legislation which, unlike the original Build Back Better plan, ignores the needs of the working families of our country in childcare, pre-K, the expansion of Medicare, affordable housing, home healthcare, higher education, and many, many other desperate needs that families all across this country are facing.

This is legislation which, at a time of massive profits for the pharmaceutical industry—and we pay, by far, the highest prices in the world for prescription drugs—takes some very modest steps to lower or control the price of medicine.

This is legislation which has some good and important provisions pertaining to energy efficiency and sustainable energy but, at the same time,

provides massive giveaways to the fossil fuel industry, whose emissions are destroying the planet.

This is legislation which appropriately ends the absurdity of large, profitable corporations paying nothing in Federal income tax but, at the same time, leaves intact virtually all of Trump's tax breaks for the wealthy and large corporations.

This more than 700-page bill, after months of secret negotiations, became public late last week. A 700-page bill, after months of secret negotiations, was made public last week. In my view, now is the time for every Member of the Senate to study this bill thoroughly and to come up with amendments and suggestions as to how we can improve it. I look forward to being part of that process and working with my colleagues to make that happen.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

### U.S. SUPREME COURT

Mr. WHITEHOUSE. Madam President, every once in a while, life gives you a wonderful coincidence. The wonderful coincidence this evening is that I have had the pleasure of listening to Senator SANDERS describe what happens to a country when billionaires are able to secretly exert immense political power and drive democracy away from its foundations and into the service of the billionaires.

The remarks I am here to give are about how they do it—the technique for infiltration and influence of our democracy by the billionaires. This is part of my series of “Scheme” speeches, which is about how they have taken over the Supreme Court—captured it—in the same way that, in the 1800s, big railroads captured the railroad commissions that were supposed to set their rates. They just had their people set the rules for them, and it worked great. We are seeing this with the Supreme Court right now. This is not a conservative Supreme Court. This is a captive Supreme Court—captive to special interests—and the technique that they use for getting there is to hide who they are through an array of front groups.

There are dozens of front groups that were involved in the Court-capture scheme. The Washington Post did a very good review of them several years ago and calculated, based on information they could get at the time, that this was a quarter-billion-dollar project—\$250 million. Well, the research continued, and folks kept digging. When I held a hearing about this in my Judiciary court subcommittee, the number had climbed to \$400 million spent on the Court-capture enterprise. They have kept digging and kept digging, and now it turns out the number is over \$580 million. Over a half a billion dollars was spent in this effort to capture and control the U.S. Supreme Court.

I don't think you spend over \$580 million unless you have a purpose, and very often, the purpose is to make that much money back and more. There is a web of front groups that are used to deploy all of that money, and this is just a part of that web. This is just one sort of combined creature in that web. So let me take a few minutes and just go through the different organs and limbs of this creature.

The center of it is a pair of organizations, the 85 Fund and the Concord Fund. The way that extremely wealthy people play in politics these days is to put two organizations together that they establish under the Tax Code. One is called a 501(c)(3), which is named after the section of the Tax Code under which it is established. The 501(c)(3) gives you two wonderful things if you are fiddling in politics. One, it gives us anonymity, wherein you don't have to disclose your donors; and, two, it gives you a tax deduction. You get to write off the money that you give to manipulate the American public. But you can't do something very important with a 501(c)(3): You can't go out and manipulate public opinion. You can't participate in elections. So, when you do that, you need to have something else called a 501(c)(4), the very next provision in the IRS Code. So you take your 501(c)(3), and you take your 501(c)(4), and you set them both up.

In my view, there is usually no real distinction between the two. There is a doctrine in law called piercing the corporate veil that separates separate corporate entities, that allows people who are trying to pursue usually damages to show that this is a fake corporate division. You pierce the corporate veil. The 501(c)(3)s and 501(c)(4)s are a corporate veil that you could probably pierce with a banana. They have the same locations; they have the same mailing addresses; they have the same staff; they have the same board members; they have the same funders. It is essentially the same organization, but it just operates under two legal structures.

So that is what you have for starters. You have got your twinned front groups. The 85 Fund is your 501(c)(3), and the Concord Fund is your 501(c)(4). They are essentially the same creature, but in this case, this organism has other limbs. So what you can do under Virginia corporate law is, if you are the 85 Fund or the Concord Fund, you could file with the corporate registry in the State of Virginia permission to operate under what is called a fictitious name. You can operate under your own name, the 85 Fund, or you can file, with permission, a fictitious name. I am not making that up. That is actually the word in Virginia law—a “fictitious name.”

Well, the 85 Fund filed for permission to operate under the fictitious name of the Judicial Education Project—the 501(c)(3) that takes in money, and “tax deductibly,” to work on the capture of the Court. On the other side, over here,

the Concord Fund, your twinned 501(c)(4), has its own twinned fictitious name. So the Judicial Education Project has its own little twin in the Judicial Crisis Network.

Well, what do we know about the Judicial Crisis Network?

We know that it took checks for as much as \$15, \$17 million from secret donors. Imagine writing a \$15 million check to an organization like this. It took that money, and it first ran campaigns to attack Merrick Garland, to round up Republican support for opposing him as a Supreme Court Justice. Then, when that was successful and they brought on Judge Gorsuch, in came other big checks. Then, when Gorsuch was on the Court and it was time for Kavanaugh—other big checks. Then, when it was time for Amy Coney Barrett—other big checks. We have counted four checks over \$15 million. They could be from four separate individuals, but it was happening so regularly you would think you would probably go back to the same source. Somebody spent, probably, \$60 million to control who got on the U.S. Supreme Court.

We don't know what business that \$60 million donor had before the Court, but it is not unusual for cases before the Court to have outcomes that will shift way more than \$60 million. Just the climate change cases move hundreds of billions of dollars around in protecting fossil fuels' enormous subsidy. So you have your 85 Fund and Concord Fund “pierce the corporate veil with a banana” pair, and then you have their fictitious twins, the Judicial Education Project and the Judicial Crisis Network, with big money flowing in.

But it is not enough just to pack the Court. You also want to make sure that you are suppressing voters. Voter suppression is a very big deal, so you set up your Honest Elections Project to do voter suppression because, in this weird, billionaire-funded parallel universe, everything has the opposite name of what it is. Over here, you have, on the 501(c)(4) side, your Honest Elections Project Action because there you can spend some of the money politically. So you have got a whole separate set of twins—this time, completely fictitious twins, fictitious names—no different from the 85 Fund and the Concord Fund—designed to go out in the world and suppress voting: bring lawsuits, write challenge letters, argue for new laws.

Then, as we saw in Virginia recently, you can really whip people up about what is going on in schools—critical race theory. So you set up your Free to Learn fictitious name with its little twin, Free to Learn Action, to do the 501(c)(4) political work. So now what you have is a total of eight organizations that are really the same.

Who does this? Who in real life does this, sets up eight organizations, six of which are mere fictitious names, to run the same money from the same donors out in the world to make it look as if

something real is happening, when, in fact, the whole thing is a phony front?

And then you have, up at the head of the critter—you have how the people behind it get themselves paid. So you have advisers who advise these various entities. You have got the CRC Advisors as the name of the group. It has its public relations antenna here, and it has its strategic advice antenna here, and the money flows usually this way so that the people who run this scheme for the big donors can take their cut. They get paid here. These are all for-profit. These are all the not-for-profits that are set up because they allow you to hide who your donors are.

So that is the rig that was set up, and this is not the entirety of the front group scheme that was funded by the \$580 million. This is just one coordinated corporate critter that was set up in order to perform all of these different several functions.

Think back to the Founding Fathers and their desire to set up a democracy where people made choices about their governments, where popular democracy would be the way in which society went forward. Do you think they had in mind something as creepy and complex as this? And do you think all that effort to build all this scheming, all the lawyers to file all the papers, to cook up all the funny, fictitious names to create all of these bogus organizations—what is the point of all that? Could there be a legitimate point to that? Why all the shells? Why all the hiding if you are not up to no good?

Well, the bottom line is, they are up to no good. And the “no good” is to capture the U.S. Supreme Court and turn it from a proper Court into a captive political entity that will do what the people who are behind all this money tell it to do.

And there are many ways they do it, and I will go into those many ways on other occasions. But on this one occasion, I wanted just to focus on this multifaced corporate creature that hides its donors, that does all of this different work through fake, fictitious name organizations and through which money gets extracted by those who run it so they can pay themselves for this vast disservice to democracy.

To be continued.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### MEASURE READ THE FIRST TIME—H.R. 5376

Mr. WHITEHOUSE. Madam President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5376) to provide for reconciliation pursuant to title II of S. Con. Res. 14.

The PRESIDING OFFICER. I now ask for a second reading, and in order

to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read for the second time on the next legislative day.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 1098 and 1099; 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 the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

The question is, Will the Senate advise and consent to the nominations of Annie Caputo, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2026 (Reappointment); and Bradley R. Crowell, of Nevada, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2027 (Reappointment) en bloc?

The nominations were confirmed en bloc.

#### LEGISLATIVE SESSION

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

##### REESE'S LAW

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5313, which was received from the House and is at the desk.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 5313) to protect children and other consumers against hazards associated with the accidental ingestion of button cell or coin batteries by requiring the Consumer Product Safety Commission to promulgate a consumer product safety standard to require child-resistant closures on consumer products that use such batteries, and for other purposes.

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

Mr. WHITEHOUSE. I further ask that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 5313) was ordered to a third reading, was read the third time, and passed.

#### JENNA QUINN LAW

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged and the Senate proceed to the immediate consideration of S. 734.

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

The senior assistant legislative clerk read as follows:

A bill (S. 734) to amend the Child Abuse Prevention and Treatment Act to provide for grants in support of training and education to teachers and other school employees, students, and the community about how to prevent, recognize, respond to, and report child sexual abuse among primary and secondary school students.

The PRESIDING OFFICER. There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. WHITEHOUSE. I ask unanimous consent that the Hassan for Cornyn amendment be considered and agreed to and that the bill be considered read a third time.

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

The amendment (No. 5193) was agreed to, as follows:

(Purpose: To require reports on the program of child sexual abuse awareness field-initiated grants)

At the end, insert the following:

(b) REPORT ON EFFECTIVENESS OF EXPENDITURES.—The Inspector General of the Department of Health and Human Services shall—

(1) prepare a report that describes the projects for which funds are expended under section 105(a)(8) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(a)(8)) and evaluates the effectiveness of those projects; and

(2) submit the report to the appropriate committees of Congress.

(c) REPORT ON DUPLICATIVE NATURE OF EXPENDITURES.—The Inspector General of the Department of Health and Human Services shall—

(1) prepare a report that examines whether the projects described in subsection (b) are duplicative of other activities supported by Federal funds; and

(2) submit the report to the appropriate committees of Congress.

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

Mr. WHITEHOUSE. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 734), as amended, was passed as follows:

(The bill (S. 734) will be printed in a future edition of the RECORD.)

Mr. WHITEHOUSE. 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.



# NATIONAL ANTI-COUNTERFEITING AND CONSUMER EDUCATION AND AWARENESS MONTH

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 738, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 738) recognizing the importance of trademarks in the economy and the role of trademarks in protecting consumer safety, by designating the month of August as "National Anti-Counterfeiting and Consumer Education and Awareness Month".

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

Mr. WHITEHOUSE. I know of no further debate on the resolution.

The PRESIDING OFFICER. Hearing no further debate, the question is on adopting to the resolution.

The resolution (S. Res. 738) was agreed to.

Mr. WHITEHOUSE. I ask unanimous consent 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 today's RECORD under "Submitted Resolutions.")

# AUTHORIZING THE PRINTING WITH ILLUSTRATIONS OF A DOCUMENT ENTITLED "COMMITTEE ON APPROPRIATIONS, UNITED STATES SENATE, 1867-2022"

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 739, which was submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 739) authorizing the printing with illustrations of a document entitled "Committee on Appropriations, United States Senate, 1867-2022".

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

Mr. WHITEHOUSE. I further ask that the resolution 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 resolution (S. Res. 739) was agreed to.

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

# MORNING BUSINESS

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

# VOTE EXPLANATION

• Mr. CORNYN. Mr. President, due to unforeseen circumstances I was unable to be present today for votes on amendment No. 5186 and 5187 to S. 3373, the Honoring our PACT Act, and to the underlying bill. I offer this statement in the RECORD in support of all three.

Amendment No. 5186 to S. 3373, offered by my good friend from Pennsylvania, Mr. PAT TOOMEY, closes an important budgetary loophole by preventing \$390 billion in baseline discretionary spending from being reclassified as mandatory spending under the legislation. I support this amendment, and I would encourage my colleagues to do the same.

Amendment No. 5185 to S. 3373, offered by my good friend from Tennessee, Mrs. MARSHA BLACKBURN, would expand care under the Veterans Community Care Program to include toxic-exposed veterans. This expanded care program is essential to ensure that toxic-exposed veterans receive the full range of support that they need. I would encourage my colleagues to join me in supporting this amendment.

Finally, S. 3373, the Honoring our PACT Act, creates a presumption that veterans who suffer from certain health conditions, and who were exposed to toxic substances as part of their military service, are eligible to receive Veterans Administration healthcare. This important bill will provide much-needed care to our veterans, including lifesaving early detection and treatment of certain illnesses. I support the passage of the PACT Act.●

# PRESCRIPTION DRUG COSTS

Mr. CASEY. Madam President, I am pleased that Democrats have come together to address the costs of prescription drugs and to lower Affordable Care Act health care premiums for Americans. I strongly support a negotiation process for prescription drugs that will enable the voices of affected stakeholders, especially older adults, patients and people with disabilities, communities of color, and other marginalized groups, to play an integral role and inform the development and oversight of Medicare drug negotiations.

The Department of Health and Human Services has the authority to ensure affected stakeholders provide input about the potential for drugs to achieve outcomes that improve their quality of life. I view the Inflation Reduction Act as an opportunity to put older adults, people with disabilities and patients in front of the process so those affected, especially those historically excluded from the data used to

make decisions, are at the table as the Department of Health and Human Services negotiates prices and advances the health equity goals we all share.

# RECOGNIZING THE RECLAMATION OF WISCONSIN POINT FROM THE CITY OF SUPERIOR TO THE FOND DU LAC BAND OF LAKE SUPERIOR OJIBWE

Ms. BALDWIN. Madam President, today I rise to recognize the reclamation of Wisconsin Point from the city of Superior to the Fond du Lac Band of Lake Superior Ojibwe. Wisconsin Point, a narrow strip of land separating Allouez Bay from Lake Superior, is a small portion of the Tribe's ancestral home and also an indigenous burial ground dating back 400 years. At least seven generations were laid to rest at the Wisconsin Point cemetery, including the Tribal community's leader Chief Joseph Osaugie.

The Fond du Lac Band of Lake Superior—or Wayekwaa-gichigamiing Gichigamiwininiwag—Lake Superior Men at the far end of the Great Lake—is an Anishinaabe—Ojibwe—band located near what is now known as Cloquet, MN. The Fond du Lac Band are one of six Tribes who comprise the federally recognized Minnesota Chippewa Tribe, which was organized in 1934 with a new constitution under the Indian Reorganization Act.

In 1918, approximately 180 Ojibwe graves buried on Wisconsin Point were exhumed by the U.S. Steel Company and reburied in 29 plots south of the St. Francis Cemetery to make way for industrial development. Living Tribal members were also uprooted and removed.

Now, more than 100 years later, significant work has been done by the city of Superior and Tribal leaders to acknowledge the trauma of the lives and culture lost.

On August 18, 2022, the Fond du Lac Band of Lake Superior Ojibwe and the city of Superior jointly host a celebration of the return of Wisconsin Point's sacred burial ground, as well as the mass grave near St Francis cemetery to the Tribe.

Please join me in celebrating this historic moment, where once again the Wisconsin Point lands return back to Lake Superior Ojibwe.

# TRIBUTE TO KIM BRINKMAN

Mr. CARPER. Madam President, I rise today to extend my congratulations and best wishes to Kim Brinkman on the occasion of her retirement from the Senate disbursing office. For 34 years, Kim has served this Chamber, its Members, and its staff with decency and grace. We are lucky and grateful that Kim—some three decades ago as a recent graduate from the University of Iowa—ventured to the library in Ames, IA, and answered an ad placed in a newspaper to travel to our Nation's



Capital and begin work in the U.S. Senate.

Kim represents all that is great about public service—not just in aspiration to serve our Nation, but in aspiration to change it, too. When she first started at the disbursing office in October of 1987, there were just two female Senators. Today, there are 24, in addition to our first female Vice President. In the disbursing office itself, Kim was one of only 10 women on staff when she began her decades of service; she is now one of 45 women out of the office's 58 staff.

The journey to Washington, DC, was a long one for Kim—geographically speaking. She comes from the town of Nevada, IA—the State where her parents Harold and Jan Brinkman still reside. She has been sure to make the trek and visit home, bringing along her daughter, Maya Caceres, a recent graduate of the University of Kentucky. An active member of her church and a frequent volunteer, she has managed to lay deep roots here in our Nation's Capital.

Kim has been a kind, giving presence in the Senate for the past three decades. A compendium of Capitol knowledge, we will surely miss her sage advice and dutiful support. While her departure is a profound loss for this institution, Kim deserves a restful and fulfilling retirement following her years of extraordinary service.

#### TRIBUTE TO AMY F. WOOLF

Mr. VAN HOLLEN. Madam President, I rise today to honor the achievements of Ms. Amy F. Woolf, a specialist in Nuclear Weapons Policy with the Congressional Research Service, on the occasion of her retirement.

Amy Woolf served the Congress with distinction for more than 34 years. Before joining CRS, she was a member of the research staff at the Institute of Defense Analyses and spent a year at the Department of Defense, where she contributed to the 1994 Nuclear Posture Review. She earned a bachelor's degree in political science from Stanford University and a master's degree in public policy from the Kennedy School of Government at Harvard University.

Ms. Woolf is recognized throughout Congress, the military, and the nuclear weapons and arms control communities as an expert on issues related to U.S. and Russian nuclear forces and arms control. She has authored countless CRS reports addressing issues such as nuclear weapons strategy and doctrine, nuclear force structure, strategic arms control and the U.S.-Russian arms control agenda, hypersonic weapons, and threat reduction programs in Russia and other former Soviet states.

A particular highlight of her tenure at CRS was her work supporting the Congressional debate on the New START treaty in 2010. Her unique knowledge of the issues positioned her as the go-to expert for members of Congress and their staff with questions

about the treaty. She analyzed treaty provisions, helped staffers navigate false and confusing claims about the treaty, and provided needed historical context. She also gave seminars on the procedural aspects of ratification. Throughout the time that Congress considered the treaty, Ms. Woolf was available to members of Congress and their staff 7 days a week and answered questions after hours. Her work for Congress on this treaty lasted from the start of negotiations in 2009 through submission to the Senate and ratification in December 2010.

In serving the CRS mission, Ms. Woolf helped members of Congress and their staff navigate complex nuclear weapons issues by narrowing in on their specific needs and succinctly providing them with accurate, balanced, and complete information. She has equally served opponents and supporters of nuclear arms control treaties. She answered questions about the future of the U.S. nuclear weapons arsenal from a variety of congressional offices with diverse viewpoints. Ms. Woolf participated in seminars for congressional staff on a regular basis and could shift seamlessly from a 101-style overview of basic nuclear concepts for freshly minted Capitol Hill staffers to a lengthy in-depth briefing on U.S. nuclear posture and deterrence issues that would offer new insight to even the most seasoned policy advisor. Because of her three decades assisting Members of Congress and their staff, she demonstrated the keen ability to read her audience well and discern what information will be most useful to them. In an exceptional moment in 2018, the chairman of the Senate Foreign Relations Committee recognized her work from the dais after a hearing on Presidential authority over nuclear weapons. This followed a personal briefing for the chairman and prep work for the committee staff.

Ms. Woolf also earned a reputation in CRS for her tireless work to educate new analysts, researchers, and congressional staff. She is widely recognized in the policy community throughout the United States for her depth of knowledge, her understanding of both nuclear weapons capabilities and arms control, and her ability to clearly express complex issues associated with both. Ms. Woolf has been an indispensable asset to the U.S. Congress. I am proud to say she is also a Marylander.

Amy Woolf's deep well of knowledge and expertise will be sorely missed in the halls of Congress and throughout the nuclear policy community. Her colleagues and I join in wishing her all the best as she begins this next chapter in retirement.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO DR. DOUG REISIG

• Mr. DAINES. Madam President, today I have the distinct honor of rec-

ognizing Dr. Doug Reisig of Missoula County as Montanan of the Month for his distinguished career as an educator and for his devotion to Montana students, parents, and the community.

Doug was born and raised in the great State of Montana. He earned his master's degree from the University of Montana and his PhD from Montana State—"Go Cats!" Doug taught at Billings West High School before accepting a job at the St. Ignatius School District. It was in St. Ignatius that he met his lovely wife, Mary Jo. Doug and Mary Jo have been married for almost 43 years and have raised two wonderful daughters, Megan and Callie. They are now the proud grandparents of four grandsons.

Doug has been a teacher, building administrator, and superintendent for 46 years, serving as the superintendent at Hellgate Elementary for the past 34 years. Prior to his retirement, he received the G.V. Erickson Award from the School Administrators of Montana for his contribution to the betterment of education in our great State.

Since Doug took over as superintendent, the school has seen a 33-percent increase in enrollment. He also oversaw the construction of the new middle school.

During the height of the COVID-19 pandemic, under Doug's leadership, Hellgate Elementary was a leader in delivering meals to children in need, and he went the extra mile by selflessly donating his increase in salary to the Family Resource Fund. With Doug's direction and precautions in place, both Hellgate Elementary School and Middle School were in session 5 days a week during the 2020 and 2021 school years.

It is my honor to recognize Dr. Doug Reisig for serving the State of Montana as an educator and for his dedication to ensuring Montana students have a bright future ahead.

Congratulations on your retirement, Doug. You make Montana proud.●

#### REMEMBERING RODRIGO "ROD" GARCIA

• Mr. PADILLA. Madam President, I rise to celebrate the life and mourn the passing of Rodrigo "Rod" Garcia, a man who dedicated his life to empowering and advocating for the next generation of young Latino STEM students and professionals.

Born in 1943 in Los Angeles, CA, Rod learned early on the importance of higher education and public service. After graduating from the California State University in Los Angeles with a bachelor's degree of science in engineering, he worked for the city of Los Angeles as a civil engineer.

As one of the few Hispanic engineers at the time, Rod saw the need to diversify California's booming tech and STEM fields. Beginning in 1973, he gathered fellow Hispanic engineers in his own garage to create fellowship and determine how to expand opportunities

for their community. In 1974, the Society of Hispanic Professional Engineers, also known as SHPE, was officially founded and incorporated. As the founder, Rod had a vision to advance networking and education opportunities for other young Latino students and professionals in the engineering field. And almost 50 years later, the SHPE has grown to include over 13,000 members and 286 chapters nationwide. Through Rod's leadership and vision, SHPE has impacted the lives of thousands of Latinos, including myself.

I first met Rod as a young mechanical engineering student at the Massachusetts Institute of Technology. As a young Latino from Los Angeles, joining SHPE gave me a sense of belonging. Rod always took the time to engage with students, hear their unique stories, and encourage them to complete a STEM degree. Rod dedicated his life to ensuring that fellow Latinos had opportunities and understood the value of a STEM degree in the real world.

Rod left behind an incredible legacy that will continue to live on. He will be remembered for his devotion and advocacy and for his ability to empower the Latino community. I am eternally grateful for Rod's impact on my own life. The American dream endures because of leaders like Rod Garcia, who don't shut the door to opportunity as they walk through it, but who open it wider for those who come next.

My wife Angela and I send our deepest condolences and prayers to his wife Cynthia Cathy Wong, his children Marlene Tomasina Zamora, Marianne Pilar Garcia, and Rodrick Fitzgerald Garcia, and the rest of his family and friends.●

#### MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5118. An act to direct the Secretary of Agriculture and the Secretary of the Interior to prioritize the completion of the Continental Divide National Scenic Trail, and for other purposes.

At 3:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5376. An act to provide for reconciliation pursuant to title II of S. Con. Res. 14.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker pro tempore (Mr. SARBANES) has signed the following enrolled bills:

H.R. 7334. An act to extend the statute of limitations for fraud by borrowers under certain COVID-19 economic injury disaster loan programs of the Small Business Administration, and for other purposes.

H.R. 7352. An act to amend the Small Business Act to extend the statute of limitation for fraud by borrowers under the Paycheck Protection Program, and for other purposes.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. HICKENLOOPER).

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5376. An act to provide for reconciliation pursuant to title II of S. Con. Res. 14.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CARPER, from the Committee on Environment and Public Works:

Report to accompany S. 2372, a bill to amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, and for other purposes (Rept. No. 117-135).

Report to accompany S. 3742, a bill to establish a pilot grant program to improve recycling accessibility, and for other purposes (Rept. No. 117-136).

Report to accompany S. 3743, a bill to require the Administrator of the Environmental Protection Agency to carry out certain activities to improve recycling and composting programs in the United States, and for other purposes (Rept. No. 117-137).

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3662. A bill to temporarily increase the cost share authority for aqueous film forming foam input-based testing equipment, and for other purposes (Rept. No. 117-138).

By Mr. DURBIN, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 4430. A bill to amend title 35, United States Code, to establish an interagency task force between the United States Patent and Trademark Office and the Food and Drug Administration for purposes of sharing information and providing technical assistance with respect to patents, and for other purposes.

#### 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. COTTON (for himself, Mr. GRAHAM, Mr. LANKFORD, Mr. BOOZMAN, Mr. BRAUN, Mr. KENNEDY, and Mr. HAGERTY):

S. 4699. A bill to provide that the Federal Communications Commission may not prevent a State or Federal correctional facility from utilizing jamming equipment, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL (for himself, Mr. WYDEN, Ms. WARREN, Mr. KING, Mr. BENNET, Mrs. MURRAY, Ms. HIRONO, Mr. KAINE, Mr. DURBIN, Mr. BOOKER, Mr. HICKENLOOPER, Ms. KLOBUCHAR, Mr. VAN HOLLEN, Mr. SANDERS, Mrs. GILLIBRAND, Mrs. FEINSTEIN, Ms. COLLINS, Ms. BALDWIN, Mr. HEINRICH, and Mr. MURPHY):

S. 4700. A bill to amend title 38, United States Code, to provide for limitations on copayments for contraception furnished by the Department of Veterans Affairs, and for

other purposes; to the Committee on Veterans' Affairs.

By Ms. HASSAN:

S. 4701. A bill to provide cybersecurity support for small business concerns through the small business development center program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. KAINE (for himself, Mrs. FEINSTEIN, Mr. CARDIN, Mr. VAN HOLLEN, Mr. WARNER, and Mr. PADILLA):

S. 4702. A bill to impose limits on excepting competitive service positions from the competitive service, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COTTON (for himself, Mr. TUBERVILLE, and Mr. MARSHALL):

S. 4703. A bill to direct the President to take such actions as may be necessary to prohibit the purchase of public or private real estate located in the United States by the Chinese Communist Party, and for other purposes; to the Committee on Foreign Relations.

By Mr. TILLIS (for himself and Mr. LEAHY):

S. 4704. A bill to require the Comptroller General of the United States to submit a report regarding ways to improve the patent examination process at the United States Patent and Trademark Office, and for other purposes; to the Committee on the Judiciary.

By Mr. TILLIS (for himself and Mr. BURR):

S. 4705. A bill to authorize the Secretary of Agriculture to relocate a memorial honoring the 9 Air Force crew members who lost their lives in an airplane crash in the Cherokee and Nantahala National Forests during a training mission on August 31, 1982; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WHITEHOUSE (for himself, Mr. BOOKER, Mr. BLUMENTHAL, Mr. SCHATZ, and Ms. HIRONO):

S. 4706. A bill to amend title 28, United States Code, to provide for the duration of active service of the Chief Justice of the United States and associate justices of the Supreme Court of the United States, and for other purposes; to the Committee on the Judiciary.

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

S. 4707. A bill to amend the National Trails System Act to direct the Secretary of the Interior to conduct a study on the feasibility of designating the Buckeye Trail as a national scenic trail, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL:

S. 4708. A bill to amend title XVIII of the Social Security Act to provide coverage for wigs as durable medical equipment under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. LUJÁN (for himself and Ms. ERNST):

S. 4709. A bill to direct the Secretary of Agriculture to amend regulations to allow for certain packers to have an interest in market agencies, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TILLIS:

S. 4710. A bill to include phosphate and potash on the final list of critical minerals of the Department of the Interior; to the Committee on Energy and Natural Resources.

By Mr. TILLIS:

S. 4711. A bill to direct the Administrator of the Environmental Protection Agency to amend regulations relating to exemptions for engines and equipment for purposes of national security, and for other purposes; to

the Committee on Environment and Public Works.

By Ms. HASSAN (for herself and Mr. SCOTT of South Carolina):

S. 4712. A bill to clarify coverage of occupational therapy under the Medicare and Medicaid programs; to the Committee on Finance.

By Mr. SCHATZ (for himself and Mrs. BLACKBURN):

S. 4713. A bill to authorize the Federal Communications Commission to specify additional sources from which a radio station licensee must obtain information to enable the licensee to announce that a foreign governmental entity has paid for a broadcast; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO (for himself and Mr. MENENDEZ):

S. 4714. A bill to amend the Uyghur Human Rights Policy Act of 2020 to impose additional sanctions relating to human rights abuses in the Xinjiang Uyghur Autonomous Region; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself and Mr. RUBIO):

S. 4715. A bill to call for the immediate extradition or return to the United States of convicted felon Joanne Chesimard, William "Guillermo" Morales, and all other fugitives who are receiving safe haven in Cuba to escape prosecution or confinement for criminal offenses committed in the United States; to the Committee on Foreign Relations.

By Mr. MURPHY:

S. 4716. A bill to require inspectors general to offer a briefing of the contents of each semiannual report to the appropriate committees or subcommittees of Congress, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4717. A bill to authorize the Director of the Bureau of Land Management and the Director of the National Park Service to carry out activities to control the movement of aquatic invasive species into, across, and out of Federal land and waters, to provide for financial assistance from the Commissioner of Reclamation to Reclamation States for watercraft inspection and decontamination stations, to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to make certain technical corrections, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUNT (for himself, Mr. DURBIN, and Mr. COTTON):

S. 4718. A bill to direct the Secretary of Defense to establish a joint training pipeline between the United States Navy and the Royal Australian Navy, and for other purposes; to the Committee on Foreign Relations.

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

S. 4719. A bill to protect children against sexual abuse and exploitation, and for other purposes; to the Committee on the Judiciary.

By Mr. REED:

S. 4720. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2023, and for other purposes; to the Committee on Appropriations.

By Ms. CORTEZ MASTO:

S. 4721. A bill to amend title 38, United States Code, to increase the amount paid by the Secretary of Veterans Affairs to veterans for improvements and structural alterations furnished as part of home health services; to the Committee on Veterans' Affairs.

By Mr. WARNOCK:

S. 4722. A bill to amend the Internal Revenue Code of 1986 to establish qualified down

payment savings programs; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. LUJÁN, Mr. PADILLA, Ms. ROSEN, Mr. BENNET, Mr. MARKEY, Ms. STABENOW, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. WYDEN, Ms. WARREN, Mr. MERKLEY, Ms. SMITH, Mr. VAN HOLLEN, Mr. CARDIN, Mr. MENENDEZ, Ms. KLOBUCHAR, Mr. MURPHY, Mr. REED, Ms. CORTEZ MASTO, Mr. WHITEHOUSE, Mr. SANDERS, Ms. HIRONO, Mr. SCHUMER, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, and Mrs. SHAHEEN):

S. 4723. A bill to ensure the right to provide reproductive health care services, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER (for himself, Mr. BLUMENTHAL, Mr. SCHATZ, Mr. WYDEN, and Mr. PADILLA):

S. 4724. A bill to protect the rights of college athletes and to establish the Commission on College Athletics, and for other purposes; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself and Ms. HASSAN):

S. 4725. A bill to amend parts B and E of title IV of the Social Security Act to improve foster and adoptive parent recruitment and retention, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S. 4726. A bill to alleviate pandemic learning loss; to the Committee on Finance.

By Mr. PADILLA (for himself, Ms. WARREN, and Mr. WYDEN):

S. 4727. A bill to establish a grant program to incentivize the energy resilience of air carrier airports to acquire or install solar photovoltaic panels, battery storage systems, microgrids, and related electric infrastructure for on-site renewable energy generation and storage, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNOCK:

S. 4728. A bill to amend the Internal Revenue Code of 1986 to allow for a credit against tax for rent paid on the personal residence of the taxpayer; to the Committee on Finance.

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

S. 4729. A bill to amend the Agricultural Credit Act of 1978 to waive the cost share requirement under the emergency forest restoration program for land damaged by the Hermit's Peak/Calf Canyon Fire; to the Committee on Energy and Natural Resources.

By Mr. HICKENLOOPER (for himself and Mrs. FISCHER):

S. 4730. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a pilot program to provide competitive grants to land-grant colleges and universities to facilitate research and rapid workforce development and promote entrepreneurship and other benefits to communities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 4731. A bill to respond to the looming global food crisis precipitated by Russia's invasion of Ukraine; to the Committee on Foreign Relations.

By Mr. BOOKER:

S. 4732. A bill to authorize the Georgetown African American Historic Landmark Project and Tour to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CORTEZ MASTO:

S. 4733. A bill to amend the Mineral Leasing Act to provide for certain reforms to the

process relating to applications for permits to drill and the eligibility requirements for prospective bidders in lease sales, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TILLIS:

S. 4734. A bill to amend title 35, United States Code, to address matters relating to patent subject matter eligibility, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. HAWLEY, Mrs. HYDE-SMITH, Mr. SCOTT of South Carolina, Mr. LANKFORD, Mr. INHOFE, and Mr. SCOTT of Florida):

S. 4735. A bill to ensure equal treatment for religious organizations in the Federal provision of social services programs, grantmaking, and contracting, and for other purposes; to the Committee on Finance.

By Ms. MURKOWSKI (for herself and Mr. KING):

S. 4736. A bill to enhance United States' standing as an Arctic nation by facilitating greater maritime accessibility, strong trading partners, and reliable infrastructure; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNOCK:

S. 4737. A bill to require the Secretary of Housing and Urban Development to collect and make publicly available data on properties receiving an allocation of credit under the low-income housing tax credit, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself and Mr. WHITEHOUSE):

S. 4738. A bill to protect the privacy of personally-identifiable health data, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. HASSAN (for herself and Mr. CASSIDY):

S. 4739. A bill to allow additional individuals to enroll in standalone dental plans offered through Federal Exchanges; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself, Mr. BOOKER, Mr. WYDEN, Ms. DUCKWORTH, Mr. MARKEY, Mr. PADILLA, and Ms. WARREN):

S. 4740. A bill to amend the Marine Mammal Protection Act of 1972 and the Animal Welfare Act to prohibit the taking, importation, exportation, and breeding of certain cetaceans for public display, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN (for herself, Mr. WICKER, Mr. TILLIS, Mr. DURBIN, Mr. CARDIN, and Mr. VAN HOLLEN):

S. 4741. A bill to encourage increased trade and investment between the United States and the countries in the Western Balkans, and for other purposes; to the Committee on Foreign Relations.

By Ms. WARREN (for herself and Mr. TILLIS):

S. 4742. A bill to amend title 10, United States Code, to create a Department of Defense Military Housing Readiness Council to enhance oversight and accountability for deficiencies in military housing, and accountability for deficiencies in military housing, and for other purposes; to the Committee on Armed Services.

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

S. 4743. A bill to direct the Attorney General to conduct a study on animal cruelty, and for other purposes; to the Committee on the Judiciary.

By Ms. ROSEN (for herself, Mr. BOOZMAN, and Mr. BLUMENTHAL):

S. 4744. A bill to direct the Secretary of Transportation to establish in the Department of Transportation a drone infrastructure inspection grant program and a drone education and training grant program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself, Ms. COLLINS, and Mr. BRAUN):

S. 4745. A bill to amend the Plant Protection Act to establish a fund for spotted wing drosophila research and mitigation; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 4746. A bill to repeal the sunset provision of the Iran Sanctions Act of 1996, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 4747. A bill to amend title XIX of the Social Security Act to expand the availability of mental, emotional, and behavioral health services under the Medicaid program, and for other purposes; to the Committee on Finance.

By Mr. BOOKER (for himself and Ms. SMITH):

S. 4748. A bill to provide for national uniformity for reproductive health products; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 4749. A bill to improve grants administered by the Office of Community Oriented Policing Services, and for other purposes; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 734. A resolution supporting the goals and ideals of a National Move Over Law Day; to the Committee on Commerce, Science, and Transportation.

By Mrs. BLACKBURN (for herself, Ms. WARREN, Ms. ERNST, Mr. SCOTT of Florida, Mr. CASSIDY, Mr. BLUNT, Mr. HAGERTY, Mr. RUBIO, Mr. BRAUN, and Mr. SCOTT of South Carolina):

S. Res. 735. A resolution acknowledging and commemorating the women in the Army who served in the Women's Army Auxiliary Corps and the Women's Army Corp during World War II; to the Committee on Armed Services.

By Mr. MENENDEZ (for himself, Mr. CARDIN, and Mr. VAN HOLLEN):

S. Res. 736. A resolution calling on the Government of Angola to hold free, fair, and peaceful elections on August 24, 2022, and for other purposes; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself and Mr. ROUNDS):

S. Res. 737. A resolution designating August 10, 2022, as "Toxic Exposure Awareness Day"; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. COONS, Mr. DURBIN, Mr. TILLIS, and Mr. WARNOCK):

S. Res. 738. A resolution recognizing the importance of trademarks in the economy and the role of trademarks in protecting consumer safety, by designating the month of August as "National Anti-Counterfeiting and Consumer Education and Awareness Month"; considered and agreed to.

By Mrs. MURRAY (for Mr. LEAHY (for himself and Mr. SHELBY)):

S. Res. 739. A resolution authorizing the printing with illustrations of a document entitled "Committee on Appropriations, United States Senate, 1867-2022"; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 98

At the request of Mr. CARDIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 98, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for neighborhood revitalization, and for other purposes.

S. 445

At the request of Ms. HASSAN, the names of the Senator from Louisiana (Mr. KENNEDY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 445, a bill to amend section 303(g) of the Controlled Substances Act (21 U.S.C. 823(g)) to eliminate the separate registration requirement for dispensing narcotic drugs in schedule III, IV, or V, such as buprenorphine, for maintenance or detoxification treatment, and for other purposes.

S. 744

At the request of Ms. KLOBUCHAR, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 744, a bill to amend the Higher Education Act of 1965 to require institutions of higher education to disclose hazing incidents, and for other purposes.

S. 1116

At the request of Mr. CARPER, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1116, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employees duty, and for other purposes.

S. 1157

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1157, a bill to amend the Internal Revenue Code of 1986 to allow workers an above-the-line deduction for union dues and expenses and to allow a miscellaneous itemized deduction for workers for all unreimbursed expenses incurred in the trade or business of being an employee.

S. 1489

At the request of Mr. MENENDEZ, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1489, a bill to amend the Inspector General Act of 1978 to establish an Inspector General of the Office of the United States Trade Representative, and for other purposes.

S. 1658

At the request of Mr. MERKLEY, the name of the Senator from Connecticut

(Mr. MURPHY) was added as a cosponsor of S. 1658, a bill to amend the Fair Labor Standards Act of 1938 to expand access to breastfeeding accommodations in the workplace, and for other purposes.

S. 1877

At the request of Mr. TILLIS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1877, a bill to modify eligibility requirements for certain hazard mitigation assistance programs, and for other purposes.

S. 2130

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

S. 2435

At the request of Mr. YOUNG, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2435, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on heavy trucks and trailers, and for other purposes.

S. 3494

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

S. 3503

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

S. 3893

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 3893, a bill to collect information regarding water access needs across the United States, to provide grants for decentralized drinking water systems, and for other purposes.

S. 3909

At the request of Mr. BOOZMAN, the name of the Senator from Iowa (Mr. GRASSLEY) 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. 3998

At the request of Mrs. CAPITO, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 3998, a bill to clarify the inability of the President to declare national emergencies under the National Emergencies Act, major disasters or emergencies under the Robert T. Stafford

Disaster Relief and Emergency Assistance Act, and public health emergencies under the Public Health Service Act on the premise of climate change, and for other purposes.

S. 4015

At the request of Ms. DUCKWORTH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 4015, a bill to authorize the Secretary of Health and Human Services to award grants to eligible entities for creating or enhancing capacity to treat patients with Long COVID through a multidisciplinary approach.

S. 4203

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 4203, a bill to extend the National Alzheimer's Project.

S. 4314

At the request of Mr. TOOMEY, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 4314, a bill to amend the Internal Revenue Code of 1986 to modify the eligible age for the exemption from the retirement plan early withdrawal penalty for public safety officers.

S. 4416

At the request of Mr. CASSIDY, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 4416, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for charitable donations to nonprofit organizations providing education scholarships to qualified elementary and secondary students.

S. 4572

At the request of Mr. PETERS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 4572, a bill to require U.S. Customs and Border Protection to expand the use of non-intrusive inspection systems at land ports of entry.

S. 4613

At the request of Mr. BRAUN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 4613, a bill to amend the Employee Retirement Income Security Act of 1974 to clarify the fiduciary duty of plan administrators to select and maintain investments based solely on pecuniary factors, and for other purposes.

S. 4623

At the request of Mr. PETERS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 4623, a bill to advance Government innovation through leading-edge procurement capability, and for other purposes.

S. 4636

At the request of Mr. TILLIS, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of S. 4636, a bill to amend the Immigration and Nationality Act to permanently bar aliens who are ordered removed after failing to appear at a removal proceeding, absent excep-

tional circumstances, from becoming permanent residents of the United States.

S. 4637

At the request of Mr. TILLIS, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 4637, a bill to amend the Immigration and Nationality Act to clarify the meaning of the term "frivolous application" with respect to asylum claims, and for other purposes.

S. 4642

At the request of Mr. TILLIS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 4642, a bill to require a comprehensive southern border strategy, and for other purposes.

S. 4644

At the request of Mr. TILLIS, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 4644, a bill to reestablish the Victims of Immigrant Crime Engagement Office to provide proactive, timely, adequate, and professional services to victims of crimes committed by removable aliens and the family members of such victims.

S. 4645

At the request of Mr. PETERS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 4645, a bill to restrict the flow of illicit drugs into the United States, and for other purposes.

S. 4681

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4681, a bill to establish a process for expedited consideration of legislation relating to decisions by the Supreme Court of the United States.

S. 4687

At the request of Mr. PETERS, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 4687, a bill to enhance the authority granted to the Department of Homeland Security and Department of Justice with respect to unmanned aircraft systems and unmanned aircraft, and for other purposes.

S. 4689

At the request of Ms. BALDWIN, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 4689, a bill to amend the Securities Exchange Act of 1934 to revise the shareholder threshold for registration under that Act for issuers that receive support through certain Federal universal service support mechanisms, and for other purposes.

S. RES. 646

At the request of Mr. RISCH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) 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. 698

At the request of Mr. BRAUN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. Res. 698, a resolution honoring the dedication of the Ball family to providing college educations and celebrating their 100-year legacy at Ball State University.

S. RES. 713

At the request of Mr. RISCH, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. Res. 713, a resolution recognizing Russian actions in Ukraine as a genocide.

S. RES. 719

At the request of Ms. KLOBUCHAR, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 719, a resolution expressing support for the designation of July 2022 as "Disability Pride Month".

S. RES. 724

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. Res. 724, a resolution expressing the sense of the Senate that the historic definition of a recession is 2 negative quarters of gross domestic product growth.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PADILLA (for himself, Ms. WARREN, and Mr. WYDEN):

S. 4727. A bill to establish a grant program to incentivize the energy resilience of air carrier airports to acquire or install solar photovoltaic panels, battery storage systems, microgrids, and related electric infrastructure for on-site renewable energy generation and storage, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. PADILLA. Mr. President, I rise to speak in support of the Airport Energy Resiliency and Renewable Energy Act, which I introduced today.

While some airports are already using renewable energy systems to enhance the energy efficiency of their power sources, our Nation's airports still have incredible opportunities to lower emissions and improve energy resiliency by further investing in renewable energy sources and energy storage solutions.

For example, commercial solar panels are bigger and more efficient than residential ones and can generate substantially more power without presenting a threat to aviation operations.

Furthermore, battery storage and microgrids would allow energy to be stored and used later during peak demand, when it is most needed. In the event of a power disruption or outage as a result of a natural disaster or other emergency, deploying solar generation coupled with battery storage would allow airports to power essential facilities using renewable resources instead of generators, which often run on fossil fuels.

In concert with the resources being delivered by the bipartisan infrastructure law, providing new dedicated funding would help kickstart existing interest in reducing carbon footprint and improving the energy resiliency at airports.

That is why I am proud to introduce this bill to create a new FAA grant program to help airports invest in renewable generation resources such as solar panels, battery storage systems, and microgrids.

I hope my colleagues will join me in support of this bill to unlock the opportunity to leverage our Nation's airports to modernize our electric grid and implement clean energy technologies.

By Mrs. FEINSTEIN (for herself, Mr. BOOKER, Mr. WYDEN, Ms. DUCKWORTH, Mr. MARKEY, Mr. PADILLA, and Ms. WARREN):

S. 4740. A bill to amend the Marine Mammal Protection Act of 1972 and the Animal Welfare Act to prohibit the taking, importation, exportation, and breeding of certain cetaceans for public display, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, I rise to speak in support of legislation that I introduced today along with Senators BOOKER, WYDEN, DUCKWORTH, PADILLA, and WARREN: the Strengthening Welfare in Marine Settings (SWIMS) Act. This is a companion to legislation introduced by Congressman ADAM SCHIFF in the House of Representatives.

Our bill would ban the importation and exportation of orcas, beluga whales, pilot whales, and false killer whales for public display, with an exception for animals being released to a marine sanctuary or back to the wild.

Our bill would also prohibit breeding captive whales to raise their newborns for public display, ensuring that the current generation of these whales in captivity would be the last.

The evidence is clear: Orcas, beluga whales, pilot whales, and false killer whales are intelligent and emotionally complex animals that cannot thrive in captivity. In the wild, these whales can travel up to 100 miles per day and dive hundreds of feet deep.

However, many animals in captivity live in tanks so small they cannot even turn around. Often, these whales are so stressed that they gnaw on the concrete walls of their tanks until the dental nerves of their teeth are exposed, permanently damaging their teeth and requiring constant antibiotics.

The inhumane confinement for these animals has consequences, which are made clear when news breaks of yet another whale dying well before its time. In the wild, the average orca lives for 40 years. Orcas in captivity in the United States typically live only 12 years. Although no orca has ever been documented attacking a human in the wild, in captivity, these whales have

been documented to lash out at their human trainers, causing severe harm or death.

Despite these well-established facts, more than 50 whales remain in captivity across the United States. My home State of California has already banned orca shows and breeding, and some exhibitors like SeaWorld have promised to end their orca breeding programs.

It is long past time for Federal Government to apply this policy to the whale species that suffer the most in captivity and end this cruel practice. Our bill, which is endorsed by 15 animal welfare organizations, would do just that.

Mr. President, by passing my bill, the Senate can prevent the needless suffering and deaths of these majestic animals who truly belong in the wild. I urge my colleagues to join us in co-sponsoring the SWIMS Act.

By Mr. BOOKER:

S. 4749. A bill to improve grants administered by the Office of Community Oriented Policing Services, and for other purposes; to the Committee on the Judiciary.

Mr. BOOKER. Mr. President, when the Federal Government authorizes billions of dollars in grants to States, we have a duty to ensure that those dollars are spent in a responsible, effective manner. Accountability is essential to a healthy, functioning democracy.

And it is especially important when we discuss issues related to policing. In recent years, we have seen egregious instances of police misconduct, many of which have involved the unjustifiable deaths of Black people. Right now, it is vital that we prioritize initiatives that will improve public safety and strengthen public trust in law enforcement.

As mayor of Newark, I spent hundreds of hours with police officers riding along with them in their squad cars and learning about the daily challenges they face trying to make our communities safer. I have seen their bravery in the face of uncertainty and their fear knowing that their streets are filling up with deadly weapons of war. I have witnessed the enormous sacrifices they make in service of the public.

I have tremendous respect for our law enforcement officers, and I believe that they need support to be able to do their jobs effectively. I support improving officer training programs, hiring more officers in underresourced departments, and updating the outdated equipment law enforcement agencies are often left using.

Any resources provided, however, must be coupled with transparency. It flies in the face of responsible governance to invest significant resources into something without ever knowing what parts of that investment are paying dividends.

Transparency does not mean that every law enforcement program must

come under the Federal Government's close scrutiny. Instead, it means commonsense data collection and reporting. It means tracking how Federal funds are spent and whether they produce positive or negative outcomes.

It means doing basic due diligence for the purpose of improving policing in this country and ensuring that taxpayer dollars are being spent as effectively as possible.

As Congress moves to increase Federal assistance to State and local law enforcement agencies, we must ensure responsible administration and oversight of grant programs and ensure resources are directed toward policing practices that actually enhance public safety and promote the dignity of all communities, especially Black and Brown communities.

One of the biggest pools of funding for our Nation's law enforcement comes in the form of grants from the Community Oriented Policing Services, COPS, Office. The amount of money given to State and local law enforcement through these grants has steadily increased over the last few years, from \$222 million for fiscal year 2017 to \$512 million for fiscal year 2022.

These grants fund the improvement of Tribal law enforcement agencies, school violence prevention, drug crime enforcement, mental health and wellness services, equipment and technological capabilities, and community policing strategies.

All of these programs share the goal of improving public safety. Yet, despite the large increase in funding for the COPS grant program, Congress has not moved to measure the successes and failures of the program. As such, we cannot be sure that real improvements are actually being made with the more than half a billion dollars in taxpayer money being spent.

Reviewing how COPS grants are being spent and the outcomes they are producing will help realize the very goals that the COPS program aims to advance.

Ensuring that the Federal Government, through COPS grants, invests in best practices will help train officers in the most effective ways possible. Establishing performance metrics for COPS grants will allow law enforcement agencies to identify which initiatives make officers and the public safer and which reduce negative and dangerous interactions between law enforcement and the public.

As law enforcement agencies are called upon to bolster their data collection and reporting practices, it is also important to recognize that some agencies, particularly in underresourced communities, struggle to respond to those calls even with the availability of COPS grants. We must specifically dedicate more resources toward helping these law enforcement agencies meet these standards.

In particular, many law enforcement agencies have not been fully equipped to report data to the Federal Bureau of



Investigation's National Use-of-Force Data Collection. This dearth of data severely hinders our ability to analyze policing trends, develop best practices, and hold officers accountable for wrongdoing when it occurs.

These measures for transparency and accountability are basic, commonsense ways to invest effectively in policing and make our communities safer. All law enforcement agencies should be collecting and reporting data. All law enforcement agencies should be complying with civil rights laws. All law enforcement agencies should be using performance metrics to identify best practices. These are the building blocks of responsible, modern policing which we should all be able to agree on.

Today, I introduced the COPS Responsible Administration and Management Act of 2022, which will promote the kind of accountability and transparency that should accompany these important investments that the Federal Government makes in law enforcement.

This bill supports and complements the crucial investments we are making in police forces by reviewing COPS grants to ensure they are being effectively and efficiently administered, evaluating how COPS grants are being utilized and how well they are assisting law enforcement in making communities safer, offering grants to agencies to improve data reporting, and assessing agency compliance with civil rights laws.

This Congress has made historic investments in improving law enforcement and addressing violent crime in our communities. Let us also take the time to make sure that those investments are paying off.

Law enforcement agencies across the country are struggling to manage competing demands. Officers work incredibly hard every day to protect their neighborhoods, and they often do so without the equipment, personnel, and training that they need.

The good news is that law enforcement agencies will be receiving many of these important resources with COPS grant funding. At the same time, if the goal of this funding is to improve policing and public safety, which we can all agree it is, then we must also track and evaluate the success of these grants.

Our investments should produce positive outcomes for communities. They should reduce negative and dangerous interactions between officers and the public, including use-of-force incidents, and they should increase the public's trust in law enforcement.

Our officers deserve resources that will help them do their jobs effectively and keep them safe. Our communities deserve police forces that are well-trained and well-informed. The COPS Administration Act will help secure both of those goals.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 734—SUPPORTING THE GOALS AND IDEALS OF A NATIONAL MOVE OVER LAW DAY

Mr. BLUMENTHAL (for himself and Mr. BRAUN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 734

Whereas the Senate wishes to recognize traffic incident management responders (as described in the Traffic Incident Management Handbook of the Federal Highway Administration), which include law enforcement, fire and rescue, emergency medical services, tow truck operators, and transportation workers;

Whereas, due to the increasingly high rate of distracted drivers on the roadway, many traffic incident management responders lose their lives while performing their duties each year;

Whereas, in 2021, 65 traffic incident management responders were killed in the United States due to roadside collisions;

Whereas the Federal Highway Administration and the National Highway Traffic Safety Administration of the Department of Transportation host the Crash Responder Safety Week annually in November as a national effort to—

(1) protect traffic incident management responders who are at the scene of highway crashes; and

(2) remind the public of their responsibility to use caution when driving near roadside incidents involving traffic incident management responders;

Whereas each State has a move over law, which has correlated directly with a safer environment along the roadsides of the United States for traffic incident management responders and stranded citizens;

Whereas move over laws generally require motorists to move at least 1 lane over when there is an emergency or rescue activity taking place on the shoulder or side of the roadway, or, if unable to do so safely, to slow down and pass the scene with caution;

Whereas the Government Accountability Office report entitled "Emergency Responder Safety: States and DOT Are Implementing Actions to Reduce Roadside Crashes" (GAO-21-166) noted that State officials cite raising public awareness as the most prevalent challenge to move over laws; and

Whereas providing traffic incident management responders an enhanced opportunity to inform the motoring public about these laws is critical to the public safety: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of a National Move Over Law Day; and

(2) urges the national, State, and regional incident management organizations—

(A) to spread awareness and promote the existence of, and adherence to, State move over laws; and

(B) to educate the public further on the dangers and loss of life that occur if State move over laws are not faithfully observed.

### SENATE RESOLUTION 735—ACKNOWLEDGING AND COMMEMORATING THE WOMEN IN THE ARMY WHO SERVED IN THE WOMEN'S ARMY AUXILIARY CORPS AND THE WOMEN'S ARMY CORP DURING WORLD WAR II

Mrs. BLACKBURN (for herself, Ms. WARREN, Ms. ERNST, Mr. SCOTT of Florida, Mr. CASSIDY, Mr. BLUNT, Mr. HAGERTY, Mr. RUBIO, Mr. BRAUN, and Mr. SCOTT of South Carolina) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 735

Whereas Congresswoman Edith Nourse Rogers of Massachusetts introduced a bill, H.R. 6293 (77th Congress), to create the Women's Army Auxiliary Corps (referred to in this preamble as the "WAAC") to expand the types of jobs women could hold in the Army to address manpower shortages;

Whereas President Franklin D. Roosevelt established the WAAC by signing the Act entitled "An Act to establish a Women's Army Auxiliary Corps for service with the Army of the United States", approved May 14, 1942 (commonly known as the "W.A.A.C. (Women's Army Auxiliary Corps) Act") (Public Law 77-554; 56 Stat. 278) into law;

Whereas while 35,000 women had served in the enlisted ranks of the Army primarily in nursing positions during World War I, women had little formal means to serve in non-medical roles prior to the creation of the WAAC;

Whereas despite widely held stigmas associated with women in the military and numerous false allegations of impropriety among members of the WAAC, women applied to serve in such high numbers that enrollment ceilings were reached within the first year;

Whereas under the leadership of Colonel Oveta Culp Hobby, service in the WAAC quickly exceeded the 25,000 women initially expected;

Whereas Secretary of War Henry Stimson had to raise the limit on WAAC recruitment to 150,000 women because of high levels of enrollment;

Whereas the WAAC worked across the country, from Washington to Tennessee and from New Mexico to South Carolina, as well as overseas;

Whereas members of the WAAC served in numerous capacities, including as switchboard operators, mechanics, bakers, drivers, cryptographers, lab technicians, and nurses;

Whereas members of the WAAC, despite the quality and value of their contributions to the war effort, were not given benefits or pay equal to those of their male counterparts, and were not recognized as full members of the Army;

Whereas President Roosevelt signed the Act entitled "An Act to establish a Women's Army Corps for service in the Army of the United States", approved July 1, 1943 (commonly known as the "W.A.C. (Women's Army Corps) Act") (Public Law 78-110; 57 Stat. 371), into law, which converted the WAAC into the Women's Army Corp (referred to in this preamble as the "WAC"), gave the women official military status and the same ranks and privileges of their male counterparts, and allowed the women to serve overseas;

Whereas during World War II, members of the WAC served overseas as drivers, clerks, nurses, and mechanics, enabling the release of more than 7 divisions of men to serve in combat roles;

Whereas towards the end of World War II, General Douglas MacArthur stated that the



members of the WAC were “[his] best soldiers”, noting their dedication to hard work and discipline;

Whereas General and future President Dwight D. Eisenhower said that the WAC’s “contributions in efficiency, skill, spirit, and determination are immeasurable”;

Whereas the WAC served as an important precursor to the complete gender integration of the military in 1978; and

Whereas the brave women who served in the WAAC and the WAC are owed a great debt of gratitude for their service to the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the women who served the United States in the Women’s Auxiliary Army Corp (referred to in this resolution as the “WAAC”) and the Women’s Army Corp (referred to in this resolution as the “WAC”) during World War II;

(2) commends the women of the WAAC and the WAC who, through their dedication to the United States and perseverance through significant social pressure, served in critical military positions to aid the war effort, freeing male soldiers for combat duty; and

(3) recognizes that the WAAC and the WAC overcame stereotypes to open up more opportunities for women and made significant contributions to the victory of the United States and the allies in World War II.

#### SENATE RESOLUTION 736—CALLING ON THE GOVERNMENT OF ANGOLA TO HOLD FREE, FAIR, AND PEACEFUL ELECTIONS ON AUGUST 24, 2022, AND FOR OTHER PURPOSES

Mr. MENENDEZ (for himself, Mr. CARDIN, and Mr. VAN HOLLEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 736

Whereas the Republic of Angola will hold a general election to elect its President and National Assembly on August 24, 2022;

Whereas this year’s election will be Angola’s fifth multiparty election since 1992;

Whereas Angola’s 2 main political parties, the People’s Movement for the Liberation of Angola (MPLA) and the National Union for the Total Independence of Angola (UNITA), were the principal belligerents in the country’s 26-year civil war;

Whereas Angola experienced its first presidential electoral transition in 2017, when President Joao Lourenco of the MPLA succeeded Jose Eduardo dos Santos, also of the MPLA, who ruled Angola for 38 years;

Whereas, despite holding regular elections and having active political opposition parties, Angola is classified as “Not Free” by Freedom House due to the ruling MPLA’s abuse of state institutions to control political processes and limit free expression;

Whereas mass media in Angola is controlled or highly influenced by the state, independent journalists face harassment, opposition parties are subject to bureaucratic interference, and fewer than half of Angolans feel free to speak their mind, according to a 2019 poll by Afrobarometer;

Whereas Angola is in a period of economic and social crisis, with widespread frustration over the poor state of the oil-based economy and persistently high rates of poverty, inequality, and public corruption;

Whereas, since 2020, Angolans have expressed their dissatisfaction through frequent public protests, which have been met with arrests and police violence against protesters; and

Whereas the failure to hold a credible election will dangerously exacerbate political tensions in Angola: Now, therefore, be it

*Resolved*, That the Senate—

(1) calls on the Government of Angola to hold free, fair, and peaceful elections on August 24, 2022;

(2) urges the Government of Angola to ensure the credibility of elections by—

(A) allowing for all parties and candidates to campaign without undue restriction, harassment, or intimidation;

(B) publishing and freely disseminating electoral information, including voter rolls and election results;

(C) permitting the unrestricted participation of independent election monitors, including by inviting the European Union to send an election observation mission, as the European Union has stated it is prepared to do;

(D) ceasing the use of state resources and institutions to support or promote particular political parties or candidates; and

(E) reversing the ban on opinion polling during elections;

(3) urges all political parties in Angola to pledge that they will not use violence during or after the election, will respect the outcome of the vote, and will investigate any disputes peacefully, using legal mechanisms;

(4) urges the people of Angola to exercise their right to vote on election day;

(5) calls on all parties to work together, whatever the outcome of the election, to develop and implement a broad-based reform agenda, undertaken in collaboration with civil society, that will address the most urgent issues facing Angola, including by pursuing policies that—

(A) reduce inequality and poverty including by increasing employment opportunities, especially for youth, women, and other marginalized groups;

(B) diversify the economy, privatize state-owned enterprises in a fair and transparent manner, attract foreign investment, improve public financial management and oversight, and protect labor and property rights;

(C) seek to eliminate public corruption at all levels, including by prosecuting corrupt actors without exception; and

(D) enhance and improve civil liberties, human rights, and free expression for all Angolans;

(6) calls on the United States Government to hold Angolan officials accountable for any attempts to subvert the electoral process; and

(7) stands with the people of Angola and supports their aspirations for a free, democratic election.

#### SENATE RESOLUTION 737—DESIGNATING AUGUST 10, 2022, AS “TOXIC EXPOSURE AWARENESS DAY”

Ms. KLOBUCHAR (for herself and Mr. ROUNDS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 737

Whereas, during the Vietnam War, the United States sprayed between 11,000,000 and 12,000,000 gallons of Agent Orange, potentially exposing millions of members of the Armed Forces stationed in Vietnam and elsewhere to this toxic mixture of herbicides;

Whereas, after the Vietnam War, it took the United States Government years to recognize the link between Agent Orange and the health conditions being experienced by thousands of returning members of the Armed Forces;

Whereas the Agent Orange Act of 1991 (Public Law 102-4; 38 U.S.C. 1116 note), provided Vietnam veterans with a presumption of service connection for diseases associated with exposure to certain herbicide agents;

Whereas members of the Armed Forces have been exposed to toxic substances while serving at home, including at Camp Lejeune, where as many as 1,000,000 members of the Armed Forces, family members, and staff may have been exposed to drinking water containing contaminants that have been linked to adverse health effects;

Whereas members of the Armed Forces have been exposed to toxic radiation while engaged in cleanup operations, including in—

- (1) the Republic of the Marshall Islands;
- (2) Thule, Greenland; and
- (3) Palomares, Spain.

Whereas, from 1985 to 2001, at Naval Air Facility Atsugi in Atsugi, Japan, personnel and family members of members of the Armed Forces, including dependent children, may have been exposed to environmental contaminants from off-base waste incinerators.

Whereas the Armed Forces used burn pits in Iraq, Kuwait, Oman, Qatar, the United Arab Emirates, Saudi Arabia, and Bahrain during Operation Desert Shield and Operation Desert Storm;

Whereas more than 250 burn pits were used during military operations in Iraq, Afghanistan, and Djibouti after September 11, 2001;

Whereas veterans encountered hazardous exposures while serving at the Karshi-Khanabad Air Base, commonly known as K2, in Uzbekistan from 2001 to 2005;

Whereas there were no regulations restricting what the Armed Forces could burn in burn pits until 2009;

Whereas the open air burn pits used by the Armed Forces in many overseas operations may have exposed members of the Armed Forces to a variety of potentially harmful substances;

Whereas the Department of Defense estimates that approximately 3,500,000 members of the Armed Forces, who served in the Southwest Asia theater of military operations after August 2, 1990, or in Afghanistan after September 11, 2001, may have been exposed to airborne hazards;

Whereas an Iraq and Afghanistan Veterans of America survey found that 86 percent of post-9/11 veterans who served in Iraq and Afghanistan say they were exposed to burn pits or airborne toxic materials;

Whereas hundreds of thousands of members of the Armed Forces and other personnel who served in Iraq, Afghanistan, Kuwait, Saudi Arabia, Djibouti, Qatar, Bahrain, Oman, United Arab Emirates, and certain sea locations have signed up for a burn pit registry created in 2014 by the Department of Veterans Affairs for veterans to register health problems associated with exposure to burn pits; and

Whereas designating August 10, 2022, as “Toxic Exposure Awareness Day” would be an appropriate way to honor the members of the Armed Forces who were exposed to toxic substances while serving in defense of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates August 10, 2022, as “Toxic Exposure Awareness Day”;

(2) honors and recognizes the contributions of the members of the Armed Forces and veterans who were exposed to toxic substances;

(3) encourages States and local governments to designate August 10, 2022, as “Toxic Exposure Awareness Day”;

(4) encourages the Department of Veterans Affairs (referred to in this resolution as “VA”) to conduct additional outreach and promote awareness of the resources that the

VA offers for those to exposed to toxic substances, including—

- (A) offering no-cost health screenings;
  - (B) registering for the VA Airborne Hazards and Open Burn Pit Registry;
  - (C) providing information on the Electronic Health Record (commonly known as “EHR”);
  - (D) reviewing the VA insurance and benefits, including review of disability claims;
  - (E) connecting with County Veteran Service Officers; and
  - (F) promoting awareness campaigns;
- (5) encourages veterans to use the available resources at the VA and Veteran Service Organizations (referred to in this resolution as “VSOs”);
- (6) encourages VSOs to continue outreach efforts to connect veterans with available health resources, from both VSOs and the United States Government;
- (7) promotes continued medical research regarding burn pit exposure risks, whether through the Airborne Hazards and Burn Pits Center of Excellence or other partnership programming with the VA or the United States Government;
- (8) encourages the people of the United States to observe Toxic Exposure Awareness Day, whether by familiarizing themselves with resources available to all veterans or thanking members of the Armed Forces for their sacrifice; and
- (9) demonstrates the resolve that the people of the United States shall never forget the sacrifices and service of the generations of veterans who served in the Armed Forces at home and around the world.

**SENATE RESOLUTION 738—RECOGNIZING THE IMPORTANCE OF TRADEMARKS IN THE ECONOMY AND THE ROLE OF TRADEMARKS IN PROTECTING CONSUMER SAFETY, BY DESIGNATING THE MONTH OF AUGUST AS “NATIONAL ANTI-COUNTERFEITING AND CONSUMER EDUCATION AND AWARENESS MONTH”**

Mr. GRASSLEY (for himself, Mr. COONS, Mr. DURBIN, Mr. TILLIS, and Mr. WARNOCK) submitted the following resolution; which was considered and agreed to:

**S. RES. 738**

Whereas public awareness is crucial to safeguard consumers and businesses from unsafe and unreliable products that, through illicit activity, threaten intellectual property rights, the economic market, and even the health and well-being of consumers;

Whereas Federal statutes such as the Act of July 5, 1946 (commonly referred to as the “Trademark Act of 1946” or the “Lanham Act”) (60 Stat. 427, chapter 540; 15 U.S.C. 1051 et seq.) (referred to in this preamble as the “Lanham Act”) and the Trademark Counterfeiting Act of 1984 (Public Law 98-473; 98 Stat. 2178) regulate the unlawful act of producing and selling counterfeit products;

Whereas the Lanham Act provided the foundation for modern Federal trademark protection, creating legal rights and remedies for brand owners suffering from trademark infringement, helping consumers make informed choices by reducing the amount of confusingly similar products, and making the marketplace more fair, competitive, and safe for all;

Whereas, according to the World Intellectual Property Organization, there was an estimated 64,400,000 active trademark registrations around the world in 2020, an 11.2 percent increase from the previous year;

Whereas counterfeit products undermine laws, including the Lanham Act, that ensure the safety of consumers, businesses, and brand owners against illegitimate products in the marketplace, from which criminal groups and bad actors are benefitting at the expense of the public and private sector;

Whereas counterfeiters use different online platforms to attract consumers to buy illegitimate goods, usually enticing consumers through cheaper prices;

Whereas the growth of both global commerce and electronic commerce has expedited the evolving problem because it has given third-party actors an enhanced opportunity to reach consumers that they may have not previously been able to reach;

Whereas the deceptive tactics of counterfeiters and their counterfeit products pose actual and potential harm to the health and safety of United States citizens, especially the most vulnerable consumers in society, such as senior citizens and children;

Whereas, according to the 2021 Special 301 Report issued by the Office the United States Trade Representative, counterfeit items often do not comply with regulated safety standards, and as a result, vast amounts of unsafe products are constantly circulating the market;

Whereas goods originating in China and Hong Kong account for approximately 80 percent of all global customs seizures of dangerous counterfeit goods, including foodstuffs, pharmaceuticals, cosmetics, and other goods;

Whereas many international criminals have used the pandemic to exploit the market with numerous counterfeits, and as a result, have defrauded United States citizens;

Whereas the Federal Bureau of Investigation has stressed the need to educate the healthcare industry, private organizations, and the public of the United States on the increased potential for counterfeit medical equipment that is used in relation to the COVID-19 pandemic;

Whereas counterfeit medical products pose a particular threat to the safety and health of consumers in the United States because the counterfeit product does not provide the same level of protection as an authentic article;

Whereas these dangers were elevated during the COVID-19 pandemic by significant trafficking in counterfeit personal protective equipment, medical devices, and COVID-19 treatments;

Whereas, according to the World Trade-mark review, “as of 25 March 2021, there have been 2,054 covid-19-related seizures, including counterfeit masks and medicines totaling in excess of \$47.2 million, with 265 arrests”;

Whereas, in September 2021, the Drug Enforcement Administration (“DEA”) issued its first Public Safety Alert in 6 years to warn the public about the alarming increase in the availability and lethality of fake prescription pills in the United States, pills that often contain deadly doses of fentanyl, and in 2021 the DEA seized a staggering 20,400,000 fake prescription pills;

Whereas counterfeit products threaten the United States economy and job creation, and according to United States Customs and Border Protection, counterfeiting and piracy cost businesses in the United States more than \$200,000,000,000 per year and has led to the loss of 750,000 jobs;

Whereas, in 2021, the United States Customs and Border Protection reported 20,252 counterfeit good seizures, with “an estimated manufacturer’s suggested retail price (MSRP) of over \$2.15 billion if the goods were authentic [ , which ] equates to about \$5.88 million in counterfeit goods seizures every day”;

Whereas the manufacturing, trade, and consumption of counterfeit products are on the rise;

Whereas, according to the United States Patent and Trademark Office, as of 2020, at least 20 percent of counterfeit and pirated goods sold abroad displace sales in the United States, and of the \$143,000,000,000 sold of such goods, the United States economy suffers a loss of around \$29,000,000,000 per year;

Whereas businesses of all sizes collectively spend millions of dollars to protect and enforce their own brand and products by removing counterfeit products from both online and physical marketplaces;

Whereas businesses must devote resources to combating counterfeit products instead of using those resources to grow their business by hiring new employees and developing new products;

Whereas 1 of the most effective ways to protect consumers of the dangers of counterfeit products is through educational campaigns and awareness programs; and

Whereas organizations such as the Congressional Trademark Caucus, Federal enforcement agencies, the National Intellectual Property Rights Coordination Center, and State enforcement agencies are actively working to raise awareness of the value of trademarks and the impact and harms caused by counterfeit products on both the national and State economies: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the month of August 2022 as “National Anti-Counterfeiting and Consumer Education and Awareness Month”;

(2) supports the goals and ideals of National Anti-Counterfeiting and Consumer Education and Awareness Month to educate the public and raise public awareness about the actual and potential dangers counterfeit products pose to consumer health and safety;

(3) affirms the continuing importance and need for comprehensive Federal, State, and private sector-supported education and awareness efforts designed to equip the consumers of the United States with the information and tools needed to safeguard against illegal counterfeit products in traditional commerce, internet commerce, and other electronic commerce platforms; and

(4) recognizes and reaffirms the commitment of the United States to combating counterfeiting by promoting awareness about the actual and potential harm of counterfeiting to consumers and brand owners and by promoting new education programs and campaigns designed to reduce the supply of, and demand for, counterfeit products.

**SENATE RESOLUTION 739—AUTHORIZING THE PRINTING WITH ILLUSTRATIONS OF A DOCUMENT ENTITLED “COMMITTEE ON APPROPRIATIONS, UNITED STATES SENATE, 1867–2022”**

Mrs. MURRAY (for Mr. LEAHY (for himself and Mr. SHELBY)) submitted the following resolution; which was considered and agreed to:

**S. RES. 739**

*Resolved*, That there be printed with illustrations as a Senate document a compilation of materials entitled “Committee on Appropriations, United States Senate, 1867–2022”, and that there be printed six hundred additional copies of such document for the use of the Committee on Appropriations.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 5190. Mr. PORTMAN (for himself, Ms. KLOBUCHAR, Mr. BLUNT, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 5191. Mr. PAUL submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117-3, Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden; which was ordered to lie on the table.

SA 5192. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117-3, supra; which was ordered to lie on the table.

SA 5193. Mr. WHITEHOUSE (for Mr. CORNYN (for himself and Ms. HASSAN)) proposed an amendment to the bill S. 734, to amend the Child Abuse Prevention and Treatment Act to provide for grants in support of training and education to teachers and other school employees, students, and the community about how to prevent, recognize, respond to, and report child sexual abuse among primary and secondary school students.

## TEXT OF AMENDMENTS

**SA 5190.** Mr. PORTMAN (for himself, Ms. KLOBUCHAR, Mr. BLUNT, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 4543, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

**SECTION [ELL22383]. REQUIREMENT FOR INFORMATION SHARING AGREEMENTS.**

(a) **SHORT TITLE.**—This section may be cited as the “Intragovernmental Cybersecurity Information Sharing Act”.

(b) **REQUIREMENT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the President, the Sergeant at Arms and Doorkeeper of the Senate, and the Chief Administrative Officer of the House of Representatives shall enter into 1 or more cybersecurity information sharing agreements to enhance collaboration between the executive branch and Congress on implementing cybersecurity measures to improve the protection of legislative branch information technology.

(2) **DELEGATION.**—If the President delegates the duties under paragraph (1), the designee of the President shall coordinate with appropriate Executive agencies (as defined in section 105 of title 5, United States Code, including the Executive Office of the President) and appropriate officers in the executive branch in entering any agreement described in paragraph (1).

(c) **ELEMENTS.**—The parties to a cybersecurity information sharing agreement under subsection (b) shall jointly develop such elements of the agreement as the parties find appropriate, which may include—

(1) direct and timely sharing of technical indicators and contextual information on cyber threats and vulnerabilities, and the means for such sharing;

(2) direct and timely sharing of classified and unclassified reports on cyber threats and activities consistent with the protection of sources and methods;

(3) seating of cybersecurity personnel of the Office of the Sergeant at Arms and Doorkeeper of the Senate or the Office of the Chief Administrative Officer of the House of Representatives at cybersecurity operations centers; and

(4) any other elements the parties find appropriate.

(d) **BRIEFING TO CONGRESS.**—Not later than 210 days after the date of enactment of this Act, and periodically thereafter, the President shall brief the Committee on Homeland Security and Governmental Affairs and the Committee on Rules and Administration of the Senate and the Committee on Homeland Security and the Committee on House Administration of the House of Representatives on the status of the implementation of the agreements required under subsection (b).

**SA 5191.** Mr. PAUL submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117-3, Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden; which was ordered to lie on the table; as follows:

In section 1, in the section heading, strike “**DECLARATION AND CONDITIONS**” and insert “**DECLARATION, CONDITIONS, AND RESERVATION**”.

In section 1, strike “declarations of section 2 and the condition in section 3” and insert “declaration of section 2, the conditions in section 3, and the reservation in section 4”.

At the end, add the following:

**SEC. 4. RESERVATION.**

The advice and consent of the Senate under section 1 is subject to the following reservation: Article 5 of the North Atlantic Treaty does not supersede the constitutional requirement that Congress declare war before the United States engages in war.

**SA 5192.** Mr. SULLIVAN submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117-3, Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden; which was ordered to lie on the table; as follows:

In section 2, strike paragraph (6) and insert the following:

(6) **SUPPORT FOR 2014 WALES SUMMIT DEFENSE SPENDING BENCHMARK.**—The Senate declares that all NATO members should spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense and 20 percent of their defense budgets on major equipment, including research and development, by 2024, as outlined in the 2014 Wales Summit Declaration.

**SA 5193.** Mr. WHITEHOUSE (for Mr. CORNYN (for himself and Ms. HASSAN)) proposed an amendment to the bill S. 734, to amend the Child Abuse Prevention and Treatment Act to provide for grants in support of training and education to teachers and other school employees, students, and the community about how to prevent, recognize, respond to, and report child sexual abuse among primary and secondary school students; as follows:

At the end, insert the following:

(b) **REPORT ON EFFECTIVENESS OF EXPENDITURES.**—The Inspector General of the Department of Health and Human Services shall—

(1) prepare a report that describes the projects for which funds are expended under section 105(a)(8) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(a)(8)) and evaluates the effectiveness of those projects; and

(2) submit the report to the appropriate committees of Congress.

(c) **REPORT ON DUPLICATIVE NATURE OF EXPENDITURES.**—The Inspector General of the Department of Health and Human Services shall—

(1) prepare a report that examines whether the projects described in subsection (b) are duplicative of other activities supported by Federal funds; and

(2) submit the report to the appropriate committees of Congress.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. CARPER. Mr. President, I have four 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 BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, August 2, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Tuesday, August 2, 2022, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, August 2, 2022, at 2:30 p.m., to conduct an open hearing on a nomination.

SUBCOMMITTEE ON COMMUNICATIONS, MEDIA, AND BROADBAND

The Subcommittee on Communications, Media, and Broadband of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, August 2, 2022, at 2:30 p.m., to conduct a hearing.

**ORDERS FOR WEDNESDAY, AUGUST 3, 2022**

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Wednesday, August 3; 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 the Senate be in a period of morning business

for debate only until 1:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; further, that the order with respect to Treaty Document 117-3 be modified to reflect the following, with all previous provisions remaining in effect: Sullivan amendment No. 5192 and Paul amendment No. 5191.

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

Mr. WHITEHOUSE. For the information of the Senate, there will be up to three rollcall votes at approximately 4:30 p.m. in relation to the NATO treaty.

#### ORDER FOR ADJOURNMENT

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

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

The Senator from Ohio.

#### INFLATION REDUCTION ACT OF 2022

Mr. PORTMAN. Madam President, I come to the floor this evening to talk about the Democrats' latest reconciliation proposal. This is the tax-and-spend legislation you have probably heard about. It is called the Inflation Reduction Act, but don't be fooled by the name. It doesn't actually decrease the inflationary pressure we all feel at the gas pump, at the grocery store, clothes shopping. It actually makes it worse.

Sadly, we have been down this road before. Early last year, the Democrats passed a massive \$1.9 trillion package that was supposedly focused on COVID, but most of it had nothing to do with COVID but provided a lot of stimulus. It was the largest spending package ever in the history of Congress, and, at the time it passed, a lot of us said: Wow, the economy coming out of that first stage of COVID is already picking up steam.

In fact, the nonpartisan Congressional Budget Office was telling us that, by midyear last year, we would be back to where we were pre-pandemic—pretty strong economic growth—and yet the Democrats were insisting on another \$1.9 trillion, almost \$2 trillion, of spending.

Remember, we had just passed a \$900 billion spending bill to help with COVID, which was bipartisan, by the way. I was part of putting that together. And so when it came to this new one, we said: Whoa, don't do this. It is going to overheat the economy, overstimulate the economy—particularly because inflation is about demand mismatching supply.

And this is exactly what was happening. You had demand growing and supply constricted, partly because of COVID, partly because of policy decisions that were being made.

So we warned that this much stimulus in the economy was going to lead to inflation, and very sadly, we were right.

By the way, it wasn't just Republicans who said that. Some prominent Democrat officials said that, including some who had been senior economic advisers in the Obama administration, in the Clinton administration, including Larry Summers, who was quite prescient when he said: Gosh, we shouldn't do this because this is going to heat up the economy and cause a lot of inflation.

Democrats didn't pay any attention to those concerns then. They went ahead and passed that legislation. Remember, today, we are looking at inflation that is the highest it has been in 40 years, and here we are today about to do some of the same exact things: more spending, more taxes.

It is \$700 billion more in spending and about \$326 billion in taxes—new taxes on the economy.

It will not reduce inflation. In fact, the nonpartisan Penn Wharton Budget Model predicts it will actually increase inflation over the next 2 years and that, over time, it will be about even. But it won't decrease inflation. In fact, over the first couple of years, they say it will increase it.

And the burden of the \$326 billion in the tax increases is not just going to companies. It never does. It gets passed along. In this case, it falls, of course, to workers and to consumers. According to the nonpartisan Joint Committee on Taxation that we have to rely on up here—it is a nonpartisan group that gives us the analyses of these tax bills—it will hurt Americans in nearly every income bracket.

In fact, they say more than half of the \$300 million in new taxes will fall on folks making less than \$400,000 a year. Why? Because, again, you are taxing a company, but the company passes that along to its workers and to its customers. And they are saying that more than half of that burden will fall on taxpayers who make less than \$400,000 a year.

Why do I say that? Because that is the cutoff that President Biden has always put in place, saying that no tax increases will affect anybody who makes less than 400,000 bucks a year. This one does. Again, it is based on the Joint Committee on Taxation.

As part of these tax hikes, manufacturing is hit particularly hard. The Joint Committee says that about 50 percent of the impact of this tax increase is going to be on manufacturing businesses.

Now, this is interesting to me because we just passed a big bill. Some call it the CHIPS bill. Some call it the China bill. Some call it the Competition bill. But it was a bill to focus on what? Making our American companies more competitive, particularly our manufacturing companies. And we are spending a lot of money—hundreds of billions of dollars—to do that. And here

we are turning around and saying: No. Do you know what? We are actually going to increase taxes on these manufacturing businesses.

This proposed tax is very different from the existing corporate income tax, which is based on income that these businesses actually report to the Internal Revenue Service when they file their taxes. That income has been defined by Congress over the years. It doesn't use that as the measure of income. Instead, it looks at a company's financial statements and comes up with a new definition of income called the adjusted financial statement income.

This type of financial reporting is far broader because these statements were designed for very different reasons. Taxable income that the IRS is in charge of, as opposed to financial income, is meant to raise revenue and provides in our Tax Code all kinds of tax preferences, incentives, disincentives for certain activity—like being able to deduct the cost of new equipment. That is something we want to encourage. So we allow companies to do that. Like being able to take a tax credit, let's say, for energy efficiency—we want to encourage companies to do that. So that is in the tax part as opposed to the book income part.

The financial statement income is not determined by elected representatives. In other words, Congress doesn't determine how you calculate that tax. The financial statement income is actually determined by something called the Financial Accounting Standards Board, which is a private nonprofit recognized by the U.S. Securities and Exchange Commission as the accounting standard setter for public companies.

Now, that works fine for determining accounting standards, but this change effectively puts these people in control of what the corporate tax base is, even though they are not elected Representatives. They are not even working for the government. They are a nonprofit.

Because corporate income taxes and this book minimum tax are calculated using these very different types of information, the 15-percent minimum tax, which is a book-tax minimum tax, can actually end up being larger for companies than the 21-percent income tax—again, because it calculates it differently.

It is an example of Congress avoiding its responsibility, frankly. If we think that we should charge companies more taxation, let's look at the Tax Code and let's get rid of some of these tax preferences that people think don't work. Let's change the Tax Code. Let's not come up with another way to calculate what the tax ought to be—determined, again, by accounting standards that are done by this nonprofit group called the Financial Accounting Standards Board.

Instead of examining the Tax Code we created and the deductions and credits that exist, it simply hands the reins over to this board. Most accountants and tax experts recognize this is

really a dangerous path. This is why, when it was proposed last year, 264 accounting academics wrote to Congress to warn us not to do it. They warned of the dangers of politicizing this accounting board, how that would lower the quality of financial accounting. They warned that this would change company decision making to make companies less efficient because companies are now going to manage toward the financial statement, not toward the income tax.

They also warned that it would add needless and significant complexity to the Tax Code. Well, of course, you are going to calculate, now, income on two bases, with very, very different measurement and factors considered.

To their credit, actually, the American Institute of Certified Public Accountants, who actually stand to benefit from complexity, separately also wrote us just recently a letter saying: Please don't do this. This is the CPA organization in the whole country—again, people who would benefit from complexity—but they are saying this is just bad policy. Why would you determine a company's taxation based on the book income? That is not what that is for.

We should listen to these warnings, and we should also learn from history. We tried this type of tax in the form of the 1986 tax reform. We actually tried this as a country. And do you know what? It lasted 2 or 3 years, and then it was repealed. Why? Because it didn't work. The exact warnings that we just talked about ended up being true. The Assistant Secretary of Treasury for Tax Policy told the House Ways and Means Committee when it was repealed that the book tax they had then was “having a detrimental effect on the quality of financial reporting.”

The complexity was complained about and the fact that this was not fair and was not an appropriate way to measure a company's income.

Now, more than 30 years later, Democrats seem to have forgotten history and are about to repeat the same mistake. The line you are likely to hear from some of my colleagues on this side of the aisle is that this tax is just designed to make big companies pay their fair share of taxes because it only applies to companies who have more than a billion dollars in net income. Well, that is fine. But guess who pays this tax. It is not corporations that bear the brunt of it.

In reality, taxes on corporate income, such as this new book minimum tax, falls on workers and it falls on consumers. And there are lots of workers and consumers who are connected with these companies.

Last year, there were over 200 companies listed in the Fortune 500 as having a billion dollars in profits or more, and, by the way, they employed more than 18 million Americans. You are talking about 18 million people out there who will be affected by this, and these big companies also have a lot of consumers

well beyond those 18 million. So it is the millions of people who are employees and who are customers in these businesses who bear the brunt of these tax increases as they are passed down to them in the form of lower wages, lower benefits, and higher prices for goods and services—exactly the wrong thing in this inflationary spiral we are living in now where everything costs more. Why would we want to add additional costs by saying we are going to tax these companies that are going to pass it along to their workers and to the consumers with higher prices?

It doesn't matter whether you are taxing income or income on financial statements; the corporate income tax falls on these workers. Don't take my word for it. Again, the Joint Committee on Taxation just last year said that they expect about 25 percent of corporate taxes to fall on workers. This means lower wages, again, as this recession looms and as inflation hits the highest levels since 1981, 40-plus years.

By the way, we just went through our second quarter of negative economic growth. Traditionally, that means a recession. That is how we define one. The administration refuses to call it a recession.

I will just tell you, for people who live in my home State of Ohio—particularly people on fixed income, lower and middle-income workers—they are feeling it. For them, it is a recession.

In addition to the Joint Committee saying that the corporate taxes fall on workers, the Congressional Budget Office—again, a nonpartisan group up here in Congress—has said that employees and workers bear more like 70 percent—70 percent—of the burden of corporate income taxes.

There is a long list of analyses in between. In 2017, the Organization for Economic Cooperation and Development, or OECD, reviewed many of the available economic studies around the world that have been done and found that the best studies fall within this range of about 30 to 70 percent.

Let me say that again. Overwhelmingly, economic studies support the idea that workers bear between 30 and 70 percent of the corporate tax hikes.

So going after workers' wages is one heck of a strategy to bring down inflation. People are already hurting because wages are here and inflation is here. So wages haven't kept up with inflation. This will make it worse.

Germany, by the way, did an analysis of corporate taxes recently and found that the burden fell hardest on low-skilled, young, and female employees, not the highest earners.

The most important of these tax law changes is limiting what is called bonus depreciation. That is something that you would get as a company if you are in the regular income tax system but not under this new book tax calculation.

What is bonus depreciation? Well, it allows companies to deduct the costs of investments, of new equipment in the

year they are made. Under the book tax, they spread that deduction over the lifetime of the investment. In both cases, they are deducting the cost of it, but whether they can do it immediately under bonus depreciation or whether they have to do it over the course of many years matters a lot for investment decisions.

Being able to deduct the cost of these investments immediately provides a big incentive for people to invest, and that is what has happened. This is not a loophole. I have heard this word: It is a loophole; we are just closing loopholes.

This is not a loophole. This is a deliberate tax policy that we have put in place to help encourage companies to invest more in equipment and plan and therefore help the workers, therefore make America more competitive, and, actually, over time, it increases the tax revenue that comes in to our coffers.

It is really important to encourage investment and economic growth but particularly important for manufacturers. That is why the Joint Committee on Taxation found that half of the burden of this new tax will fall on manufacturers because bonus depreciation is so important to them. This isn't unique to us. Every single developed country in the world offers a policy like bonus depreciation. Why? Because it works, because if they don't and other countries do, they can't compete.

The United Kingdom is far more generous than ours, for example, for purchase of equipment. Across the assets that use this sort of what is called cost recovery, we are actually well below the average in the OECD, which is the group of about 40 highly developed countries like ours. We rank 21st now out of 38 for these types of incentives. This will make us even less competitive, meaning it is going to be better for manufacturers to invest in other countries that have better incentives rather than here in the USA. We want them to invest here. Again, we just passed legislation to provide more incentives to invest here, and now we are doing just the opposite through this book tax increase.

Bonus depreciations traditionally had bipartisan support, and this sudden shift to call this bonus depreciation a loophole is a misrepresentation of what bonus depreciation does, why we have it, and how important it is for our manufacturers to compete. We expanded bonus depreciation in the 2017 Tax Cuts and Jobs Act. And then in 2018, the next year, and 2019, the next year after that, we had two of the best years ever for manufacturing investment, growing by 4.5 percent and then 5.7 percent, respectively. A lot of that growth was going on, prior to that time, overseas, particularly in China. And we brought investment back to the United States. This is why, according to the Joint Committee on Taxation, the manufacturing industry is so hit hard by this.



According to the National Association of Manufacturers, in 2023, this tax increase would shrink GDP—that is our economic growth—by about \$68 billion, would result in 218,000 fewer jobs, and it would have a labor decrease of about \$17 billion. This is the National Association of Manufacturers telling us this week: Please don't do this. This is going to result in a job loss to over 200,000 jobs. We want to have more manufacturing jobs, not less.

The workers hit hardest are those who work in manufacturing because this tax hike on physical assets will disproportionately hit manufacturing jobs. My home State of Ohio has a lot of manufacturing jobs. We are a big manufacturer. We are proud of that. We have a lot of factories. We like to make things. So it will particularly hit States like mine.

But, remember, it is not just wages we are talking about. No. Workers get hit at both ends. They get hit as workers—wages and benefits—but also as consumers when they get paid and when they try to spend their money. Families facing record inflation today are facing higher prices as cost of corporate taxes get passed down to the consumer. Again, I am not going on gut feeling; although, it makes sense, doesn't it? If you tax an entity, it gets passed along in terms of the cost of the goods. I am talking about what economists are saying is going to happen when we increase taxes on American businesses.

In a key study last year performed by economists at the business schools of the University of Chicago and Northwestern, they found that about 31 percent of corporate taxes fall on consumers through higher retail prices, and they warn that policymakers have been underestimating significantly how much of these taxes fall on con-

sumers, on the people that buy these products that these companies make.

Democrats are ignoring this evidence, pushing ahead with partisan legislation, without any Republican support, that will make inflation worse; that will hurt workers; that will raise prices.

Again, it doesn't stop there.

I can talk about how corporate taxes discourage investment, both domestic and foreign, in the United States, according to economists from the World Bank and from Harvard. I can talk about how, contrary everything the Democrats claim, corporate taxes make income inequality actually worse, increasing the income of the top earners and lowering the income of the low- and middle-income workers. This is based on a 2020 study by an economist at the University of Michigan.

I can talk about the opposite side of the equation, how lowering taxes for businesses of all sizes, as we did in 2017, supports economic growth. Going into the pandemic, we had 19 straight months of wage gains of 3 percent or more. Most of that wage gain was going to lower- and middle-income workers. We had the lowest poverty rate in the history of the country. We had good things going on because you had this economic growth. You had companies paying higher wages.

In the years between the Tax Cuts and Jobs Act and the coronavirus pandemic, again, we not only saw just an end to these corporate inversions with companies going overseas, we saw jobs and investment coming back to the United States, and we kept inflation very low. That is a far cry from the estimate that was out last week from the National Association of Manufacturers, which, again, predicts that this book tax will result in a \$68 billion hit to our economy with over 200,000 fewer jobs.

Prior to the pandemic, pro-growth policies led to a really strong economy with steady growth, low inflation, and real wage increases of 3 percent or higher. Instead of spending and tax hikes that are only going to add to this inflation, let's have a true Inflation Reduction Act that lowers costs to consumers by increasing supply to regulatory relief and other pro-growth policies that were working so well before the pandemic. Let's do what we know we have to do to get inflation down.

It is a mismatch between demand and supply. We can, through positive pro-growth policies, increase that supply and get inflation down and ensure that American families have a better shot at their American dream. Instead, here we go again with the Inflation Reduction Act that will actually be the "Inflation Increase Act."

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#### ADJOURNMENT UNTIL TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 12 noon tomorrow.

Thereupon, the Senate, at 9:01 p.m., adjourned until Wednesday, August 3, 2022, at 12 noon.

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#### CONFIRMATIONS

Executive nominations confirmed by the Senate August 2, 2022:

##### THE JUDICIARY

ELIZABETH WILSON HANES, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA.

##### NUCLEAR REGULATORY COMMISSION

ANNIE CAPUTO, OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2026.

BRADLEY R. CROWELL, OF NEVADA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2027.