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## Senate

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

### PRAYER

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

Let us pray.

O God, lover of humanity, give us today Your pardon and peace. Pardon the sins of our lips: the unkind words we may have spoken. Pardon the sins of our minds: the refusal to face facts. Lord, pardon the sins of our hearts: the pride that makes us forget to love our neighbors as we love ourselves.

Mighty God, place Your peace within our Senators, providing them with the certainty that Your love can vanquish fear. And, Lord, we continue to pray for the tornado recovery efforts.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 14, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Samantha D. Elliott, of New Hampshire, to be United States District Judge for the District of New Hampshire.

#### RECOGNITION OF THE MAJORITY LEADER

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

#### SENATE LEGISLATIVE AGENDA

Mr. SCHUMER. Mr. President, today, the Senate will vote to advance at least one more Biden judicial nominee; we will move forward on our annual Defense bill; we will vote on the motion to proceed on legislation to raise the debt ceiling—all, hopefully, before we start the afternoon. It is a busy day for the Senate, so let me break down each of these items in some detail.

On the legislative front, later this morning, the Senate will vote to invoke cloture on the annual Defense bill, negotiated on a bicameral-bipar-

tisan basis. For over 60 years, the NDAA, the National Defense Authorization Act, has passed without fail, on a mostly bipartisan basis. So I thank all of my colleagues for working in good faith to get this Defense bill done.

The Senate will then turn to the critical matter of addressing the debt limit in order to avoid a first-ever default on our sovereign debt. Last week, Democrats and Republicans came together to pass legislation, setting up a fast-track process for addressing the debt limit. Today, we are going to complete that process, and it will come in two steps.

First, as I said, we will vote on the motion to proceed, followed by a vote on final passage later today. Thanks to last week's agreement between Democrats and Republicans, today's motion to proceed will be set at a majority threshold. Once we are on the bill, no amendments will be in order. Debate will be limited to 10 hours, and we hope to yield back debate time on our side to keep this process moving. The resolution we will vote on will provide for the raising of the debt limit to a level commensurate to funding that is necessary to get into 2023.

As I have said repeatedly, this is about paying debt accumulated by both parties, so I am pleased Republicans and Democrats came together to facilitate a process that has made addressing the debt ceiling possible. I want to thank the Republican leader and all of my Republican colleagues who reached out across the aisle in good faith to bring us to this point—no brinksmanship, no default on the debt, no risk of another recession. Responsible governing has won on this exceedingly important issue. The American people can breathe easy and rest assured there will not be a default.

So, once again, I thank the Republican leader and my Republican colleagues who voted with us to address this issue. The Senate can be done with this matter before the end of the day—

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



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crossing another major item off of our December to-do list.

Off the floor, Democrats continue working to put the Senate in a position to act on President Biden's Build Back Better Act, along with the timeline I have set out for our caucus. This week, bipartisan Byrd bath meetings with the Parliamentarian will continue. I thank my colleagues, the Parliamentarian, and her team for working through this important and difficult process.

The President will also continue his conversations with our caucus as we hash out the final details of the legislation. Build Back Better is moving forward, and I thank all of my colleagues and the President for their diligence and their commitment to get this done.

#### JUDICIAL NOMINATIONS

Mr. President, on judges and nominations, in addition to our legislative agenda, the Senate will also work today and the rest of the week on confirming more of President Biden's nominees to serve on the Federal bench.

First, we will hold a vote this morning to proceed on the nomination of Samantha Elliott to serve as a district judge for the District of New Hampshire. As soon as today, we also hope to vote on the confirmation of Jennifer Sung of Oregon, nominated to sit on the U.S. Court of Appeals for the Ninth Circuit. The Senate invoked cloture on Ms. Sung at the end of last week, and I want to say a few words in support of this remarkable nominee.

Throughout her career, Ms. Sung has proven herself to be an exceptionally impartial adjudicator, a valiant advocate for working Americans, and I am confident she will be an excellent judge who adds to the personal and professional diversity of the Ninth Circuit.

A graduate of Oberlin and Yale Law School, Ms. Sung's first experience with the Ninth Circuit came while she served as a clerk for Judge Betty Fletcher before embarking on a career in private practice focused on employment and on labor law. For over a decade, she regularly represented low-income workers, minority workers, and underserved communities in disputes against their employers. As a member of the Oregon Employment Relations Board, she struck a difficult balance between protecting the rights of working Americans while applying the law without prejudice—the key ingredients for any successful Federal judge.

If confirmed, Ms. Sung will be one of the very few Asian Americans to sit on the Federal judiciary. Along with Ms. Elliott, she would be the 31st judge whom the Senate Democratic majority has confirmed this year—the most under any President's first year in decades—and we are doing it with outstanding, impartial, and diverse nominees, and we are going to keep working in the months ahead.

Today, article III judges are still overwhelmingly White, overwhelmingly male, and overwhelmingly from big law firms or prosecutorial back-

grounds. Many of these individuals have served admirably on the bench, but we hope the trailblazers of today can be closer to the norm of tomorrow. We want our courts to include more women, more diverse candidates, both demographically and professionally, and more judges who come from unique walks of life. That is how we can strengthen Americans' trust in an independent and impartial judiciary—so important to the vitality of our democracy.

#### CORONAVIRUS

Now, Mr. President, on the COVID moment of silence, this evening, I will join the Speaker and other congressional leaders on the Capitol steps to mark a dreaded and sorrowful milestone as 800,000 Americans—800,000—have now lost their lives to the COVID-19 pandemic. We will hold a moment of silence in their memory.

As Americans come together for the holidays, as we take stock of the long road we have taken this year, many of us carry in our hearts an unresolvable contradiction: gratitude for the progress we have made but grief for the loss we have endured along the way.

Thanks to vaccines, tens of thousands of deaths—maybe even hundreds of thousands—have been, thankfully, prevented. Across the country, Americans are returning to work and once again are meeting at bars, at restaurants, at concerts.

Our country is far better off today than we were a year ago, but on this day—this day—we will remember that 800,000 loved ones did not make it this far: a lost father or grandfather, mother or grandmother, friend or familiar face in the neighborhood. All of us know someone whom this disease has taken away. And, of course, we are not out of the woods yet. As the Omicron variant makes its way across the country, I urge my fellow New Yorkers and all of my fellow Americans to get vaccinated and boosted as soon as possible, if eligible. Vaccines remain the best—the very best—way to bring this disease to an end.

I hope the milestone we observe today is the final one in our fight against this awful disease. With vaccines, we can rid ourselves of COVID and avoid adding to the awful sum that we have reached this week.

As for those we have lost, today, we remember them. We hold them close to our hearts, and we commit to doing our part to bring this pandemic to an end. I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### KENTUCKY

Mr. McCONNELL. Mr. President, Kentucky is working to recover from the deadly storms and tornadoes. Each day brings entirely new challenges. Tens of thousands are still dealing with water, gas, or power outages. Families are in shock and grief over the loss of loved ones. Rebuilding the areas in Kentucky leveled by this storm will take months, if not years, to complete.

Amid this pain, though, bright lights of hope shine through. In the face of tragedy, Kentuckians are still as strong and as generous as we have always been.

Yesterday, I spoke with the Taylor County judge-executive. He told me that 70 families in his county had lost their homes in the storm. Emergency responders made shelters available, but folks were completely taken in by family, friends, or neighbors—just the kind of people we have in Kentucky.

In Mayfield, residents are already beginning to rebuild only days after the storm leveled full city blocks. Churches hosted Sunday services this past weekend. Locals brought their chain saws and cleared debris from the city's roads. People from nearby counties and States have flooded—literally flooded—in to help.

One man, Jimmy Finch, has struck a chord with America's hearts all across the country. He had no connections to Mayfield whatsoever. He is from Clarksville, TN. But after the disaster, he borrowed a big meat smoker, got into his car, made the hour-and-a-half journey in the dead of night and started serving up food the next morning. This fellow from Tennessee came up to Kentucky and brought a whole bunch of food. On Sunday morning, for hours, he fed chicken, hot links, and burgers to hungry residents who had been without heat or power for days.

Western Kentucky's radio and TV stations have kept operating throughout this crisis, delivering vital information, even amid roving power outages. State parks opened their doors to residents who lost their homes. Businesses, individuals, and charities have been generous with food, water, and shelter.

Kentucky's first responders are working hand in hand with FEMA to provide coordinated relief. Doctors, nurses, firefighters, and law enforcement officers are working literally through the night. Utility workers are making a Herculean effort to restore power and water.

Hundreds of Kentucky National Guardsmen have deployed to Western Kentucky to offer their assistance. And in Fort Campbell, the Federal Government has provided a critical lifeline of support: 61 generators, 74,000 meals, 135,000 liters of water, thousands of cots and blankets, all supplied by Fort Campbell.

I am in close contact with Governor Beshear, our Federal Agencies, and local leaders. My staff and I have been in frequent touch with the White House.

Kentucky will come back from this bigger and better than ever before. I will make sure the Senate provides all the assistance we can to make sure that is a reality.

## INFLATION

Now, Mr. President, on a totally different matter, Washington Democrats' printing, borrowing, and spending addiction is directly hurting American families.

Two-thirds of the American people, a supermajority, are worried about inflation. About half the middle class and 70 percent of low-income families say soaring prices have personally hurt their household. And it isn't getting better, like the Biden administration promised it would. It is actually getting worse.

Last Friday, the Labor Department released a jaw-dropping report: The consumer price index has shot up 6.8 percent over the past year; 6.8 percent inflation, the worst inflation—listen to this—the worst inflation in 40 years.

Now, it is true that the average American worker has gotten a pay increase since 2020, but rising prices have more—more—than wiped that totally out.

We have a remarkable situation where American workers are earning raises, but their bigger paychecks buy their families even less than what their smaller paychecks bought before the Democrats took power. The net effect is a nearly 2-percent pay cut for the average American.

Now, our citizens do know what is happening. Sixty-seven percent of the country says Washington needs to "cut back on spending and printing money." Let me say that again. Sixty-seven percent of the country says Washington needs to "cut back on spending and printing money."

But here in Washington, leading Democrats want to plow ahead and double down on the reckless taxing-and-spending spree that got us here. They want to respond to this stunning inflation report by printing, borrowing, and spending trillions upon trillions more on new entitlements and far-left programs.

If that weren't bad enough, on Friday, a new report showed their socialist shopping spree could cost the country trillions more than Democrats are willing to admit.

You see, as one of our Democratic colleagues explained last month, his party's bill is packed full of "shell games" and "budget gimmicks"—"shell games" and "budget gimmicks." For example, their bill pretends that major new entitlements would simply expire after a few years.

Of course, that never happens. As a wise man once said, "Nothing is so permanent as a temporary government program." And Democrats aren't even pretending they think the spending would stop. They are boasting about a permanent transformation. The fake expiration dates are just an accounting trick so the pricetag looks artificially low.

And last Friday, the Congressional Budget Office announced that if we acknowledge the permanent entitlements would be permanent—in other words, tell the truth—their bill would actually cost \$4.9 trillion in the first decade alone. That is the truth of the situation. It would explode the deficit by \$3 trillion in that same 10-year period.

Democrats are trying to reassure their alarmed Members that they would find new ways to offset future extensions. But let's think about it. They have just spent months shoveling every possible pay-for into this existing bill. They already burned through huge permanent tax hikes just to partially offset the bill with the gimmicks. Extending these programs further would either explode our national debt or it would take even further trillions and even further gigantic tax hikes that Democrats are simply unwilling to specify.

So which is it, historic deficits or trillions more in secret tax hikes? The right answer for the country is neither.

Later today, every Senate Democrat is going to vote along party lines to raise our Nation's debt limit by trillions of dollars. If they jam through another reckless taxing-and-spending spree, this massive debt increase will just be the beginning: more printing and borrowing to set up more reckless spending, to cause more inflation, to hurt working families even more.

What the American people need is a break.

## NATIONAL DEFENSE AUTHORIZATION ACT

Mr. President, now, on one final matter, for months, while our colleagues have been writing their reckless taxing-and-spending spree behind closed doors, the Democratic majority let the National Defense Authorization Act sit in limbo. This week, 4½ months after it was cleared by the Armed Services Committee, the Senate should finally—finally—finish this legislation.

Unfortunately, those who mean America harm haven't been waiting around for us to act. Threats to our national security are grave and getting graver. Since the Biden administration's disastrous retreat from Afghanistan, according to our top commander in the region, the U.S. military has but a small fraction of the actionable intelligence they had before the coalition withdrew.

But the predictable, avoidable resurgence of terrorist networks, of course, has continued apace. We also know that more American citizens and permanent residents remain stranded under Taliban rule than the Biden administration is willing to admit.

Meanwhile, the threat of further Russian aggression toward Ukraine is testing whether this White House and our allies in Europe will avoid misguided half measures to deter and defend against grave and growing threats.

So at the risk of stating the obvious, the United States needs to follow through with promises of urgent, substantive assistance to Ukraine and en-

courage other NATO allies to do the same thing. This should not be controversial. Only in the warped world of Kremlin propaganda is giving Ukraine the means to defend itself considered provocative.

These real threats to national security and others too numerous to name should serve as a reminder of the need for America to lead by example and commit to modernizing our own military capabilities, which in turn means taking the National Defense Authorization Act seriously.

So I am glad the Senate is finally set to vote on this crucial legislation. While the process has been imperfect, I am glad that bipartisan work has produced a bill that authorizes an increase in top-line funding for our national defense.

After months of delays, our colleagues have an opportunity to begin showing that America is serious about keeping pace with adversaries like Russia that have spent literally decades modernizing their militaries with a singular focus on countering our military advantage.

We have an opportunity to pay more than just lip service to competition with China. We have an opportunity to lay a foundation that we ought to follow through with robust and full-year Defense appropriations.

I would encourage all Senators to advance this legislation today.

The ACTING PRESIDENT pro tempore. The majority whip.

## TORNADOES

Mr. DURBIN. Mr. President, the monstrous chain of tornadoes and violent storms that rampaged across Illinois and five other States last Friday is a terrible reminder in America that we are all one people.

The killer storms didn't stop at State lines. They didn't discriminate based on skin color, creed, political party, or age. Among the more than 90 victims that we know of at this moment, the eldest was 86 years old; the youngest, sadly, was a tiny baby of just 5 months old.

Even as people in my State of Illinois grieve for victims in our State, we also mourn for and with all those who died and are suffering in nearby States: Arkansas, Tennessee, Mississippi, Missouri, and especially our neighbor to the south, Kentucky.

Senator MCCONNELL has spoken, and we have all seen reports, of the staggering destruction in Mayfield, KY, and other communities.

I want to say a few words about the destruction that was wreaked on my own State and also about the tremendous outpouring of compassion and community.

The National Weather Service tells us more than 30 tornadoes tore through 6 States last Friday night. The most destructive may go down as the longest continuous tornado in the history of the United States. That tornado appears to have remained on the ground for 4 hours, traveling 290 miles across

four States, pulverizing everything in its path.

From Kentucky, there were reports of objects being lifted 30,000 feet in the air by the force of the tornado. Treasured family photos were found 100 miles away. Sadly, at least 80 people have lost their lives in Kentucky.

In Illinois, we have also suffered staggering losses. Four tornadoes tore across our State between 7:30 and 10 last Friday. The greatest devastation was in Edwardsville, IL, Madison County, where a powerful tornado with winds up to 155 miles an hour peeled the roof off a massive Amazon distribution facility about 9 o'clock. I know the facility. I have been there.

Massive concrete walls 11 inches thick and 40 feet high caved in, trapping employees who were working to fill Christmas and holiday orders. Fire and rescue crews from at least 20 communities rushed to the scene. More than 45 workers managed to escape from that mountain of rubble, but 6 workers died when the warehouse collapsed. The oldest was 62; the youngest was 26. Thirty more workers were hurt. One is still hospitalized with critical injuries.

I know I speak for millions of Americans when I say that our hearts go out to all those who perished in Friday's tornadoes and to those they left behind.

I thank President Biden for responding quickly. Yesterday, our Governor, JB Pritzker, requested an emergency declaration, and of course we joined him. The President issued the emergency order just a few hours after that request. This assistance will help our State immediately, but there is more to do. Our thanks to the Red Cross and so many volunteers, local residents in communities across Illinois, for pitching in to help the victims. Supplementing that fine work are volunteers who have come to help in any way they can.

It was ironic that last week I had a coffee for a man named Jose Andres. Jose Andres is well known by many across the country for his extraordinary efforts to feed hungry people. Last Tuesday, he spoke to us, a few members of our caucus, about his non-profit organization, the World Central Kitchen. They have come to the rescue of people in need in Puerto Rico and Haiti and all across the United States and around the world.

Today, World Central Kitchen is on the ground in Mayfield, KY, where the tornadoes struck last Friday, providing hot food to the victims. It is a time when America, a divided nation, actually sees our Nation coming together.

The tornadoes didn't distinguish between red States and blue States, between Trump supporters and Biden supporters, and it is my great hope that the Senate will also put aside its politics for a few moments and stand together to help the victims.

#### BUILD BACK BETTER ACT

Mr. President, on a related matter, while we cannot say that last week's

killer tornadoes were directly related to climate change, there is no doubt among scientists that climate change is making the world's weather patterns more volatile and destructive.

How many times in the past year have Members of this Senate come to the floor to respond to a once-in-a-century heat wave or a once-in-a-century storm that has hit their home State? I will just say, for tornadoes, you can't be a kid growing up in the Midwest, as I was, and not know about tornadoes—how many times in the middle of the summer we were roused from our bed as the sirens went off, and Mom would take us down to the basement, a safe place, until the storm would blow over. That was a summer phenomena.

I just have to remind you that we just went through a December tornado in that same area—unheard of in years gone by.

Over the summer, the Pacific Northwest burned in the worst heat wave on record; there were droughts in Western States; a polar vortex knocked a Texas power grid offline. Each of these deadly and disastrous weather events are related to the next, and it is fair warning to all of us that what is happening to the climate in the United States is happening around the world.

Just yesterday, scientists warned that a glacier the size of Florida is at risk of splitting apart in the next few years, causing catastrophic rise in sea levels that could threaten the millions of people living in coastal areas.

When we talk about Build Back Better, the reconciliation bill, and that part of the bill that is focused on environmental resilience, being ready to protect ourselves and to bounce back, if necessary, when extreme weather hits, it is the topic in this morning's newspaper, and it will be in tomorrow's as well.

We ought to be coming together and finally putting aside our political differences and realize that climate change is the threat to us now and an even greater threat to our children and grandchildren.

Last week, I received a letter from one of the small business owners in our area, Dr. Dane Glueck. A few years ago, he started a company called StraightUp Solar, developing solar energy systems for homes and businesses in my State of Illinois and Missouri.

He wrote and he said: "Solar is a job-creator, and the long-term tax incentives in the Build Back Better Act for solar, storage, and domestic manufacturing will put us on a path to decarbonize the electric grid, reach the President's 2035 clean energy target, and create hundreds of thousands of quality career opportunities in every community."

Today, Dr. Glueck employs almost 100 people throughout the Midwest, but with investments in the Build Back Better Act, the reconciliation bill, he is going to expand operation and hire more workers. Let's give him the incentive that he needs.

I heard the Senator from Kentucky, the Republican leader, coming to the floor, and, once again, he is critical of this whole effort. I wish he would stop and reflect on the fact that our incentives to move in the right direction on the environment really are an important part of the conversation we should have after the devastation last Friday in his State and mine and across the Midwest.

It is time to transform our environmental crisis into an economic catalyst.

#### INSULIN

Mr. President, it turns out it is an anniversary, just this month. You see, in 1921, 100 years ago, a Canadian scientist named Frederick Banting discovered insulin. He sold the patent for this discovery to the University of Toronto for \$1. He declared that this life-saving drug didn't belong to him: "It belongs to the world."

He wasn't the only unselfish scientist I can remember. I remember, as a kid, our fear of polio, and along came Dr. Jonas Salk—bless his soul—who discovered the vaccine that we needed to protect ourselves. There was no great political debate. People weren't threatening lawsuits. My mom and dad said: Line up and roll up your sleeve, kid; we are going to do what needs to be done to protect you from polio.

Dr. Jonas Salk gave away the patent to that drug as well. It was a different era, perhaps, when insulin was discovered or the polio vaccine, but we should reflect on the state of play today of that drug, insulin.

One hundred years later, there are 8.4 million diabetics in the United States who rely on insulin. They have to pay—many of them—an exorbitant amount of money for a drug that supposedly belongs to them, according to its discoverer.

As the cost of insulin has risen, average list prices increased 40 percent for insulin between 2014 and 2018.

I am quoting from an article in today's USA Today by Katie Wedell.

Patients and their families shell out hundreds of dollars a month even if they have good insurance.

Rod Regalado is a father of a teen with type 1 diabetes. Do you know what he calls the insulin pricing system? Legal extortion.

This article tells the story of what he went through. He had never heard of a pharmacy benefit manager before 2 years ago, but it was 2 years ago that his son Matt, then 14 years old, was diagnosed with type 1 diabetes, and Mr. Regalado got a crash course in insulin pricing in America today.

His first trip to the pharmacy when his son was released from a hospital came with a \$1,000 price tag for all the testing supplies and insulin he'd never purchased before. The next month, when all he had to do was buy more insulin, the price was still north of \$400 after insurance.

The single dad of two said he thought he had good insurance until he found himself having to redo his entire household budget to afford the insulin to keep his son alive.

"I thought how do people do this?" he said.

He is a resident of Tekamah, NE. He started making calls to his insurance company, the pharmacy, and doctors, trying to figure out a way to lower his out-of-pocket expenses for the insulin that his son needed to survive.

Then he called his Congressman. Congressman JEFF FORTENBERRY, a Republican of Nebraska, said in July: "The harsh reality is that the cost of insulin is artificially high and ever-escalating."

He has introduced a bill for capping the prices. They call it Matt's Act, after Mr. Regalado's son. Matt's Act would make insulin prices fair for everyone by capping the price at \$60 a vial and \$20 a vial for those on insurance.

What a dramatic difference that would make for the Regalado family in Nebraska—instead of \$400, \$20.

The reason I raise that is that the provision in law that we are trying to enact is in the same bill that the Republican leader just came to the floor and told us America cannot afford. The tax increases in that bill—and there will be tax increases—will only apply to people making over \$400,000 a year. And yet the Republican leader comes to the floor and talks about this terrible idea of raising taxes.

So let's step back and measure the difference here. Should Mr. Regalado—a single dad, father of two, with a 14-year-old son who needs insulin to live—be paying \$400 a month or \$20 a month for the insulin—the lifesaving insulin? And to make up the difference, is it unfair to ask someone making over \$400,000 a year to pay more in taxes?

You be the judge. I don't even think it is a close call.

What we need to do is to get down to business. I don't know that there will be a single Republican voting to support this effort to reduce the cost of insulin for diabetics. That is just the way politics works in this Chamber, I am afraid. But I do hope that the 8 million families who have a diabetic son or daughter, father or mother will step up and speak up in the next few days because we have a chance to bring this measure to the floor this year—a measure that will affect many different areas of the law but, specifically, the cost of insulin for American families.

If those 8 million families will stand up and speak up and say to Members of the U.S. Senate, "Enough, you have negotiated enough; close the deal; do something that will be helpful to our families," just maybe that can make a difference.

Maybe the endless negotiations that have gone on for month after month after month will finally come to an end. Now is the time to get it done. We have work to do in the Senate at clearing the bill for final passage. But I think we are on track to get that done. What we need to have is a groundswell of support from across the America.

When you take a look at the other provisions in the bill, helping working

families to pay for daycare—for goodness' sake, there is hardly a family around, unless they are very wealthy, that isn't concerned about the cost and quality of daycare available.

We have a provision in this bill, the same bill that Senator MCCONNELL spoke against just a few minutes ago, to help families pay for daycare. Is it important to these families? Well, it is important to my family. I visited with my granddaughter over the weekend, and I am sure there are many people in my situation, with grandchildren, who look at those kids and realize they should be in a safe, nurturing, affordable environment every single day so mom and dad don't have to think twice.

Is it important to have a provision in the law which says we are going to provide home healthcare services to elderly members of our family or disabled members of our family?

I will tell you this. The elderly folks whom I spoke to, the senior citizens, want to stay independent as long as possible, and they want to stay home as long as possible. If we can help them stay home and be independent, why wouldn't we do it? If it means a tax increase for people making over \$400,000 a year, so be it. Sign me up for that increase. That is the sort of thing I think we do in America. Those who are well off pay a little bit more in taxes so those who are struggling can get a helping hand.

So when the Republicans come to the floor and tell us how terrible this bill is, well, tell it to 8 million families in America with someone who needs insulin to stay alive each month. Tell it to the millions of families with kids who want to make sure they have peace of mind that these kids are being taken care of while they go to work. Tell it to the families with elderly parents or people who are disabled in their household who need a helping hand to be able to stay home and have quality healthcare.

All of these things are addressed in this bill. It is important that we pass it, and I hope we do it soon. But we need to hear from America to create the momentum to get that job done.

Mr. President, I ask unanimous consent to have printed in the RECORD this entire article, from USA Today, on insulin.

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

[From USA Today]

**'IT IS LEGAL EXTORTION': DIABETICS PAY STEEP PRICE FOR INSULIN AS REBATES DRIVE UP COSTS**

(By Katie Wedell)

In 1921, Canadian scientist Frederick Banting discovered insulin and later sold the patent to the University of Toronto for \$1, declaring that the lifesaving drug did not belong to him. "It belongs to the world."

One hundred years later, the 8.4 million diabetics in the USA who rely on insulin pay an exorbitant amount of money for a drug that supposedly belongs to them.

As the cost of insulin has risen—average list prices increased 40% from 2014 to 2018—patients and their families shell out hundreds of dollars a month even when they have good insurance. They pay other bills late to keep their insulin-dependent children alive. When they can't make ends meet any other way, they ration their medication, often ending up in a hospital because they could afford only a fraction of the insulin they were supposed to use that month.

"It is legal extortion," Rod Regalado, father of a teen with Type 1 diabetes, said about the opaque insulin pricing system.

A bill that would create a federal cap on monthly insulin out-of-pocket costs is named after his son. Matt's Act would cap insulin prices at \$20 to \$60 a month or even \$0 for those with high-deductible health plans. Similar provisions are included in the House-passed version of the Build Back Better Act, which proposes an insurance co-pay cap of \$35 for insulin.

The bills attempt to simplify costs for consumers who are kept in the dark when it comes to the complex negotiations driving insulin prices up.

"If you or I were buying a gallon of milk from Kroger or whoever, if we saw that it was \$20, we would know that we're getting ripped off," said Antonio Ciaccia, former lobbyist for the Ohio Pharmacists Association and CEO of 46brooklyn, a drug price research firm. "The gallon of milk stays within a slightly competitive range because we know where we could go elsewhere to find a \$3 gallon."

That competitive price pressure doesn't exist in health care, he said. "Because we as cash-paying customers aren't the predominant source of revenue for health care."

In a report on insulin prices released in January, the Senate Finance Committee laid out the numerous factors that combine to make insulin so expensive.

The committee found that drug manufacturers continually increase insulin's list price to offer larger rebates to pharmacy benefit managers and health insurers, "all in the hopes that their product would receive preferred formulary placement," the report said.

Pharmacy benefit managers, or PBMs, oversee the prescription drug part of health plans—negotiating with drugmakers for bulk discounts and deciding which drugs will be covered and which will be excluded from their formularies or approved drug lists. Their clients are health insurance plans, including employers and government-run Medicare and Medicaid.

No drugmaker wants to be left off the preferred list of a big PBM such as CVS Caremark or Express Scripts, because tens of millions of Americans are covered by insurers using their services.

This pricing structure exists for almost every drug on the market, but insulin has gotten focused attention because of the number of diabetics that rely on the lifesaving drug and the fact that it's 100 years old yet getting more expensive every year.

"They're kind of between a rock and a hard place," Ciaccia said of the manufacturers. Many have made lower-cost versions of their products available, but those don't get listed on the formularies because they don't offer any rebates on them, he said.

Rebates are payments offered back to the PBMs in exchange for preferred placement on their formularies. If the list price is \$400 for an insulin product, the manufacturer may make \$100 and give the other \$300 back to the PBM, which typically passes those savings to its clients—employer and commercial health plans.

Patients may be forced to pay that \$400 list price when they are in their deductible phase

and don't get any of that rebated money directly.

The government report found that manufacturers offered higher and higher rebates each year, in fear of being kicked off the preferred formularies. That means they must also inflate the list price each year to keep pace.

In July 2013, insulin maker Sanofi offered rebates of 2% to 4% of the list price—also called the wholesale acquisition cost or WAC—for preferred placement on CVS Caremark's formulary, the finance committee found. Five years later, Sanofi rebates were as high as 56%.

Critics of the rebate system say it amounts to legalized kickbacks. In 2019, a class-action lawsuit accused manufacturers and PBMs of engaging in a commercial bribery "scheme," conspiring to raise the prices of insulin drugs to increase the fees manufacturers paid to PBMs.

Pharmacy benefit managers say the manufacturers drive up prices and keep out any competition from generics.

"Insulin pricing strategies used by drug manufacturers to avoid competition through ongoing patent extensions on insulin products are a significant barrier to getting costs down," said Greg Lopes, spokesman for the Pharmaceutical Care Management Association, which represents PBMs.

"PBMs have introduced programs to cap, or outright eliminate, out-of-pocket costs on insulin, and PBMs have stepped up efforts to help patients living with diabetes by providing clinical support and education, which result in better medication adherence and improve health outcomes," Lopes said.

Manufacturers, PBMs and nonprofits have set up patient assistance and coupon programs to reduce what patients spend on insulin. Each program has its own requirements to qualify, its own rules and restrictions, and patients have to be aware that the programs exist.

Drugmakers often advertise their patient assistance programs, but the onus ultimately lies with the patient to find and apply for free or reduced-cost insulin. Numerous organizations have developed databases of assistance programs to help patients navigate the sea of options, including PhRMA's Medicine Assistance Tool, RxAssist, NeedyMeds and Beyond Type1's GetInsulin.org.

"For the population that can take advantage of those programs, that's great," said American Diabetes Association Chief Advocacy Officer Lisa Murdock. "We think insulin should be affordable at the point of sale for everyone."

Lopes pointed out that PBMs pass through to health plan sponsors the vast amount of the rebates they negotiate. In the case of Medicare Part D, the PCMA said that amount is 99.6%.

"The rebates are then used to lower premiums and out-of-pocket costs for patients," Lopes said.

#### CONSUMERS CAN PAY HUNDREDS MORE UNDER REBATE SYSTEM

Nonprofit drug price research group 46brooklyn released a report demonstrating how patients end up paying more because of rebates.

It looked at a box of Lantus insulin pens—which hold pre-dosed cartridges for easier injection—with a list price of \$425. According to the Finance Committee's report, Lantus offered the PBM OptumRx a rebate of 79.76% or \$339 in 2019.

The consumer's health plan gets that rebate every month regardless of whether the consumer pays full-price in the deductible phase or pays a smaller co-insurance amount later in the year.

46brooklyn used a fictional consumer who has a deductible of \$1,644—a figure the Kaiser Family Foundation says is the U.S. average.

Each month, January through April, the consumer in this scenario would pay close to the full list price for insulin, \$408 in this case based on retail price data. Those same months, the health plan, paying \$0 toward the insulin, would receive a \$339 rebate. The manufacturer of the insulin would get the difference, or \$69 in this scenario.

The rest of the year, once the consumer hit his deductible, he would pay about \$34 for insulin each month. The health plan, after rebates, would pay about \$35, giving the manufacturer the same total of \$69.

At the end of the year, this fictional diabetic spent a total of \$1,906 for insulin while the manufacturer made \$828. The consumer's health plan via the PBM came out ahead, profiting \$1,078 after getting more than \$4,000 worth of rebates.

If all the middlemen and insurance were cut out, and the consumer was simply charged the net cost of the drug every month, 46brooklyn argued, the consumer would save more than \$1,000 a year while the manufacturer would make the same profit.

A study by researchers at the University of Southern California found that manufacturers, often blamed for rising prices, actually make less money as list prices rise. Since 2014, while list prices rose by 40%, the net price that manufacturers made off their insulin products decreased more than 30%, according to the study published in the Journal of the American Medical Association.

The PCMA disputed the accuracy of 46brooklyn's rebate scenario.

"By cherry picking an extreme and unrealistic example of high patient out-of-pocket costs, the 46brooklyn report does a poor job of depicting the health care experience for most insured people with diabetes," Lopes said. "For example, the report's out-of-pocket cost assumption is actually significantly higher than the amount at which many plans set or cap patient cost sharing for insulin."

There are consumers who reported paying \$400 out-of-pocket for a month's supply of insulin after insurance. Rod Regalado is one of them.

#### A FATHER'S CRUSADE

Regalado had never heard of a pharmacy benefit manager before two years ago.

That's when his son Matt, then 14, was diagnosed with Type 1 diabetes and Regalado got a crash course in insulin pricing.

His first trip to the pharmacy when his son was released from a hospital came with a \$1,000 price tag for all the testing supplies and insulin he'd never purchased before. The next month, when all he had to do was buy more insulin, the price was still north of \$400 after insurance.

The single dad of two said he thought he had good insurance until he found himself having to redo his entire household budget to afford insulin.

"I thought how do people do this?" he said.

The resident of Tekamah, Nebraska, started making calls to his insurance, pharmacy and doctors, trying to figure out a way to lower his out-of-pocket costs. Then he called his congressman.

"The harsh reality is that the cost of insulin is artificially high and ever-escalating," U.S. Rep. Jeff Fortenberry, R-Nebr., said in July when he and Rep. Angie Craig, D-Minn., reintroduced their bill aimed at capping prices. "Matt's Act makes insulin prices fair for everyone by capping the price at \$60 a vial and \$20 a vial for those on insurance."

Though legislative efforts have focused on capping out-of-pocket costs, there has been a push to eliminate rebates altogether and drive down list prices across the market.

That would require the buy-in of all parts of the drug supply chain.

Some PBMs have created formularies that don't require rebates, but they struggle to get health plans to adopt them. The insurers have come to expect and rely on the money from rebates, and some have them written into their PBM contracts.

#### 'A MOMENTOUS DAY'

Ciaccia of 46brooklyn pointed to the new insulin product Semglee as an example of how dysfunctional the marketplace can be.

In July, the FDA approved Semglee as the first interchangeable biosimilar insulin product. Biosimilars are like generic drugs in that they can be substituted at the pharmacy counter without needing a separate prescription.

Semglee is interchangeable with Lantus.

More biosimilars are likely to gain approval in the next few years. They've been touted as game changers that will lead to lower prices and more options for patients.

Acting FDA Commissioner Janet Woodcock called it "a momentous day" for people who depend on insulin. "Biosimilar and interchangeable biosimilar products have the potential to greatly reduce health care costs," she said.

Biocon and Viatris, the makers of Semglee, launched two different versions of the drug—the branded one called Semglee and a non-branded version called insulin glargine.

The nonbranded version's list price is about \$148 for a package of five 3-ml pens, which is 65% cheaper than Lantus.

There is indication that the largest PBMs in the country won't carry that version on their preferred drug formularies, instead offering the branded Semglee, which has a reported list price of \$404 per package of five. That makes it only slightly cheaper than Lantus at \$425.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. THUNE. Mr. President, I ask unanimous consent that I be able to complete my remarks prior to the vote.

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

#### THE ECONOMY

Mr. THUNE. Mr. President, the latest inflation numbers came out Friday, and the news was not good. Inflation is currently at the highest level in nearly 40 years—40 years. The last time inflation was this bad, "E.T." and "Rocky III" were in theaters, and the Green Bay Packers were being coached by Bart Starr.

High inflation is taking a major toll on American families. Gas prices are at a 7-year high. The price of used cars and trucks is up 31 percent—31 percent. Propane, kerosene, and firewood are up 34 percent.

Food prices have increased significantly. Ground beef is up 14 percent. Apples are up 7.4 percent. Pork is up 17 percent; eggs, 8 percent. Baby food is up 6.7 percent. Bacon and related products are up 21 percent. And the list continues.

Rent prices are up. Utility prices are up. Furniture prices are up, and on and on.

Inflation is so bad that, despite wage growth this year, Americans have seen a de facto pay cut, with real average hourly earnings down 1.9 percent this year.



Inflation is what happens when you have too many dollars chasing too few goods and services. And a big reason for our current inflation situation is the Democrats' decision to pour a lot of unnecessary government money into the economy earlier this year, despite—despite, I might add—being warned that their partisan \$1.9 trillion American Rescue Plan spending spree could stoke inflation.

And you don't have to take my word for it. Here is what former Obama economic adviser Jason Furman had to say recently when discussing our inflation problem:

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

That quote from Mr. Furman appeared in a New York Times article that also noted:

But some economists, including veterans of previous Democratic administrations, say much of Mr. Biden's inflation struggle is self-inflicted. Lawrence H. Summers is one of those who say the stimulus bill [that] the president signed in March gave too much of a boost to consumer spending. . . . Mr. Summers, who served in the Obama and Clinton administrations, says inflation now risks spiraling out of control and other Democratic economists agree there are risks.

Again, that is from the New York Times.

Inflation is spiraling out of control, and Democrats are preparing to throw more fuel on the fire. That is right. Democrats are preparing to double down on the strategy that helped get us in this mess in the first place and pass yet another massive government spending bill.

I am not sure whether Democrats simply don't care about the inflation situation facing American families or whether they are operating under the delusion that they can somehow pass another major government spending bill without serious consequences for the economy.

Regardless, there is no question that pouring another \$1.75 trillion in government money into the economy would likely make our inflation crisis even worse than it is today.

I say \$1.75 trillion because that is what Democrats have been selling as the pricetag for their so-called Build Back Better plan. But as we learned on Friday of last week from the Congressional Budget Office's latest analysis, the Democrats' spending spree would far exceed \$1.75 trillion. When you take away the shell games and budget gimmicks, the Democrats' spending spree would cost almost \$5 trillion—5 trillion. And, of course, the tax hikes in the Democrats' plan, as large as they are, wouldn't even come close to funding that amount.

The Democrats' Build Back Better proposal, if implemented over 10 years, as they plan, would add an eye-popping \$3 trillion to our national debt. It turns out that Build Back Better is more like "Build Back Bankrupt."

Democrats have attempted to disguise the true cost of their "Build

Back Bankrupt" plan by strategically sunseting various provisions before the end of the bill's 10-year budget window. Of course, Democrats have never had any intention of actually sunseting these provisions. But by claiming that they are going to sunset these measures, they have been able to sort of disguise the fact that their spending spree would actually cost nearly \$5 trillion.

That is the Congressional Budget Office, not me. The Congressional Budget Office, last Friday said, if extended—the 10-year window—this bill would cost \$5 trillion.

Democrats are implicitly admitting that they plan to extend these programs, but they are saying that people shouldn't worry, that the cost of these extensions will be offset. Well, I would like to know just how exactly they plan to do that.

With massive new tax hikes, on top of the tax hikes they have already included in their bill—just how many tax hikes do Democrats think our economy can handle?

And if Democrats had a plan for future offsets, why didn't they include those offsets in their bill, in the first place, along with an honest accounting of the length of their programs?

Is it because they thought that the American people would balk if they knew the true cost of the bill, that they might not be crazy about the idea of a bill that would cost them \$5 trillion?

I am hard-pressed to think of anything more irresponsible than for Democrats to pass their Build Back Better—or their "Build Back Bankrupt"—measure right now. Inflation is soaring, as I have just pointed out, and there is no clear end in sight. Even the Federal Reserve is now acknowledging that this isn't transitory. They removed that word from their description.

We are emerging from a pandemic that required a lot of government expenditure and a corresponding increase in our debt, and we have no idea what government money might be needed down the road.

Passing a \$5 trillion spending spree that would add \$3 trillion to our national debt is the very last thing that we should be doing.

I hope that at least some of my Democrat colleagues will think better of their spending plans before the American people are forced to discover just what "Building Back Bankrupt" is really like.

I yield the floor.

#### CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 576, Samantha D. Elliott, of New Hampshire, to be United States District Judge for the District of New Hampshire.

Charles E. Schumer, Richard J. Durbin, Tina Smith, Martin Heinrich, Elizabeth Warren, Patty Murray, Tammy Duckworth, Tim Kaine, Gary C. Peters, Angus S. King, Jr., Brian Schatz, Margaret Wood Hassan, Jacky Rosen, Chris Van Hollen, Jeanne Shaheen, Christopher Murphy, Ron Wyden.

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

The question is, Is it the sense of the Senate that debate on the nomination of Samantha D. Elliott, of New Hampshire, to be United States District Judge for the District of New Hampshire, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Ms. LUMMIS).

The yeas and nays resulted—yeas 59, nays 40, as follows:

[Rollcall Vote No. 495 Ex.]

#### YEAS—59

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

#### NAYS—40

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

#### NOT VOTING—1

Lummis

The PRESIDING OFFICER. On this vote, the yeas are 59, the nays are 40.

The motion is agreed to.

#### CLOTURE MOTION

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

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to S. 1605, an act to designate the National Pulse Memorial located at 1912 South Orange Avenue in Orlando, Florida, and for other purpose.

Charles E. Schumer, Tina Smith, Martin Heinrich, Patty Murray, Tammy Duckworth, Tim Kaine, Gary C. Peters, Angus S. King, Jr., Richard J. Durbin, Jack Reed, Brian Schatz, Margaret Wood Hassan, Jacky Rosen, Chris Van Hollen, Jeanne Shaheen, Christopher Murphy, Debbie Stabenow.

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

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to S. 1605, an act to designate the National Pulse Memorial located at 1912 South Orange Avenue in Orlando, Florida, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Ms. LUMMIS).

The yeas and nays resulted—yeas 86, nays 13, as follows:

[Rollcall Vote No. 496 Ex.]

#### YEAS—86

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

#### NAYS—13

Braun	Merkley	Toomey
Cardin	Padilla	Warren
Gillibrand	Paul	Wyden
Lee	Portman	
Markey	Sanders	

#### NOT VOTING—1

Lummis

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 86, the nays are 13.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

### LEGISLATIVE SESSION

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022

The PRESIDING OFFICER. Cloture having been invoked, the Senate will resume legislative session to resume consideration of the House message to accompany S. 1605, which the clerk will report.

The senior assistant legislative clerk read as follows:

Resolved, That the bill from the Senate (S. 1605) entitled "An Act to designate the National Pulse Memorial located at 1912 South Orange Avenue in Orlando, Florida, and for other purposes," do pass with an amendment.

Pending:

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

Schumer motion to concur in the amendment of the House of Representatives to the bill, with Schumer amendment No. 4880 (to the House amendment), to add an effective date.

Schumer amendment No. 4881 (to amendment No. 4880), to modify the effective date.

Schumer motion to refer the message of the House on the bill to the Committee on Armed Services, with instructions, Schumer amendment No. 4882, to add an effective date.

Schumer amendment No. 4883 (to the instructions (amendment No. 4882) of the motion to refer), to modify the effective date.

Schumer amendment No. 4884 (to amendment No. 4883), to modify the effective date.

The PRESIDING OFFICER. The motion to refer, and the amendments pending thereto, fall.

The majority leader.

#### RELATING TO INCREASING THE DEBT LIMIT—Motion to Proceed

Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 184, S.J. Res. 33.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 33) relating to increasing the debt limit.

The PRESIDING OFFICER. The question is on the motion.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Ms. LUMMIS.)

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 497 Leg.]

#### YEAS—50

Baldwin	Brown	Casey
Bennet	Cantwell	Coons
Blumenthal	Cardin	Cortez Masto
Booker	Carper	Duckworth

Durbin  
Feinstein  
Gillibrand  
Hassan  
Heinrich  
Hickenlooper  
Hirono  
Kaine  
Kelly  
King  
Klobuchar  
Leahy  
Lujan

Manchin  
Markey  
Menendez  
Merkley  
Murphy  
Murray  
Ossoff  
Padilla  
Peters  
Reed  
Rosen  
Sanders  
Schatz

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

#### NAYS—49

Barrasso  
Blackburn  
Blunt  
Boozman  
Braun  
Burr  
Capito  
Cassidy  
Collins  
Cornyn  
Cotton  
Cramer  
Crapo  
Cruz  
Daines  
Ernst  
Fischer

Graham  
Grassley  
Hagerty  
Hawley  
Hoeven  
Hyde-Smith  
Inhofe  
Johnson  
Kennedy  
Lankford  
Lee  
Marshall  
McConnell  
Moran  
Murkowski  
Paul  
Portman

Risch  
Romney  
Rounds  
Rubio  
Sasse  
Scott (FL)  
Scott (SC)  
Shelby  
Sullivan  
Thune  
Tillis  
Toomey  
Tuberville  
Wicker  
Young

#### NOT VOTING—1

Lummis

The PRESIDING OFFICER (Ms. SINEMA). On this vote, the yeas are 50, the nays are 49.

The motion is agreed to.

#### RELATING TO INCREASING THE DEBT LIMIT

The PRESIDING OFFICER. The clerk will report the joint resolution.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 33) relating to increasing the debt limit.

The PRESIDING OFFICER. Pursuant to the provisions of Public Law 117-71, there will now be 10 hours of debate on the joint resolution, equally divided between the chairman and the ranking member of the Committee on Finance.

The PRESIDING OFFICER. The majority whip.

#### UNANIMOUS CONSENT AGREEMENT

Mr. DURBIN. I ask unanimous consent that the Senate stand in recess until 2:15 p.m. and that all time during recess count equally against both sides on the joint resolution.

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

Mr. DURBIN. For the information of Senators, we expect a rollcall vote on the passage of S.J. Res. 33 to occur at approximately 4 p.m. today.

#### RECESS

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

Thereupon, the Senate, at 1:09 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

#### RELATING TO INCREASING THE DEBT LIMIT—Continued

The PRESIDING OFFICER. The Senator from Nebraska.



## NATIONAL DEFENSE AUTHORIZATION ACT

Mrs. FISCHER. Madam President, after months of delay with NDAA, it has finally made its way to the Senate floor. The Senate Armed Services Committee passed its version by a strong, bipartisan vote of 23 to 3, and that was back in July.

As a member of the Armed Services Committee since my first day here in the Senate, I have been proud to help draft this bill each year since 2013, and I was honored to play a part in drafting the bill this year.

First and foremost, the 2022 NDAA takes care of the greatest asset America has—our men and women in uniform. It supports a well-deserved pay raise for members of the military, and it reauthorizes important special pays and bonuses.

Keeping faith with our All-Volunteer Forces is essential so that our military men and women are able to focus on combating the threats that our Nation faces abroad. You don't have to look far to see the threats I am talking about.

Vladimir Putin has placed nearly 100,000 Russian troops right on Russia's border with Ukraine, essentially posturing to invade a sovereign country. China continues to make shocking progress in developing new types of weapons. The Chairman of the Joint Chiefs of Staff said that China's recent test of a fractional orbital bombardment system was very close to a "Sputnik moment." This new missile could potentially carry a nuclear warhead anywhere in the world, and it was specifically designed to evade U.S. defenses. Our adversaries are making huge strides forward. The NDAA recognizes that and addresses it.

This bill will keep the modernization of our strategic nuclear deterrent on schedule. This is crucial because even though our nuclear forces are still effective, we have pushed our weapons far beyond their designed lifetimes—in some cases, by decades. This bill authorizes the resources necessary to keep modernization on track, and it will help make sure the next generation of systems is available before our current nuclear triad ages out.

Perhaps most importantly, the NDAA tries to keep defense spending on pace with rising inflation. Inflation is at its highest level in decades, and it doesn't look like it is slowing down anytime soon.

The Biden administration originally proposed a top-line defense spending increase of just 1.6 percent. That would not have kept pace with inflation even in a normal year, but in a year when it is threatening to spiral out of control, it would have meant an unacceptable cut in resources for our military. The NDAA takes this year's runaway inflation into account. It offers an increase of \$25 billion on top of President Biden's proposal, and we came together across party lines to agree to that because it is what our military needs.

At the risk of stating the obvious, the NDAA is about investing in our na-

tional defense. It is in the name, the "National Defense Authorization Act." But every State contributes in its own way to that national goal, and I am proud to say that this bill will bring some major wins to Nebraska, which has a long and rich military history.

It includes \$100 million for the National Disaster Recovery Fund, which will help rebuild Offutt Air Force Base, the home of the Air Force's 55th Wing and U.S. Strategic Command, after the devastating flooding that Nebraska experienced in 2019. It recognizes how critical the 55th Wing is to our Nation's intelligence, surveillance, and reconnaissance capabilities. Their missions take them all over the world, but they are proudly based in my State of Nebraska.

The men and women who wear American military uniforms are part of the best fighting force the world has ever known. Our job here in Congress is to give them what they need, and this year's NDAA does just that.

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

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

## BUILD BACK BETTER ACT

Mr. LEE. Madam President, in her 1993 Nobel lecture, Toni Morrison—no conservative—told a story of an old woman who was approached by a group of kids, mocking her and asking her to offer her conjecture:

Old woman, I hold in my hand a bird. Tell me whether it is living or dead.

The blind, old woman was revered for her wisdom and experience.

She responded:

I don't know whether the bird you are holding is dead or alive, but what I do know is that it is in your hands. It is in your hands.

The old woman, of course, meant whether the bird is alive or dead is the responsibility of the person who holds it.

Morrison said:

The blind woman shifts attention away from assertions of power to the instrument through which that power is exercised.

Now, Morrison could have been talking about Congress. I will leave to your judgment who in Congress is a mocking youth and who is the old woman, but in politics it is the instrument of power rather than the assertion of power that matters.

Just this last week, the instruments of power were used, despite assertions otherwise, to quietly pave the way for the Democrats' "Destroy America" bill, which they have called Build Back Better. Congress used a novel procedure to pass a bill, giving Democrats a blank check to raise the debt ceiling to pay for Build Back Better. Procedural

jujitsu is hardly the stuff of base-motivating campaign rhetoric, but it is the instrument of power.

Now I will describe how this happened, but a bit of background is necessary.

Like most legislation in the Senate, raising the debt ceiling, which has been done now 99 times since the end of the Second World War, ordinarily requires 60 votes, which, in an evenly divided Senate, means Democrats and Republicans have to work together to find an acceptable outcome.

There is, of course, an exception that would allow Democrats to use a special budget reconciliation procedure to raise the debt ceiling without Republican help, with a simple majority vote—a simple majority vote that they could achieve if all 50 Democrats cast their votes. If there is an evenly divided vote at the end of the day, it can be broken by the Vice President. But they didn't want to use this special procedure, and I believe they didn't want to use it for two independent reasons.

First, it was inconvenient. The special reconciliation procedure would require too many steps and too much time for their tastes. Still, I don't know of a single Republican Senator, myself included, who would unduly stall the Democrats from proceeding to its consideration. In fact, under the rules, if they follow the right steps, it is, more or less, a guaranteed outcome, one that doesn't require a supermajority and, at the end of the day, can be accomplished with a simple majority.

Second, I suspect that Democrats didn't want to bear the political cost of raising the debt ceiling without some Republican cover. This would ordinarily mean using the standard 60-vote process, but that is not how it happened. Instead of Democrats and Republicans working together to find consensus on the appropriate way to raise the debt ceiling, likely in exchange for spending reforms, some combination of Senate and House leadership concocted a new mechanism.

On a 60-vote bill, Republicans agreed to let Democrats pass an entirely separate bill to raise the debt ceiling—without any Republican votes—by whatever amount they want. So, rather than negotiating a reasonable number, Republicans agreed to ensure that the debt ceiling was increased by as many trillions of dollars as the Democrats might need to fulfill their agenda. There is an actual blank space in the bill where Democrats can write in whatever number they want.

In exchange, Republicans would be protected from scrutiny for insisting that Democrats follow the established rules for raising the debt ceiling through the reconciliation procedure and would be able to launder this vote to appear as something other than helping Democrats raise the debt ceiling, which they had publicly committed—in writing, no less—not to do.

To make matters worse, congressional leadership tied this to a bill preventing automatic Medicare cuts. This sent a clear message: Give Democrats a blank check or there would be Medicare cuts. Some of my Republican colleagues couldn't allow them to shoot that hostage, that hostage being held captive by Democrats.

The playbook is written. The idea that this is a onetime thing or is somehow similar to other expedited procedures—for example, those found under the Congressional Review Act to disapprove of executive Agency rules—is preposterous. The comparison doesn't work. These are very different creatures. I am sure this vicious tactic, the one used here, has not seen its last use—far from it. I am certain it will be used in the future to enact other progressive agenda items, including many that are simply unable to garner the 60 votes necessary under the normal and transparent Senate filibuster rules.

With a blank check and a new special procedure, Democrats are able to raise the debt ceiling by whatever amount they deem necessary to accommodate their “Destroy America” bill, which they call Build Back Better. They have set that price—and we know this now as of just the last few hours—at \$2.5 trillion. This is the behemoth bill that would seek to grant a form of amnesty to illegal aliens; to further the Green New Deal agenda; to overturn State right-to-work laws; to increase vaccine mandate fines on private employers to \$700,000; to infuse critical race theory indoctrination into medical care; and to grow the IRS by 87,000 agents. That isn't even the tip of the iceberg.

The blank check to remake America was a gift to progressives from those within the Republican Party who decided to grant it. I regret deeply their decision to do so, and the filibuster—the major instrument of power preserving the unique identity of the U.S. Senate—was all it cost.

As to who was the old woman and who were the mocking children from Toni Morrison's story, I can't say, but America is the bird.

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.

Ms. COLLINS. 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

Ms. COLLINS. Madam President, on Friday, the Department of Labor reported that inflation had hit a near-40-year high, confirming what many American families have been feeling in their wallets for many months.

The soaring cost of virtually everything, from gasoline to groceries, is a growing crisis that has hit families across our Nation. The numbers are alarming.

During the past year, the Consumer Price Index, which measures the price of goods and services, jumped by nearly 7 percent. That is the highest rate since 1982. It represents the sixth consecutive month of inflation exceeding 5 percent.

The goods experiencing the greatest increases read like a list of everyday essentials. Energy costs are up by 33 percent. Used vehicles are up by 31 percent. Hamburger costs are up by 14 percent. Milk, eggs, baby food, furniture, and many other necessities all cost more, and those prices are simply unsustainable for many working families.

The pain is being felt across the Nation, including in my State of Maine. I have heard from many Mainers worried about how they will be able to afford to heat their homes this winter. The average price of heating oil in Maine is currently \$3.15 per gallon, compared to \$2.11 per gallon this time last year. While the amount of heating oil a household uses varies considerably, a typical Maine family will spend nearly \$1,000 more this year on home heating oil. The State of Maine is disproportionately affected by this rise in costs since more than 60 percent of our homes use fuel oil as their primary energy source for heating compared to only 4 percent of households nationally.

The rise in the price of heating oil is not the only hardship that Mainers are facing this winter. Mainers have shared with me their genuine concerns about being able to afford to drive back and forth to work and to put nutritious food on the table. Gas prices in Maine are about \$1.30 per gallon higher than last year.

Business owners face the often impossible challenge of paying higher prices for commodities, food, and supplies without passing those increases on to their already struggling consumers. For example, Maine restaurant owners, who have already experienced an extraordinarily difficult 18 months due to the pandemic, are now grappling with double-digit percentage increases in the costs of ingredients and other goods needed to run their businesses. An owner of a restaurant I visited in Searsport told me that the cost of fryer grease has skyrocketed from \$19 to \$48 per case. Another restaurant owner in Rockland recently told the Bangor Daily News that the price for prime ribs has more than doubled from \$7 to \$17. These supply costs shrink their already slim margins and exacerbate other difficulties the industry is facing with staffing shortages and pandemic-related closures.

After a tough 2020 caused by COVID-related market disruptions and drought, Maine's resilient potato growers rebounded with yields up 20 percent over last year. Such a strong harvest usually would be cause for celebration, but farmers are facing rising transportation, fuel, and fertilizer costs that are hurting their bottom line and forc-

ing them to pass on some of the inflationary costs to their customers. The increased costs of doing business mean that families and processors will pay more for potatoes and growers will get a lower return on their crop.

This weekend, the Wall Street Journal reported on how inflation is harming the employees at the One Stop Tulsa gas station in Aroostook County in Northern Maine. One clerk was working 60 hours each week—up from 40 before the pandemic—because they are so shortstaffed. Even with the increased hours, she said she is struggling with rising costs, from food to electricity.

Melissa Holmes, the gas station manager, said that her twice monthly grocery bill has increased from \$300 to \$500 and it now costs her \$60 to fill up her 2011 Ford Explorer. That is \$20 more than last year.

Ms. Holmes also described facing customers who are frustrated by the higher prices. The cost of chicken, for example, has gone up so an order of chicken tenders has jumped from \$5.49 to \$8.99. That is a big increase, and customers are feeling that squeeze.

After passage of the President's \$1.9 trillion stimulus this spring, the price of goods and services went up. We heard reassurances from the President's team that this inflation was transitory but no acknowledgement of the role that their policies have had on soaring prices. Americans are feeling the consequences as Washington has overheated the economy.

We in Congress must confront this inflation crisis, but instead the Biden administration is pushing trillions in additional macroeconomic stimulus in the President's Build Back Better plan. The consequences for an already overheated economy could be devastating. Given the clear link between recent extraordinary government spending and rampant inflation, we should not be adding more fuel to the fire. Our economy is ailing so it would be wise to begin to follow the maxim that guides medical professionals: First, do no harm.

Democrats have said that their spending spree, which follows the Build Back Better plan, would cost \$1.7 trillion. Several of the proposals in that plan would be set to expire after 1, 3, or 5 years—a gimmick that hides the true cost because we know that is not what the real hope is nor what is going to happen.

Last week, the nonpartisan Congressional Budget Office projected that making the social spending programs in the Build Back Better plan permanent would, in fact, cost \$4.9 trillion over the decade—\$4.9 trillion. Doing so would add \$3 trillion to the deficit unless paid for with even more taxes beyond those that the Democrats have already proposed in their bill. That is much higher than the purported \$1.7 trillion pricetag because we know that the ultimate goal is to make these expensive programs permanent.

Inflation is a regressive tax. It does not discriminate among the rich and the poor. It does not take into account the ability to pay. It is a cruel tax, one that punishes thrift by diminishing the value of savings. This is damaging to families who are saving to buy a home or for their children's education. It can be devastating to our seniors, who can do nothing but helplessly watch as the retirement funds that they have worked for their whole lives don't go nearly as far as they had expected.

Like the pandemic itself, we do not know for certain whether this inflation crisis will abate, be prolonged, or even accelerate. Our immediate focus should be on measures that we know will have a lasting and beneficial impact on our economy, such as implementing the bipartisan infrastructure law, opening up and repairing our supply chains, getting more Americans back to work, and protecting the earnings of hard-working Americans.

What we should not do is pass trillions of dollars in additional spending in the administration's Build Back Better bill that would exacerbate the toll that inflation imposes on seniors, working families, and small businesses. We should not take that risk.

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

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

#### VOTING RIGHTS

Mr. WARNOCK. Madam President, I come to the floor today after a long week of wrestling with my conscience. Before we left Washington last week, we in this Chamber made a change in the Senate's rules in order to push forward something that all of us think is important. We set the stage to raise the Nation's debt ceiling.

Yet as we cast that vote to begin addressing the debt ceiling, this same Chamber is allowing the ceiling of our democracy to crash in around us. The American people have been pushing for leaders in Washington to address voting rights.

Everywhere I turn, I have been hearing from my constituents in Georgia. They are deeply worried. I heard it all weekend. I have been hearing it over the last several months.

And I submit that they are worried for good reason. They know their history. They are witnessing what is happening to our democracy in real time, and they see the handwriting on the wall. They see the sweeping voter suppression proposals in 49 States and the dozens of new laws that have now popped up across the Nation, fueled by the Big Lie that seeks to delegitimize the voices of millions of Georgians and Americans who made their voices heard, made history, and, more impor-

tantly, made a difference last November and last January.

The American people see what is happening in Arizona and in Texas and in Florida and in Wisconsin and in Iowa. They see what is happening in Georgia, my home State, where a new law, SB 202—passed right after I won—will make it harder for some voters to access their ballots by making it more difficult to vote by mail, allowing far fewer drop boxes, and only allowing for the use of those boxes—listen—during business hours. You can use the drop boxes during business hours, which sort of defeats the purpose of having a drop box. In fact, back home, the second most senior Republican in the Georgia State Senate announced recently that he wants to do away with election drop boxes altogether—literal boxes where registered, eligible voters simply can drop off their ballots on their way to the night shift or on their way back home. It seems to me that they want fewer voters and more dark money in our elections, and that is the sad place we are in right now.

But what is even more disconcerting is that these politicians in the State legislature have already laid the tracks to take over local boards of elections, for almost any frivolous reason, to undermine the voices of local voters and local election administrators, control the count, muddy the waters, question or determine the outcome.

In the face of this crisis, the question is this: Has this Chamber risen to the occasion to take on the issue of voting rights, which I submit is the central moral issue confronting this Congress in this moment? What have we done to strengthen access to the ballot as bedrock voting rights protections have been shredded by our courts or to protect the sacred right to vote as partisan State legislatures have passed laws to dilute that right for so many people?

Well, some of us have acted. Democrats in this body have tried not once, not twice, but we have tried this Congress on three occasions to consider legislation to protect and expand voting rights so that more eligible Americans can make their voices heard and help shape the direction of our country. Each time—whether it was the For the People Act or the John Lewis Voting Rights Advancement Act or the Freedom to Vote Act—with just one lone exception, all of our friends across the aisle have refused to engage with us in any way to address the growing barriers to what is basic to American democracy: the ballot box.

Here is what we have said. We have said to our Republican friends: If you don't like this provision or that provision, let's talk about it. Offer some amendments. Come, let us reason together. Let us have a debate out in the open so that the American people can hear it.

Everybody talks about the divisions in America right now. Here is what folks on the left and the right agree on:

There is something awry in our democracy. In this moment in which there is this debate happening on the outside, how is it that we refuse to even have a debate in the Senate? They don't even want to have a debate.

So here we are. Months have passed. No, that is not true—years have passed. Democrats have tried again and again to engage our Republican friends in a discussion on this issue—one that lies at the foundation of our democracy—and time and time again, because of a lack of good-faith engagement, the rules of the Senate have prevented us from moving that conversation forward.

We could not imagine changing the rules—that is, until last week, because last week, we did exactly that. Be very clear. Last week, we changed the rules of the Senate to address another important issue: the economy. This is a step—a change in the Senate rules—we haven't been willing to take to save our broken democracy but one that a bipartisan majority of this Chamber thought was necessary in order to keep our economy strong. We changed the rules to protect the full faith and credit of the U.S. Government. We have decided we must do it for the economy but not for the democracy.

I will be honest. This has been a difficult week for me as I pondered how am I going to vote on this debt ceiling question we are about to take. I feel like I am being asked to take a road that is a point of moral dissonance for me because while I deeply believe that both our democracy and our economy are important, I believe that it is misplaced to change the Senate rules only for the benefit of the economy when the warning lights on our democracy are flashing at the same time.

I happen to believe that our democracy is at least as important as the economy. Ours is a great nation built upon both free enterprise and free exercise of basic democratic rights. You cannot have good capitalism without freedom. Each is strengthened by the other, and together they make for a nation that is both prosperous and free, a nation where everybody can breathe and every child has a chance to live up to her highest potential.

So I stand here because of my children. I have two precious children, and I think every day what kind of country I want them to grow up in. I stand here today because we are in a place where we are dealing with the consequence of misaligned values and misplaced priorities, and that is, for me, a serious problem because I lead Ebenezer Baptist Church, where John Lewis worshipped and where Dr. King preached. I asked myself all weekend as I wrestled with how I would vote—I asked myself, what would Dr. King do?

I thought this week about Dr. King's speech in front of the Lincoln Memorial—no, not the 1963 "I Have a Dream" speech but the one he gave the first time he spoke in front of the Lincoln Memorial in 1957, where he addressed

what he called “all types of conniving methods” that were getting in the way of the free exercise of the constitutional right to vote. His rallying cry that day in 1957 was “Give Us the Ballot.”

In light of the conniving methods of voter suppression we have seen enacted into law since the January 6 attack on the Capitol, I come to the floor today to share with the people of Georgia and the American people the message that I shared with my colleagues over the weekend and earlier today during our caucus meeting.

I said to my Democratic colleagues over the last several days—No. 1—unfortunately, the vast majority of our Republican friends have made it clear that they have no intention of trying to work with us to address voter suppression or to protect voting rights. They have embodied by their actions the sentiments of conservative strategist Paul Weyrich, who dared say in 1981: “I don’t want everybody to vote.” That is what he said. “Elections are not won by a majority of the people. They never have been from the beginning of our country and they are not now. As a matter of fact,” he went on to say, “our leverage in the elections quite candidly goes up as the voting populace goes down.”

The second thing I said to my Democratic colleagues today is that while we cannot let our Republican friends off the hook for not being equitable governing partners, if we are serious about protecting the right to vote that is under assault right now, here is the truth: It will fall to Democrats to do it. If Democrats alone must raise the debt ceiling, then Democrats alone must raise and repair the ceiling of our democracy. How do we in good conscience justify doing one and not the other?

Some of my Democratic colleagues are saying: But what about bipartisanship? Isn’t that important?

I say: Of course it is, but here is the thing we must remember. Slavery was bipartisan. Jim Crow’s segregation was bipartisan. The refusal of women’s suffrage was bipartisan. The denial of the basic dignity of members of the LGBTQ community has long been bipartisan. The Three-fifths Compromise was the creation of a putative national unity at the expense of Black people’s basic humanity.

So when colleagues in this Chamber talk to me about bipartisanship, which I believe in, I just have to ask, at whose expense? Who is being asked to foot the bill for this bipartisanship, and is liberty itself the cost? I submit that is a price too high and a bridge too far.

So I struggled this weekend. I talked to folk I believe in. Among them, I spoke with Reverend Ambassador Andrew Young, who was with Dr. King until the very end, about this vote. I talked to Ambassador Young, and I asked him: What do you think?

He said: I try not to worry, but I am worried about our country.

Then this 89-year-old, battle-worn soldier in the nonviolent army of the Lord drew silent on the phone, and then he said to me: Tell your colleagues that among your constituent are people who literally laid their lives on the line for the basic right to vote. They lost friends. They lost so much.

And so this is a real moral quandary for me, and it makes it difficult for me to cast this vote today. But after many conversations with colleagues, with Georgians, with experts who know the economy, with voting rights advocates, and civil rights leaders, I will, indeed, vote today with anguish. I will vote to raise the debt ceiling.

I am voting yes because I am thinking about the kids in the Kayton Homes Housing Projects where I grew up in Savannah, GA. I am thinking about the hard-working families pushing to recover from the pressures of this pandemic, those on the margins and those who are least resilient, for whom a collapse of the economy would be catastrophic. Ironically, many of these are the same people who are also being targeted by the voter suppression efforts I mentioned earlier. I am thinking of them and the people of Georgia as I cast my vote today to raise the debt ceiling.

But I am also thinking about what we need to do to keep our democracy and our economy strong today and for the next generation. Once we handle the debt ceiling, the Senate needs to make voting rights the very next issue we take up. We must do voting rights, and we must deal with this issue now.

Let me be clear. I am so proud of what we did with the bipartisan infrastructure bill and the major economic investments we are putting the finishing touches on that will close the Medicaid coverage gap and deliver historic relief for Georgia farmers and expand broadband access and so much more.

I have to tell you that the most important thing that we can do in this Congress is to get voting rights done. Voting rights are preservative of all other rights. They lay the ground for all of the other debates.

So to my Democratic colleagues, I say, while it is deeply unfortunate, it is more than apparent that it has been left to us to handle alone the task of safeguarding our democracy. Sadly, many of our Republican friends have already cast their vote with voter suppression.

So the judgment of history is upon us. Future generations will ask when the democracy was in a 9-1-1 state of emergency, what did you do to put the fire out? Did we rise to the moment or did we hide behind procedural rules? I believe that we Democrats can figure out how to get this done, even if that requires a change in the rules, which we established just last week that we can do when the issue is important enough.

Well, the people of Georgia and across the country are saying that vot-

ing rights are important enough. I think that voting rights are important enough so we cannot delay. We must continue to urge the party of Lincoln not to give into the very forces of voter suppression that Dr. King described in that 1957 speech while standing in the shadow of Lincoln. But even as we do that, we cannot wait. We cannot wait on them. With uncanny and eerie relevance, Dr. King’s words summon us to this very moment. He said:

The hour is late. The clock of destiny is ticking out. We must act now before it is too late.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### BUILD BACK BETTER ACT

Mr. BROWN. Madam President, I learned a long time ago, I never want to give a speech after that, but certainly I agree with what Senator WARNOCK said, and the Senate schedule kind of made me do this.

I want to thank Senator WARNOCK, who is one of the principals in our legislation, Senator BENNET, Senator BOOKER, and Senator KAINE for their leadership and their work to deliver what is, pure and simple, the largest tax cut for working families ever.

Tomorrow, for the sixth month in a row—July 15, August 15, September, October, November. Tomorrow is the sixth month in a row that Ohio parents, 92 percent of parents in Ohio with children under 18, will again see \$250 or \$300 in their bank accounts or in their mailbox per child. If they have two infant children, they will get \$600.

This is the most consequential thing we have done in decades to make people’s hard work pay off. We know how hard parents work at their jobs, at raising kids. Any parent knows how much work it is to take care of children, especially young children. It has only gotten harder over the last couple of years. Often, that hard work doesn’t pay off like it should. We have seen what has happened over the past decades. Productivity has gone up; the stock market has soared; executive compensation is stratospheric; but wages have been flat.

Workers’ paychecks are finally—finally, during this administration and this Senate, this Congress—finally, because of the work we are doing, workers’ paychecks are starting to go up. But after decades of stagnation, we have a long way to go.

Meanwhile, parents know how expensive it is to raise kids. Healthcare, school lunches, diapers, clothes, school supplies, braces, sports fees, camp fees—the list never seems to end.

Of course, one of the biggest, if not the biggest expense for so many families is childcare. Parents feel like they are trapped. They can’t keep up no matter how hard they work. They work more hours to provide for their family. They have to put their money right back into childcare. Sometimes the extra money in their paycheck doesn’t even cover the extra daycare costs.

That is why Senators BOOKER and KAINE and BENNET and WARNOCK worked so hard to enact the child tax credit. As I said, the largest—it is a \$3,000 tax cut so 92 percent of the families in my State with children get at least a \$3,000 tax cut. It is the same in Virginia, same in New Jersey, the same in Georgia. It is about finally—finally—making parents' hard work pay off so they can keep up with the costs of raising a family.

I was talking to Senator KAINE, and I know he is going to say some of the same things. Let me share a handful of some really quick stories or comments that people have gone on our website and posted at the 15th of the month.

Kristen from Columbus says she is using this money to pay for "daycare. For two kids it is \$600 a week."

Alex in Cleveland:

Every penny is going to daycare. 4 kids in daycare is around \$800/week.

CeCe said her tax cut helps her pay for daycare. She said:

Daycare is the same amount as my mortgage payment for 4 days a week! So this is so, so helpful!

Courtney from Southeast Ohio in Athens:

[S]lightly more than half the cost of part time daycare tuition per month here in Athens—much appreciated help getting kiddo back into childcare . . . keeping me and my husband in the workforce.

Brittany said:

Daycare.

Ellie said:

Daycare.

They also mean parents can afford to work and can afford to keep up with all the extra costs of raising kids.

Katie in Akron:

Help[s] [to] pay for school supplies.

Caitlin:

Pay for preschool for my son.

Lyndsay:

Back to school clothes.

Fern:

It will pay for preschool for both of them and the rest is going in a savings account for them.

Jennifer:

Put away for college tuition.

Melissa:

I used part of it to buy school uniform pieces for my 4-year-old.

Maia:

Food and school supplies.

These parents are all working hard to provide for their families and raise their kids. They are working a whole lot harder than the CEOs and the hedge fund managers who it looks like, under Build Back Better, may continue to get some of their tax cuts—their tax preference, if you will. It is a lot harder for these workers than the CEOs and the hedge fund managers and the Swiss bank account holders who are always getting tax cuts from politicians in this building.

We all remember what happened. We can look down the hall. We have done

that before and seen the lobbyists line up in front of Leader MCCONNELL's office and line up in front of the politicians who always do their bidding with their tax cuts for the wealthy and for corporations that outsource jobs. You know what they told us 4 years ago, when those tax cuts for the rich passed. They said: It is going to trickle down and help everybody else. We will hire more people, raise wages.

Of course, corporations didn't spend the money to raise wages. Of course, they didn't spend the money to lower prices. And then they blame everybody else for inflation. Of course, they spent it—no surprise here—with stock buybacks, and they are still at it today.

This year, without a single vote, not a single vote from Republicans in Congress—twice, every Democrat voting for it, a 51-to-50 vote—twice we passed the child tax credit. It is a simple contrast: Whose side are you on? Do you want tax cuts for billionaires and corporations or tax cuts for working families?

We want tax cuts for working families, Americans from all over the country, from all kinds of backgrounds. Let's deliver that for them. Let's keep the largest tax cut for working families ever so that parents can have that peace of mind, can relieve some of their anxiety they face every month to pay the rent and pay the bills. They can have the peace of mind that the child tax credit will keep delivering money in their pockets through the holidays this year, into next year, into next year's holiday.

I yield the floor to Senator BOOKER.

Mr. BOOKER. It is frustrating, I know, to see such an incredible action taken, where we have made a difference, where the child tax credit already has had a significant impact. The Columbia Center on Poverty found that the October payment of the expanded child tax credit helped ensure 3.6 million American children—3.6 million American children—are no longer living below the poverty line.

What does that mean? When a child is raised above the poverty line, their horizons are transformed. It actually saves an incredible amount of taxpayer dollars. For every dollar we spend bringing a child above the poverty line, we return \$7 back to our economy.

But it is deeper than that. There is a moral urgency. Children below the poverty line have so many more challenges. Their horizons are constrained, their life outcomes are lessened.

Above the poverty line, our children start to exhibit their genius. Children raised above the poverty line have higher lifetime earnings. They have lower medical costs. Children above the poverty line are less likely to go to the hospital, less likely to get in trouble with the police. Children above the poverty line have less inhibitions with their contributions to this country.

I, too, like my dear friend Senator BROWN, have heard lots from people in

my State about what this little bit of money in their bank accounts—how that little bit of investment makes a transformation in the lives of those families.

Take Kelly in Pitman, NJ. She was forced to quit her job when her children's school and daycare closed due to the pandemic. She hasn't been able to return to work without reliable childcare, and the child tax credit is helping her family. It is helping to make up costs that were lost when she lost her income. It is helping her provide for her children. It is that little bit of help by returning those tax dollars which she has paid in—she is getting more out now—and helping that family.

Take Stacey in Kearny, NJ, the child tax credit payments were a lifeline and helped her and her husband keep their family afloat during this pandemic, during this crisis. She was indefinitely furloughed, and Stacey used those payments to send her two daughters back to preschool.

Well, we know the evidence is in. Sending her two daughters back to preschool means her children will do better in school, are more likely to go to college, have higher lifetime earnings, more success that inures to the benefit of us all in society.

Senator after Senator, on both sides of the aisle, has thousands of these stories about what getting more of their hard-earned tax money back means. In a nation where we have seen the tax cuts of the last decade inure overwhelmingly to the richest of the rich, this was the first tax cut in my lifetime—the biggest of the tax cuts in my lifetime that went overwhelmingly to middle-class families, working-class families, low-income families.

And now it sits on a precipice. As many people are aware, tomorrow is the last day that these payments are scheduled to go out to families like Kelly's and families like Stacy's and millions of families across this country.

The changes we made to the child tax credit will expire. Struggling Americans, working Americans, middle-class Americans will not receive that payment in January, unless this body acts.

To prevent this from happening, to make sure families continue to get more of their tax dollars back and have greater security, hope in challenging times, Congress can pass the Build Back Better Act, which includes the extension of the child tax credit payments, which are lowering costs for American middle-class, working-class, and low-income families.

Now, I know there is concern being raised about the Build Back Better legislation today, but I urge my colleagues to understand the high cost of inaction.

First and foremost, letting this program expire will raise costs for families at the very worst time. With the cost of gas and groceries going up, a tax increase, which is effectively what

this would be, would mean millions of families in difficult times would have it be harder to make ends meet, to make those kitchen table economics work out.

It will add burdens to people at a time we should be lifting them, at a time that we should be providing relief. And, again, it is not just working-class families, middle-class families. It is children living in that moral obscenity, that dark place within our society that is termed “child poverty”.

The cost of inaction for all of those children, the cost to our society overall of having children grow up in poverty is \$1.1 trillion—\$1.1 trillion. That is what poverty costs.

But there is a moral cost that is greater than that. There is a moral obscenity that we are experiencing right now, a stain on the soul of our Nation that we have without this tax credit—the highest child poverty rates of all of our industrial peers.

This is a moral moment in America. Our inaction will plunge our Nation back with millions of families facing crisis. We have seen this body act in difficult times before. We have seen us invest in people. We have seen us stand up for children. My worry now is that tomorrow will be the last day, unless we stand up and act.

I join my colleagues Senator BROWN, Senator BENNET, and I join my colleagues Senator Kaine, Senator WARNOCK in calling us to meet this moment, to meet the moral urgency of now, and to please make sure that before this body leaves for the holidays, that for those families who are in stress and economic strain, those families who are worrying about what will happen next month, that we show them that we care, that we show them that we are fiscally prudent, and we make the best investment possible in America. It is not a stock or a bond. The best investment we can make is making sure the child tax credit continues because it is an investment in our children.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Madam President, I am honored to join my colleagues today to speak about the child tax credit and to do something similar to what they have done and just make it personal to families.

Tomorrow, on the 15th of December, more than 930,000 Virginia families, who together have 1.6 million kids, will receive a child tax cut payment—\$300 for a child under age 6 and \$250 for each child between ages 6 and 17. Those are big numbers. Those are big numbers—1.6 million children; 930,000 families.

And I am here joining my colleagues to ask that this payment to parents—this parents’ tax cut—to help their children is not the last, because unless we act, the sixth payment that will go out tomorrow will be the last.

Now, the numbers are big, but sometimes the numbers can obscure—data

and statistics can obscure—what is really at stake. So just a week ago, I put up on my Senate web page a question: What has this tax cut meant to your family?

In 1 week we have received more than 200 responses, and I just want to share a few with you.

Heather, from Glenn Allen, is a full-time caretaker of her physically disabled daughter. Her daughter started having trouble with the stairs in her home. So they used the child tax cut payment to help them buy a new stair lift so her daughter is still able to navigate the home.

Heather wrote this to me:

My family deeply appreciates the child tax credit because we routinely incur additional expenses while caring for a loved one with a disability. I take care of our daughter full time, which makes us a one-income household, so the tax credit helped make a difference.

Beatrice from Rockingham, in the Shenandoah Valley, works at Cooks Creek Presbyterian Church, and she sees how the child tax cuts have affected families they work with. One mother of six, whose husband is incarcerated, relies on the payments to help with her child’s medical expenses. Another couple that comes to this church, who are in their sixties, are raising their great-nephew because his mother suffers from addiction. The tax cut is helping them cover necessities for this great-nephew.

Lawanda—I have a picture of Lawanda and her family. She is a single mom from South Boston, down on the North Carolina border. Lawanda sent me this picture and said: Use this picture. She used the payments to help buy clothes and shoes for her children and to buy fresh fruit and vegetables, which they usually can’t afford.

I love this picture because this is a picture of people with smiles. These are resilient people, who dream of a better future, and this child tax cut is helping them achieve at something as simple as being able to buy fresh vegetables rather than canned, or shoes. Something as simple as that is what this child tax cut is about.

A Virginian from Lynchburg wrote that the tax cut has helped buy healthy food, clothing, and shoes. And then she said this:

Children grow so fast now and eat more, which causes many trips to the grocery store. We are senior citizen, retired grandparents with legal guardianship of our granddaughter. With this being the last payment in December, which would be used partly for Christmas gifts for her, we will [really] have to stretch this.

Grandparents—grandparents raising their granddaughter and finding in this tax cut the ability to afford Christmas gifts.

Nicole from Leesburg is using the tax cut for therapy for her autistic son because insurance no longer covers it.

In another picture is Sasha from Midlothian, which is right outside of Richmond. Sasha wrote to me and said this—and this is Sasha and her young one:

My husband and I both have secure jobs, but the cost of full-time infant care is very high. We spend 23 percent of our combined monthly income on daycare for one child—our 1-year-old son. We also just paid off my student loans and are saving to buy our first house next year. The child tax credit has allowed us to save more money for that house and to pay off debts. We would like to grow our family but worry about our financial burden.

She also wrote:

Thank you for working so hard to pass the Build Back Better bill. I am following it closely because it means so much to my family’s future.

From Alexandria, a constituent wrote:

Before the pandemic, the high price of childcare made it difficult to balance my family’s budget. Each month we went into debt a little bit more. My husband is a full-time student, and I am the sole breadwinner.

The child tax credit helped them start to pay down debt, to begin an emergency fund, and to start a college fund for their son.

A resident from Waynesboro:

I benefited tremendously with the child tax credit. I am a single parent in every aspect, raising two growing boys. It has helped me out with getting things they need for the school year. Also I saved some to be able to give them a good Christmas.

Finally, Laquanda from Roanoke—all she said was this:

Please fight for us. Please fight for us.

I could go on for a long time with these messages, as could my colleagues, but I will stop there. I have read you stories from people who live in every region of Virginia.

I want to thank my colleagues Senators BENNET, BROWN, BOOKER, WARNOCK, CORTEZ MASTO, and others for leading the charge on getting this policy into the American Rescue Plan earlier this year, and I want to thank all of my Democratic colleagues because this thing passed by one vote in March. If any of us had been absent, if any of us had lost our last race, the American Rescue Plan would have failed, and none of these families would have received the support of the child tax credit.

Well, we are going to have that opportunity again, and, given the fact that one party has said they will not support this bill, it is on our shoulders. These families who are struggling and working so hard and who have hopes as high as any of our hopes, they need us. As Laquanda said, they need us to fight for them.

Thank you to my colleagues for joining in that.

With that, I yield the floor but would defer to my colleague from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Madam President, it is a wonderful moment to be here with my colleagues to acknowledge that in March we passed the biggest reduction in poverty in generations in our country. That was through the expansion of the child tax credit, which increased the credit, made it payable on a



monthly basis, and, for the first time in American history, made it fully refundable so the millions of children in this country who were too poor to get the benefit of the credit because their families were too poor would get the benefit of that credit. And we needed to do it.

The United States, before we passed this, was 38th out of 41 industrialized countries in the world when it came to childhood poverty. The poorest generation in this country are our children, and I think what we said was that there is no reason for us to accept those outcomes or those numbers as a permanent feature of our economy or our democracy. And in the end, this isn't about numbers. This is about children all over our country and the future of the United States of America.

Childhood poverty costs this country a trillion dollars a year, and one of the things we decided was that maybe, instead of paying for the effects of childhood poverty, we could actually begin to try to reduce the amount of childhood poverty that exists in our country, the way other countries around the world have already done it.

Nationally, the child tax credit, as I say, is cutting childhood poverty in half. It is reducing hunger among families by a quarter. Let that linger for a second.

When was the last time we were able to come to the floor of the Senate and say we cut hunger in this country by a quarter? It has been generations since anybody has been able to say that on this floor.

In Colorado, a million kids and their families are benefitting from this credit. That is 90 percent of the kids in my State. It is 90 percent of the kids across the country. Parents in Colorado are getting an average of \$240 a month to pay for groceries, to help with the rent, and, really importantly, to pay for a little extra childcare so people can stay at work. And I know that because of what parents have told me they are spending the money on.

When we first passed this credit back in June—I think it was then that it first went into effect—July and August, people were getting ready to go back to school, and I had mom after mom after mom across the State tell me how important it was that they were able to buy school clothes for their kids without bankrupting their family, for the first time.

And, you know, all of this is the reflection of an economy that for 50 years has worked extremely well for the top 10 percent of Americans and hasn't really worked for anybody else, and where the families who come to see me in my townhall say: MICHAEL, we are working really hard, but no matter what we do, we can't afford some combination of housing, healthcare, higher education, early childhood education, if we can even find early childhood education or daycare.

We can't save. We feel like our families are going to live a more diminished

life than we did and that our kids will as well.

So I brought a few photos today to the floor to share some stories of Coloradans with all of you and my colleagues.

This is April Pratt from El Paso County, and she lives there with her three daughters, who are ages 8, 2½, and 1½.

When April was pregnant with her youngest daughter, her husband tragically passed away. Now, she is the sole breadwinner for the family. And although she works full-time at the local school, there is not much left after her mortgage, diapers, and groceries for three young kids. Let me just say that again. She works full-time.

Before the Child Tax Credit, April said she “felt like I was having a lot of anxiety every month about whether I was going to be able to afford my bills. It was eating up a lot of my attention.”

Thanks to the child tax credit, April can afford the \$1,200 a month for childcare for her two youngest daughters so she can work—so she can work. She said, “If I wasn't able to afford childcare, I'd have to quit my job.”

Without the child tax credit, April said that she would be “forced to use my credit card to fill in the gaps, and that debt just accumulates and accumulates, and that becomes crippling, and my family wouldn't be able to get ahead.” She said it was “nice that our government is finally doing something to help working families and middle-class families.”

Finally, after we have cut taxes for the wealthiest people in this country by more than \$5 trillion since 2001, we finally have a tax cut for working families. We should be making it permanent.

This is Amberly Atencio, also from Colorado. She is here with her three girls that are ages 9, 12, and 14. When I got to this place, my daughters were 9, 7, and 4, so I have some appreciation for what she has got on her hands.

They lived their entire lives in Monte Vista, a small town in southwest Colorado in the San Luis Valley. And for the past 3 years, Amberly has been working full-time and studying. And last week, she graduated with her second associate's degree.

She works for a local health insurance company. And before the child tax credit, her paycheck was the only source of income for her family. She said that knowing that monthly support comes on the same day each month helps her pay the rent and buy food. She said: “I'm a single parent. This is like heaven to me, knowing that I have that extra income to provide for my children. . . . It has helped so much.”

Her daughters love sports—soccer, basketball, volleyball, and track. But between the shorts, knee pads, cleats, shin guards, and fees, it all adds up. And with the child tax credit, she has bought that equipment for her daughters so they can play sports with their

friends, which means the world to them.

I had a mom who told me that she had bought a bike for her son and he was able to take it to stay at school late to engage in afterschool activities he otherwise wouldn't be able to do without that bike.

And, finally, here is Ayesha Bogart from Colorado Springs. Here is another mom from the Springs with her three kids, aged 12, 13, and 23. Ayesha served for 16 years as a medic in the U.S. Army and U.S. Army Reserves. While she was on Active Duty, she was injured during a training accident when her Humvee rolled over, and it left her with a traumatic brain injury. Now, she is a single mom supporting three kids all by herself. And before the child tax credit, she couldn't afford to buy new shoes for her kids.

She said there were days when they didn't have shampoo at home and her kids would get teased at school. Thanks to the child tax credit, she bought her kids new pairs of shoes. She bought them school supplies so they feel like they are on a level playing field with the other children in their school. She said the child tax credit has given her “breathing room where there wasn't any before.”

I have heard stories like that all across the State of Colorado. This is not an anecdotal reflection of people not working hard. All of these people are working hard. It is hard work just to raise a child, much less do the kind of jobs these folks are doing. And the economy has worked really well for the top 10 percent, as I said, but hasn't really worked for anybody else.

And what has Washington's response been time and time and time again? To come here and cut taxes for the richest people in America and ignore the needs of working people. That is what we have done since 2001, \$8 trillion in tax cuts, almost all of which have gone to the wealthiest people in this country.

And now, we have a tax cut for working people in an economy that has not lifted them up the way it has lifted the people at the very top. We are saying we don't have to accept childhood poverty as a permanent feature of our economy or our democracy. We don't have to accept an economy where it only grows for the wealthiest Americans. We don't have to accept that Congress is only paying attention to special interests and to the wealthiest Americans.

We can build an economy that includes everybody, that when it grows, everybody benefits from it because the whole society benefits from this as well. Childhood poverty costs this country \$1 trillion a year. We can't afford not to do it, which is why so many other countries in the world have done this.

We can create opportunity for every American family and give every child a chance to contribute to this economy and to our society. And I believe it is fundamentally important to strengthening our democracy, making sure we

have got something we are proud of to turn over to the next generation of Americans.

That is why it is critical for us to extend this child tax credit, to not allow it to lapse at the end of the year, and in my mind, make it permanent. I would argue that we cannot afford not to.

I yield the floor.

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

Ms. CORTEZ MASTO. Mr. President, like all Americans, Nevadans have been through a difficult 2 years. Our State was one of the hardest hit by the pandemic. Nevada relies on tourism and the travel industry, and with the country in lockdown, a huge proportion of our families saw layoffs or furloughs. In fact, we had one of the highest unemployment rates in the country at one time: 30 percent.

For those families, the middle-class tax cuts we passed in the American Rescue Plan have been an incredible lifeline. Today, I am joining my colleagues to stand up for extending these tax cuts. It is so important that we get this done for people not only in the Silver State but across the country.

In many cases, this is money that Nevadans have earned, and it really needs to go back into their pockets. We are talking about a tax cut that benefits the vast majority of families in Nevada.

In July of this year, because of the American Rescue Plan, the child tax credit increased to \$300 per month for children under 6 years of age and \$250 a month for children between 6 and 17 years of age. Working families with two young kids are receiving more than \$500 a month back from the government to help them make ends meet, and it is making a tremendous difference. Over 594,000 children in Nevada and their families qualify for this money.

I have heard story after story from people in the Silver State about the way the money is supporting their children. Some families are using the money for rent, to make sure that their kids don't suffer from housing insecurity. Others use it for clothes for their children or schoolbooks and other school supplies.

Lori Munoz from Henderson, NV, told the Las Vegas Sun that she uses it for school lunches and other school expenses. She said, "You always think, 'oh, it's some extra money.' It's never extra money. . . . Kids always need, there's always something that needs to be bought."

Many families use it just for food on the table. After those first payments were issued in July, the number of adults reporting that children in their households didn't have enough to eat fell by one-third.

And Jessie Cartinella from Reno told me that receiving the monthly payments let her stay afloat as a single mom on a teacher's salary and kept her from running up credit card bills. She

said, and I quote: "Thanks to the Advance Child Tax Credit, I've mostly avoided this and been able to pay bills and even enjoy special outings with my children. The Child Tax Credit encourages my family to make better choices in general—affording me assistance with quality childcare, options for healthier products and food, and providing the opportunity to participate in extracurricular activities that I believe are critical to a kid's social and physical development."

That was Jessie. And that is why it was so beneficial to her family and her children.

Social interactions are so important for kids' mental health as well, and we have known that throughout this pandemic. Treanna James, a single mom in Las Vegas, used her extra funds to take her two sons to visit an uncle and an aunt in northern California for the first time since the pandemic began. Because of underlying medical issues, they had to be very careful about travel; but she said the child tax credit helped make it possible for them to spend time with family again at Thanksgiving.

So these tax cuts have really been key for Nevada families. Now, they are set to expire at the end of 2021, but the budget proposal that we are considering extends them for 1 more year.

Our hard-working families want us to keep this critical support going to them. This is not the time to make it harder for people to keep a roof over their heads or give their kids the essentials they need.

So let's make sure Nevadans can keep that money that they have earned and extend these middle-class tax cuts to Nevadans and all families across the country. Let's support the working people. Let's support hard-working individuals every day and help them with their economic recovery.

I yield the floor.

Mr. BENNET. Mr. President, 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.

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

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

The majority leader.

VOTE ON S.J. RES. 33

Mr. SCHUMER. Mr. President, I ask unanimous consent that all remaining time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Ms. LUMMIS).

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 498 Leg.]

#### YEAS—50

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

#### NAYS—49

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

#### NOT VOTING—1

Lummis

The joint resolution (S.J. Res. 33) was passed, as follows:

#### S.J. RES. 33

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitation under section 3101(b) of title 31, United States Code, as most recently increased by Public Law 117-50 (31 U.S.C. 3101 note), is increased by \$2,500,000,000,000.*

The PRESIDING OFFICER. The Senator from Arizona.

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. KELLY. Mr. President, I ask unanimous consent that the Senate proceed to executive session and consider the following nomination: Executive Calendar No. 476, David A. Honey, of Virginia, to be Deputy Under Secretary of Defense; that the nomination be confirmed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that the President be immediately notified of the Senate's action; and that the Senate resume legislative session.

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

The Senator from Missouri.

Mr. HAWLEY. Mr. President, I object.

It is now December. It has been nearly four months since the disastrous withdrawal from Afghanistan.

Thirteen servicemembers lost their lives in the attack on Abbey Gate along with hundreds of civilians. As a result of the botched evacuation operation, hundreds, if not thousands, of American civilians were left behind to the enemy.

We hear from our friends on the other side of the aisle that my insistence that we actually vote on nominees is unprecedented. I would humbly suggest that the crisis into which this President has led this country is unprecedented. In my lifetime, it is unprecedented.

It is unprecedented for an American President to watch 13 servicemembers lose their lives in an evacuation for which he is responsible and then to celebrate that operation as “an unqualified success” or “an extraordinary success.” I believe those were President Biden’s words.

Really, an extraordinary success? Thirteen servicemembers dead, hundreds of civilians dead, hundreds of Americans left behind to the enemy—that is success? No, that is a failure. That is unacceptable.

And who has been held accountable for this disaster? No one. Who has the President fired? Who has offered their resignation? Which of the planners at the Department of State or the Department of Defense or the National Security Council has been relieved of duty? No one.

Until there is accountability, I am going to ask that the Senate do the simple task of its job, which is to actually vote on these nominees. The least we could do is observe regular order and vote on these leadership positions at the Department of State and at the Department of Defense.

My colleagues say that we have got to put national security first. I agree with them about that. But I believe that begins at the top, with the President of the United States and the leadership of the Department of Defense and the Department of State. I, for one, am not going to stand by and look the other way while this administration systematically endangers our national security, imperils the American people, and watches the sacrifice of our soldiers go by without any accountability, without any change in direction.

I am not willing to look the other way and just pretend that Afghanistan didn’t happen, which seems to be the posture that many in this body have adopted. I am not willing to do that. I can’t do that because I promised the parents of the fallen that I wouldn’t do that.

I am going to discharge my responsibility. And as long as it takes, I will continue to draw attention to what happened at Abbey Gate and to demand accountability for the disaster that this administration has pushed upon this country and upon the people of my State.

The PRESIDING OFFICER. Objection is heard.

Mr. KELLY. Mr. President, the Deputy Under Secretary of Defense for Research and Engineering is a critical position that helps lead and manage our military’s science and technology work. This includes work on disruptive, cutting-edge technologies like quantum science, hypersonics, and artificial intelligence. Maintaining our competitive edge over China in these areas has been a focus of the Subcommittee on Emerging Threats and Capabilities, which I chair, and I know that all of us—all of us—here understand how important it is.

We worked on a bipartisan basis to include investment and policy changes for these priorities in the NDAA that we are hoping to pass this week. The Deputy Under Secretary of Defense for Research and Engineering is tasked with carrying out many of these changes. Yet the nominee for this post has yet to be confirmed.

Dr. David A. Honey is qualified. He brings decades of experience, including as an Air Force pilot, an intelligence officer, and in leadership roles at DARPA, the Office of the Secretary of Defense, and within the intelligence community. Reflecting his qualifications, Dr. Honey’s nomination has bipartisan support and was voice-voted out of the Senate Armed Services Committee in October.

At a time when our adversaries are investing heavily in an attempt to outpace the United States, we need all hands on deck and confirmed leadership in this post, so I am very disappointed that we could not do that today. This is a matter of national security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### INFLATION

Mr. CORNYN. Mr. President, for months now, American families have struggled with the growing burden of inflation. New data shows just how bad things have gotten.

Last month, consumer prices increased at the fastest pace in 40 years. Now, I would like to take a little walk down memory lane. The last time the American people endured price spikes like this, “Eye of the Tiger” was one of the top songs on the radio. I am sure the Senator from Delaware remembers that very well. The world had yet to be introduced to Nintendo and Mario. Consumers were anxiously awaiting the release of the first cell phone, which weighed in at a whopping 2 pounds. I remember those unwieldy telephones well.

Over the last four decades, of course, a lot has changed, and I am not just talking about technology—the attacks of September 11, wars in Iraq and Afghanistan, the great recession.

Even during the first year of the pandemic, inflation didn’t come close to hitting the heights that it has today. Between March 2020 and February 2021,

the inflation rate never topped 2 percent.

There were countless reasons for us to be optimistic. We had three highly effective vaccines, with shots going into the arms of millions of people every day. Schools were reopening. Employees were returning to work. The American people began to discover a new semblance of normal post-COVID.

But the administration ignored all of this progress because they had another plan in mind. They seized on what one House Democrat described as a “tremendous opportunity to restructure things to fit [their] vision.” They crafted a nearly \$2 trillion piece of legislation that included their ideological priorities and tried to brand it as necessary pandemic relief. But we know that only about 10 percent of that \$2 trillion expenditure went to COVID-19. Less than 1 percent went for vaccines. What it did include was backdoor funding for Planned Parenthood, a blank check for mismanaged union pension plans, and money for climate justice. It was easy to see through the COVID relief facade.

Well, as our colleagues pushed this bill forward, they ignored warning signs from leading economists that this kind of spending chasing limited goods and services could trigger inflation. Larry Summers, who served as Secretary of Treasury during the Obama administration, even predicted that this package could “set off inflationary pressures of a kind we have not seen in a generation.”

Our colleagues couldn’t be convinced to change course, and look where we are now as a result. We are experiencing inflation of a kind that we have not seen in a generation. Last month, prices jumped a whopping 6.8 percent from the previous year, marking the sixth consecutive month in which inflation has topped 5 percent.

When concerns were raised about this, the Federal Reserve claimed that this inflation was transitory—in other words, it was a passing moment—but the longer and longer inflation continues to rise and continues to be a problem, it is looking less and less transitory and more and more frightening. The reason it is frightening, of course, is because particularly people on fixed incomes are seeing less and less buying power for each dollar they spend. It is, some have said, a hidden tax on the American people, which describes its impact very well.

Well, month after month, the data has now demonstrated that this is not just transitory and it isn’t just a blip on the radar of our economy. Inflation is running much hotter than expected, and things are not expected to cool down anytime soon.

As families prepare for the Christmas holiday season, they are bracing their wallets for higher than normal expenses, and one of the biggest hits is for grocery bills—hardly something optional. Breakfast on Christmas morning is sure to cost a lot more than it

did just a year ago. Egg prices are up 8 percent. Bacon costs a whopping 21 percent more than it did just a year ago. Dinner—it won't be any cheaper either. Prices are up for everything from ham to salad dressing to pie.

Cooking that meal will cost you a lot more too. Electricity prices are up 6.5 percent, and anyone cooking on a gas range will shell out 25 percent more than they did last year.

If you are traveling to see your extended family this year, you better start saving for it now. Gas prices are up a whopping 58 percent, the largest increase since 1980.

Of course, this ignores the rising cost of gifts sitting under the Christmas tree, if you can get them because of broken and delayed supply chains. So the new cars and the washing machines and sofas that countless families have purchased this year, all of those cost more.

You would think that our Democratic colleagues who are proposing another \$5 trillion in spending under the so-called BBB—or Build Back Better bill—you would think they would view this with caution and back off of their plans or at least tap the brakes for a second round of unnecessary spending. Unfortunately, that does not appear to be the case. In fact, the Senate majority leader, Senator SCHUMER, is trying to double down on this next round of inflationary spending.

We know that every trick in the book has been employed to try to make the BBB, the Build Back Better—“Build Back Broke,” “Build Back Bad,” “Build Back Bankrupt,” you call it what you will—our Democratic colleagues have used every gimmick in the book to make the price of this bill look as small as possible. Of course, they started with the chairman of the Budget Committee. Senator SANDERS wanted to spend \$6 trillion more. That was pared down to \$3.5 trillion. Now, they claim it is only \$1.75 trillion. In order to achieve that number, they have gamed the Tax Code to fund part of the bill while handing out tax breaks to millionaires and billionaires in relief for State and local taxes. They have strategically chosen start dates, sunsets, and expiration dates that make these programs appear deceptively to cost less.

One of our colleagues acknowledged that this is disingenuous advertising and even told Mr. GRAHAM, the Senator from South Carolina, that he knew that this score they were promoting was full of gimmicks.

Of course, that is a lot different than the President himself, who said this bill will cost zero. Now, everybody knows that is not true.

But there had been some debate about what the honest score would be even with all the gimmicks. If the temporary provisions were extended, as we all know they would be—there is no such thing as a temporary government program around here or, as Ronald Reagan said, the closest thing to eter-

nal life is a temporary government program—this legislation will cost a lot more than they admit, and we now know how much that will be.

Senator GRAHAM, who serves as a ranking member on the Budget Committee, asked the Congressional Budget Office to provide a more accurate cost estimate for this legislation. Others like me asked the CBO and the Joint Committee on Taxation to give us an updated estimate. There have been a lot of requests made to come up with an accurate, truth-in-advertising score for this huge bill.

Last week, we got what we asked for. We finally received the true score for this legislation, and it is a whole lot more than the American people were told and much more than they have bargained for. Let's start with the cost provision of just one part of this bill, the expanded child tax credit. This expansion initially came on the scene as a temporary measure in the first partisan spending bill just 9 months ago. So this actually builds on the \$2 trillion our colleagues passed at the beginning of this year. The very first payments had barely gone out the door when our friends on the other side of the aisle called for these temporary provisions to be made permanent. Our colleagues knew that a permanent expansion would have been far too expensive so they opted for a temporary extension.

Earlier drafts of this bill would have extended this policy through 2025. As time went on, the pricetag was still too high so Democrats scaled it back to a 1-year extension, but still nothing has changed. Calls to make this temporary provision permanent have not gone away, and I see no indication that our colleagues will ever be content to let this extension expire after just 1 year.

Our colleagues on the other side of the aisle say this provision will cost taxpayers \$185 billion, as if that were a bargain. The latest estimate from the CBO places the actual cost at roughly \$1.6 trillion. You heard that right. Our colleagues across the aisle said it would just cost \$185 billion, but the latest estimate from the Congressional Budget Office placed the actual cost during the 10-year budget window at roughly \$1.6 trillion, nine times higher than what Democrats have been telling the American people. The true cost of this one provision is nearly as high as what our colleagues said the entire package would cost.

Then you add in the other higher-than-promised expenses. The true costs of payoffs and subsidies to organize labor, allowing dues to become tax deductible will cost taxpayers billions more than advertised.

But I will give them credit about one thing. They are transparent when it comes to subsidizing more frivolous lawsuits against small businesses by giving a permanent tax cut to trial lawyers. When you add up all the not-so-temporary provisions, the Congressional Budget Office says this bill will

cost \$4.9 trillion during the first 10 years—not \$1.75 trillion, not zero, but \$4.9 trillion. Deficits and debt would increase by a staggering \$3 trillion; in other words, borrowed money that the next generation or maybe next two generations will have to repay, which makes President Biden's comment about “zero” even more bizarre.

When it comes to solving our country's biggest problems, our colleagues across the aisle have proven themselves to be a one-trick pony. Whether the American people are facing a pandemic, a sluggish economic recovery, red-hot inflation, or any combination of crises, President Biden and our Democratic colleagues here in Congress think trillions of dollars in new spending is the best path forward.

The first round of reckless spending hurt our economic recovery and sent the American people on a wild inflationary ride. Our colleagues continue to ignore clear signals from the economy, including warnings by Democratic economists about the consequences to unchecked spending.

And we are now experiencing the highest inflation in a generation. This second round of spending would usher in more inflation, higher deficits, and even greater financial trouble for the American people. The American people have clearly suffered enough, and it is time to simply put the “Build Back Bankrupt” bill out of its misery.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

#### BIDEN ADMINISTRATION

Mr. CRAMER. Mr. President, as we approach the Christmas break and the advent of the new year, I believe it is instructive to take an inventory of the year that was. So in honor of the holiday season, let's take stock of the first year of the reign of Biden, SCHUMER, and PELOSI. In fact, in the spirit of the season, I am going to call this recitation the “Twelve Biden Blunders of Christmas.”

The first blunder that Joe Biden gave to us is a free Big Government socialist agenda, otherwise known as the Democrats' Build Back Better plan, designed to pass with no support from or, frankly, input from any of these pesky Republicans.

Time and time again, Joe Biden and his Democratic toymakers have parroted the claim that their Big Government socialist agenda costs zero—zero. Can you imagine a piece of legislation designed to give away trillions of dollars but doesn't cost anything? But perhaps they have some elf dust that makes it possible.

Obviously, this isn't true. Analysis by nongovernment, nonpartisan

groups, including the Penn Wharton model and the Committee for a Responsible Federal Budget, did an analysis and concluded that the cost was much, much higher, like just under \$5 trillion. A recent thorough analysis, based on the history and the traditions of Congress and spending, by the nonpartisan Congressional Budget Office agrees. The Washington Post's Fact Checker even gave Treasury Secretary Janet Yellen two Pinocchios when she repeated the same bogus claim that this bill would cost nothing.

The second blunder Joe Biden gave to us is hiding from media reporters and not taking questions. It is unbelievable to me—it is hard to imagine the leader of the freest country in the world, in fact, the leader of the free world, is afraid to take questions from the fourth estate or that his staffers are afraid of what might come out of his mouth.

Freedom of the press is enshrined in the First Amendment of our Constitution on purpose. Yet on David Axelrod's podcast, the White House Press Secretary Jen Psaki admitted out loud that "a lot of times we say, 'Don't take questions.'"

The media in the United States is not supposed to be the mouthpiece of the government or its leaders. Transparency is essential—essential—in our exceptional self-governing system.

Now, I am not the President of the United States, but reporters who work in the halls of this temple of liberty and, of course, reporters back home in North Dakota know I am always willing to engage. I don't hide from my votes or explanations for them. I am not scripted to the point of resigning my own thoughts or opinions or even mistakes and decisions. North Dakotans elected me, not my staff. Americans elected Joe Biden, not his staff, not some buffer of bureaucracy. He has the responsibility to be accessible, and the media has the responsibility to demand it of him.

But the slippery slope doesn't end here. Another third blunder Joe Biden gave to us is the White House deciding what is "misinformation." In a news conference, Jen Psaki said:

We're flagging—

Imagine this now, the White House spokesperson:

We're flagging problematic posts for Facebook that spread disinformation. We're working with doctors and medical experts . . . who are popular with their audience with accurate information. So, we're helping get trusted content out there.

That is frightening language coming from a spokesperson for the President. It sounds an awful lot like the U.S. Government colluding with the media to decide what, in fact, counts as fact. In fact, reading between the lines on this one, it seems the White House is playing the ultimate arbiter of the truth. If this seems a little Orwellian, well, it is. It is.

While it is easy to see why Ms. Psaki might conclude—and, frankly, other

Democrats—that they, in fact, control a "state media," the fact is, they don't. Give the American people some credit here. They are smarter than being spoon-fed information from the West Wing through their "elfin folk" at Facebook.

The fourth blunder Joe Biden gave to us is raging inflation from pumping trillions of free dollars into the economy. We all saw the writing on the wall when Democrats and the Biden administration pushed for \$2 trillion in "COVID relief" in March, just 3 months removed from the bipartisan \$900 billion relief bill. This was a total partisan, reckless \$2 trillion that came at a time when there was obvious economic recovery coming out of the pandemic.

And now, Democrats want to spend nearly \$5 trillion on their "Build Back Broke" plan. To put these massive numbers in perspective, the sum of these two bills—just these two bills—is more than the U.S. Government spent fighting World War II. In 2019 dollars, the United States spent \$4.69 trillion over the course of just under 4 years to fight and defeat Nazi Germany and the Axis powers.

Liberal and left-of-center economists, including Larry Summers and Jason Furman, sounded warning bells early this year, but Democrats forged ahead sending inflation to levels not seen in nearly 40 years. They continue to insist that inflation is "transitory," but Americans know better. Americans paying more and more for everything with each passing month know that this is more than transitory inflation.

The fifth blunder Joe Biden's Cabinet gave to us is Homeland Security Secretary Alejandro Mayorkas's assessment of the southern border crisis. Remember the hordes of illegal immigrants camping out on the bridge in Del Rio, TX? "Don't worry," Secretary Mayorkas said as he low-balled the numbers, citing:

Approximately, I think it's about 10,000 or so, 12,000. It could be even higher.

Actually, conservative estimates have the tally upward of 15,000 people.

While we are talking about the crisis at the southern border, it is important to note Joe Biden made multiple claims that he visited the border. But guess what. He hasn't. The Washington Post Fact Checker wrote: "We cannot find evidence that Biden at one point made a visit to the southern border" in his many decades of public office.

It is as though he thinks, if he says it, somehow that makes it true. The problem is lying doesn't make the lie true. I have been to the border, most recently, about 6 weeks ago. I can tell you, it is bad. I can tell you, it is a crisis. Our Customs and Border Patrol agents are completely overwhelmed. I went on a ride-along and aerial tour of the Rio Grande Valley and visited the Donna Processing Facility, where families and unaccompanied minors are processed. If there is any takeaway from seeing this firsthand, it is this:

There is no way to adequately understand the magnitude of the problem or the severity of the crisis unless you see it with your own two eyes. So I implore the President, who has held elected office nearly uninterrupted since 1973, please visit the southern border and acknowledge what is obvious to everybody else. This is a national crisis.

The sixth blunder Joe Biden gave to us is a new kind of border wall, not the wall we need to secure the crisis on the southern border, which has seen record numbers as nearly 2 million people have attempted to enter the country illegally under Biden's watch.

By the way, this is just the number of illegal immigrants who have been apprehended by our CBP heroes. Now, that is more than twice the population of my home State.

But according to Secretary Mayorkas, a border wall is an affront to—get this—an affront to humanitarian relief. Obviously, the ranchers and the innocent American citizens living and working near the border don't qualify for this humanitarian relief. Yet his Agency secured and awarded a contract for nearly half a million taxpayer dollars to build and install a fence around Joe Biden's home in Delaware. What kind of humanitarian relief does Joe Biden's beach mansion need?

The seventh blunder Joe Biden gave to us is \$450,000 settlements for illegal immigrants, just for being illegal. The Wall Street Journal was the first to report this absurd plan. While North Dakota families and businesses are struggling with inflation and skyrocketing costs on everything because of Joe Biden's spending policies, his administration wants to hand out hundreds of thousands of dollars to illegal immigrants.

In comparison to the \$450,000 proposed payout for illegal border crossers, the U.S. Government pays only \$100,000 to the families of soldiers killed in service to our country, and people who are wrongly accused and incarcerated in Federal prison are eligible for just \$50,000. That is right—\$100,000 if you die defending our freedom but \$450,000 if you violate our freedom.

Now, when confronted about this, President Biden said this is not going to happen, but he was quickly corrected by his own White House and the Justice Department. Negotiations are ongoing, so we don't know what any final number will be. I have helped sponsor legislation and amendments to prevent this policy from ever being implemented. The last thing we need is another incentive for people to come to our country illegally.

The eighth blunder Joe Biden gave to us is private jet-setting climate apologist John Kerry's comments on coal. Kerry stated:

By 2030 in the United States, we won't have coal. We will not have coal plants.

While a State Department spokesperson walked back Kerry's statement, "noting the administration's plan still

would allow coal," it is absurd on its face.

Cutting off coal would shut down American innovation, kill all the progress we have made on carbon capture technology, eliminate good-paying U.S. jobs, scrap grid reliability, and increase the cost of energy and everything that is produced that is dependent on the energy—like we need more inflation—and cede energy dominance to foreign adversaries who have a total lack of environmental concern and standards. Canceling coal is merely a transfer of emissions guilt to other countries with dirtier energy production than we have.

The ninth blunder Joe Biden gave to us is moral authority and other gaffes from Energy Secretary Jennifer Granholm. Most notably, Secretary Granholm—while in North Dakota, no less—said: "We don't have much moral authority to call out China when it comes to energy production and emissions."

This is not just wrong; it is embarrassing. It is not just an intellectual mistake; it is an embarrassing gaffe. The stringent environmental and, I might add, labor standards of the United States are far superior to the lack of any of them in China. And I rest my case on the facts of the situation here.

One, according to the BBC and several other agencies—but the BBC says China emits 27 percent of global emissions, and it is a rising percentage because it is a rising number, while the United States is around 10 percent and a declining percent.

Two, according to the EPA, total U.S. energy-related carbon emissions fell by 12 percent from 2005 to 2018 while the United States became the No. 1 energy producer in the world.

In contrast, global energy-related carbon emissions increased nearly 24 percent. So the United States reduces 12; the globe increases 24 percent. This is significant by any standard and certainly qualifies us to be able to say we have moral authority over China when it comes to polluting and greenhouse gas emissions.

In North Dakota, in fact, we are performing ground-breaking research and piloting innovative demonstration projects. We are in the process of adding carbon capture technology to facilities like the Milton R. Young and Coal Creek power generation stations.

Furthermore, the United States has invested more in clean energy, research, development, and deployment than the next two countries combined.

We are a global leader in climate mitigation measures for new energy sources, carbon management, and efficiency. The radical and backwards energy policy of this administration ignores American exceptionalism and the real progress that we have made as a nation.

The Chinese Communist Party, Russia, and other polluters have shown no real interest in doing so, yet Secretary

Granholm and Joe Biden provide cover for them, along, of course, with John Kerry, even greenlighting their fossil fuel energy projects, while they kill America's.

The tenth blunder Joe Biden gave to us is a disastrous withdrawal from Afghanistan. There is a lot to unpack here, and nothing about this topic is meant to be glib or sarcastic. This withdrawal was nothing short of a tragic disaster and an international embarrassment.

We will continue searching for answers and accountability from the administration on this, but let's focus on the failed commitments from Joe Biden. He said his administration would get all Americans and our allies out of the country ahead of his arbitrary August 31 withdrawal deadline.

He also said the United States would stay in Afghanistan until all Americans who want to leave can do so. This is obviously not what happened.

After the botched withdrawal, the administration listed numbers ranging from 85 people to 200 or maybe 400 Americans left in Afghanistan. The State Department, however, believes as many as 14,000 legal permanent U.S. residents remain in Afghanistan, according to a foreign policy press report. Whatever the number, the President went on national television and told the world this withdrawal was "an extraordinary success."

Can you imagine being one of the people left behind and seeing your President on TV calling what he did an extraordinary success, saying that we got out successfully? It is abundantly clear there are significant numbers of U.S. citizens, residents, and important Afghan allies still stranded in the country if, in fact, they are still alive at all.

The 11th blunder Joe Biden gave to us is welcoming stiff competition with China. In October, Jen Psaki was asked about the Chinese Communist Party's hypersonic missile test successfully circumventing the whole globe which, from reports, indicate they are capable of delivering a nuclear warhead. Her response, Oh, we welcome stiff competition.

Really? Really? Why would the White House welcome military competition from our peer adversary communist China?

As a member of the Senate Armed Services Committee, it has been a priority to ensure the U.S. military maintains a secure and effective deterrent, a nuclear deterrent. In order to do so, we need to modernize our nuclear triad. America's nuclear triad of missiles, submarines, and aircraft are 60-plus years old in many cases, and they are not the same strong deterrent to our adversaries that they once were. It is clear and concerning that the Chinese Communist Party is prioritizing a nuclear buildup, and the White House seems comfortable with all of this.

The 12th blunder Joe Biden gave to us is the consistent confusion and

alarm in regards to his own comments about Taiwan.

In October, Joe Biden told reporters, "I have spoken with Xi Jinping about Taiwan. We agree, we will abide by the Taiwan agreement," he said. Of course, immediately, alarm bells rang out, causing confusion and a lot of head scratching. You have to remember, we have a backdrop of Beijing ramping up military pressure on Taiwan, and Joe Biden can't properly articulate our Nation's foreign policy posture.

The lack of understanding on something as critical as China is dumbfounding. Taiwan is a strategic ally and important trading partner to the United States, especially given the increased risk China poses, not only to the region but to the world. If this was an isolated incident, it would be one thing, but this isn't the only time his comments in Taiwan had to be clarified—no. In a CNN townhall, Anderson Cooper interrupted the President to ask if Joe Biden was "saying that the U.S. would come to Taiwan's defense if China attacked?"

Joe Biden promptly responded with, Yes, we have a commitment.

The White House resorted once again to walking back these comments, in what seems to be a recurring occurrence at 1600 Pennsylvania Avenue. One Washington Post article wrote:

Most analysts believe simply that Biden misspoke.

Misspeaking is a kind way to dismiss the obvious lack of clear understanding of a critical foreign policy issue by our Commander in Chief. If there were to be an attack, I am not even sure the President would know what to do if he can't accurately express what our policy is.

I am not sure I can sum this up as succinctly as two turtledoves and a partridge in a pear tree, but I can conclude that Joe Biden and his leftwing extremist allies deserve a lump of carbon-intense coal in their White House stockings this Christmas.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Connecticut.

ANNIVERSARY OF SANDY HOOK SHOOTING

Mr. MURPHY. Mr. President, 9 years ago this morning, I was in Bridgeport, CT. I had just done an event with the city of Bridgeport, and I was meeting my wife and, at the time, my two very young children, ages 4 and 1, in 2012 at the Bridgeport train station. We were going to take the train down to New York City, and Cathy and I were going to show our two kids the splendor of New York City. We were going to go see the Christmas tree. We were going to go to the ice rink.

And as we were waiting for the train to arrive, I got news that there had been a shooting at a school in Newtown, CT. Newtown is a beautiful community, a quintessential small town, close-knit. The Labor Day parade every year attracts every civic and community group to it, the pride of the community.



And I wondered whether I could still continue on to this family trip or whether I needed to wait to find out more. I figured it was a disgruntled employee. A few moments passed as I waited for the train, and the news began to come in that this was much more grim, that there were children shot, perhaps many.

And I decided that I should get in a car and head to Sandy Hook. There are a lot of days when I wish I didn't see the things that I saw or hear the things that I heard in Newtown that day.

Senator BLUMENTHAL, who is on the floor with me right now, he and I were there, and we were just witnesses. We were just interlopers. Neither of us lost a loved one that day, but it is a day that I will never, ever forget, etched into my brain.

And we come here likely every December 14 to memorialize another year having passed since Sandy Hook. And, of course, at some point, you come to a loss for words. You can't figure out what new to say to your colleagues to try to explain what has happened to these families, to this community, why there is such an aching for action, a disbelief that this country refuses to stand up and do something about the safety of our kids—because, well, Newtown caught the Nation's attention for good reason, twenty 6 and 7-year-olds vanishing from the Earth in an instant. Every single day, there are mothers and fathers who are losing children to gun violence—gun violence that is completely preventable.

A few weeks after Newtown, I was in a community center in the north end of Hartford with parents who were furious that the country was just waking up to this epidemic of gun violence after White children were shot in Newtown because it had been happening to their Black children for decades.

And so, today, I want to do something very simple for my colleagues and for the country, I want to just explain to you what the grief of these families feels like, what it looks like when you lose a child, whether that child is 6 or 7 or 16 or 17. When you outlive your child, when your child doesn't even make it to adulthood, there is an all-consuming grief that is inescapable.

One of the emotions that is connected to this grief that I have learned about is the tendency to deny the reality that has become your surrounding.

That is logical, to momentarily, either purposely or subconsciously, try to figure out a way out of this world that you are living in without your child or without your son or daughter whom you had planned to spend the rest of your life with.

And so I want to talk a little bit about that emotion today. I live now in the South End of Hartford. I live just two blocks from the intersection of South Prospect and Shelby Street. I think I live there intentionally, because I know this story so well, and when my family and I were looking for

a house in Hartford and there was one available just two blocks from this intersection, I think there was probably something intentional about the choice we made.

On and at that intersection, just two months before the Sandy Hook shooting, Shane Oliver, a young African American, 20 years old, was meeting a couple of acquaintances. He was transferring a car that he had fixed up to this other group of individuals whom he knew in passing.

He was there with his girlfriend, and during the exchange of this vehicle, an argument broke out. It started because of something untoward that his sellers said about his girlfriend. It was essentially an argument over a girl that turned into a fistfight that then prompted Luis Rodriguez to go back to his car. Inside that car was an illegal gun. He walked out of the car with a gun. Shane Oliver tried to run, and he was shot in the back. He died that night at a Hartford hospital.

His mother, for a good deal afterward, would wake up in the middle of the night, awaken from a deep sleep, put her clothes on, get into her car, and start driving. She would do this night after night.

She would drive from her home to the corner of South Prospect and Shelby Street, where her son died. And when she got there, she would shift her transmission into park and she would turn on the high beams and just wait for hours—the car in park, the high beams on—ostensibly, waiting for her son to come back. It is impossible. Shane Oliver had died months ago. He wasn't coming back. But his mother, consumed by this grief, consumed by this need to deny what had happened, sat there in her car.

Around the same time, one parent whom both Dick and I have gotten to know very well in Sandy Hook came up with her own trick. She would pretend that her son who had died that day at Sandy Hook wasn't dead. In fact, he was just visiting a friend for the afternoon.

She was trying to figure out ways to just get some housework done, to just tidy up the place, to make some phone calls that she needed to in order to get her family's business done, and the only way that she could do that was to imagine that her son was at a play date and that he would be coming home soon. And, of course, that dream would vanish, and she would once again come to grips with the reality that her son was never, ever coming home. But that need to deny that reality, even for a few hours, was what was necessary for her in order to get through the day.

I just tell those two stories because I want people to understand how desperate your life becomes when you lose a child. We lost 26 individuals—20 kids and 6 educators—9 years ago today in Sandy Hook, and the families of all 26 of these individuals—the parents, the brothers, the sisters, the children—their lives will never, ever be the same.

Newtown will never, ever be the same. Many of these kids lived within a block or two of each other. Everyone in Newtown knew one of these families, two of these families. Half of these kids all went to the same church. The funerals that we went to over and over again were at the same place, with the same priest presiding over funeral after funeral, wake after wake.

And so sometimes those of us who work in and around this issue of gun violence get angry at our colleagues, because how can you listen to these stories of grief—and they happen in every State—and choose not to act?

Lastly, I want to do something that I have done several times on the floor, because I am running out of ways to express what happened in Sandy Hook and why our inaction is inexcusable. I am running out of turns of phrase to do it myself. So maybe the words of a parent will help you understand why we need to act. So I am going to read a few excerpts from testimony that our friend Neil Heslin gave before the U.S. Senate just 2 months after Sandy Hook occurred.

Neil is a complicated guy, a good friend who had hard times in his life. But his best friend was his son Jesse Lewis. And I will end by reading what he wrote to the U.S. Senate 9 years ago.

On December 14, Jesse got up and got ready for school. He was always excited to go to school. I remember on that day we stopped at Misty Vale Deli. It's funny the things you remember. I remember Jesse got the sausage, egg and cheese he always gets, with hot chocolate. And I remember the hug he gave me when I dropped him off. He just held me, and he rubbed my back. I can still feel that hug.

And Jesse said "It's going to be alright."

I mentioned that his father Neil had a rough life. He had a hard time, like a lot of folks.

And Jesse said "It's going to be alright. Everything's going to be okay, Dad." Looking back it makes me wonder. What did he know? Did he have some idea about what was about to happen? But at the time I didn't think much of it. I just thought he was being sweet.

He was always being sweet like that. He was the kind of kid who used to leave me voice messages where he'd sing me happy birthday even when it wasn't my birthday. I'd ask him about it, and he'd say "I just wanted to make you feel happy."

He had so much wisdom. He would know things, and I would have no idea how he knew. But whatever he said, it was always right. He would remember things we'd done and places we'd been that I had completely forgotten about. I used to think of him as a tiny adult.

Other people felt it, too. Teachers would tell me about his laugh, how he made things at school more fun just by being there.

Jesse had this idea that you never leave people hurt. If you can help somebody, you do it.

That's what Jesse thought. If you can make somebody feel better, you do it.

They tell me that's how he died. I guess we still don't know exactly what happened at that school. Maybe we'll never know. But what people tell me is Jesse did something

different. When he heard the shooting, he didn't run and hide. He started yelling. People disagree [about what he said]. . . . [But] ten kids from my son's class made it to safety. I hope to God something Jesse did [that day] helped them survive. . . .

What I know is that Jesse wasn't shot in the back. He took two bullets. The first one grazed the side of his head, but that [probably] didn't stop him yelling. The other hit him in the forehead. Both bullets were fired from the front. That means the last thing my son did was look Adam Lanza straight in the face. . . .

Jesse grew up with guns, just like I did. I started shooting . . . when I was eight years old. My dad was a vice president for years at a local gun club. He started taking me shooting when I was eight. . . . He taught me to respect guns, just like I taught Jesse.

Jesse . . . had an interest in guns. He had a bb gun. I watched over him like a hawk with that. I taught him gun safety. He knew it. He could recite it to you.

Some guns just don't have any place in the hands of civilians. The assault weapons we're talking about today, their sole purpose is to put a lot of lead out in a battlefield quickly. That's what they do. That's what they did at Sandy Hook Elementary.

I wish I wasn't here with you today.

Neil writes:

The best day of my life was the day my son was born. The worst day was the day he died. I don't want to relive that day by talking to you here about it. It would be easier for me just to stay home.

But I know that's not what Jesse would do. Jesse died screaming at a man with a gun. He died yelling at the top of his lungs so maybe some of his classmates could get to safety.

I'm not real political. Half the time I think it doesn't matter which group of you guys runs things out here, no offense. I've always thought it wasn't a real good idea for people to be walking around the streets with military weapons, but I probably wouldn't have said anything about it.

So the reason I say this isn't about politics is because what I felt on that day, and what I've felt since, doesn't have anything to do with politics. In politics, people like to debate and say if we banned the weapon that Adam Lanza used would he just find something else. Let me tell you, when you're sitting at a firehouse and it is one in the morning and you are hoping against hope that your son is still hiding somewhere in that school, you want any change that makes it one bit more likely you'll see your boy again.

Before he died, Jesse and I used to talk about maybe coming to Washington someday. He wanted to go up the Washington monument. When we talked about it last year Jesse asked if we could come and meet the President.

I said earlier that I can be a little cynical about politicians. But Jesse believed in you. He learned about you in school and he believed in you. I want to believe in you, too. I know you can't give me Jesse back. Believe me, if I thought you could I'd be asking you for that. But I want to believe that you will think about what I told you [here] today. I want to believe that you'll think about it and then you'll do something about it, whatever you can do to make sure that no other father has to see what I've seen.

Dick and I were at that firehouse all day and all night, and I will never, ever forget that when all the parents had gone home, having told what happened,

the first responders had almost all left. Sitting in the middle of the firehouse all by himself was this one man. And it was Neil Heslin. I left that firehouse—I can't remember—at 10 o'clock or 11 o'clock at night. And Neal was the last person I talked to. And, as he tells you in his testimony, he didn't leave until 1:30. If there was any chance that Jesse was coming back, that he was running around in the woods, he was going to be sitting there at the firehouse.

It gets harder every year, and I have no personal stake in this. I went home that night to both of my kids, who were sleeping safely in their beds.

What the hell is going on in this country that we sit here and memorialize year after year since those 20 kids died and we don't do anything meaningful about it?

Next December will be 10 years, and I am just going to tell you how hard it will be for so many of these families to live through a 10-year mark of Sandy Hook with no action from this body.

We have a year to get our act together here to make sure that in some small way we can honor these children with action.

I yield the floor.

The PRESIDING OFFICER (Mr. PETERS). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, this day is one of the profound moments for both Senator MURPHY and myself, because we lived through that day—a searing, grief-stricken day that neither of us will ever forget, 9 years ago. And at this moment on that day, I stood before a church full of parents and members of that Newtown community. And what I said then was, "The world is watching. The world is watching us and what we will do."

Today, we remember not only what we lost but also what we still need to do as, 9 years ago, those 20 beautiful children and 6 great educators lost their lives. Today, as we did at St. Rose of Lima Church that evening, we remember the lives they lived. Their names will be forever engraved in our hearts. We remember them for bringing bursts of light and laughter and love into our lives, mostly into the lives of their families.

We also remember the heroism, the real heroism, of those educators on that day—of the six who bravely sought to shield their children. Literally, with their own bodies, they sought to protect their children—running unhesitatingly toward that danger, barricading classrooms, drawing on all their reserves of calm and professionalism to protect the children in their care. They were heroes, and so were emergency responders, State police, and all who came to the firehouse that day. I remember the broken faces—the heartbroken faces—of men who went into the school building to secure the crime scene and saw the bodies of children who could have been their own. They were tough State policemen who had seen it all. Those

emergency responders, the ministers, the priests, the people of faith who tended to the parents, and, yes, indeed, the parents themselves—heroes.

My colleague Senator MURPHY has talked about Jesse's dad, Neil Heslin. Jesse's mom, Scarlett Lewis, became a hero as a champion of social and emotional learning to try to prevent the conflict and the emotional travail that could lead someone like Adam Lanza to do what he did.

I will never forget, at one of those wakes and funerals that we attended in the days afterward—they seemed interminable in the cold and the deadening light of winter—the one mom whom I approached and said: "When the time is right, when you are ready, I think we should do something about gun violence." She looked at me and said: "I am ready now."

The ferocity, the bravery, the strength, and fortitude of those parents in the days and months afterward, coming here, as we sought to do something about gun violence, and then they sat in the Gallery when, by a handful of votes, we failed, and the cry of shame—shame—that one of those parents shouted to us.

They worked bravely, and they have continued that work with the kind of unflinching courage that it takes every time they tell their stories and every time one of the surviving families talks about their children in the quest to save others. That is what it is all about. That is why those brave parents—heroes—of this story have continued.

For them, that December morning began like every other. They took their children to school, kissed them goodbye, maybe admonished them to be good that day. It was a normal day until it wasn't. Then, time stopped for them and for all of us. Time stopped, and the world changed forever—irreparably. Irreparably, it changed forever for them and for all of us. Nine years later, they live with that grief so far more deeply than any of us that it almost feels like an incursion on their privacy to talk about that day. The scars of that day are for them but also for the brothers and sisters. For everyone who suffered a loss, that trauma and grief continue, and they relive it on this day.

There also are heroes in that community of Newtown and Sandy Hook—a beautiful, quintessential New England town, with such great spirit. They came together that evening at the St. Rose of Lima Church and in the days and weeks and years afterward with unyielding conviction and courage.

Yet we know that they are so far from alone because, in that time—incredibly, in the time—of the 9 years since that day, 900,000 more people have perished; 900,000 more people have died from gun violence and so many of them children. One-third of American children live in a home with a gun, and 3 million children are exposed to gun violence every year.

Firearms are the leading cause of death among American children and teenagers—the leading cause of death for children younger than the age of 13. So often, they occur at home—outside the front door, in the neighborhood. Black children and teens are 14 times more likely than White children and teens to die by gun homicide. There is a searing inequity and injustice here that radiates outside the boundaries of Sandy Hook and Newtown. It affects every community. None is immune. None is above gun violence.

Because 60 percent of all deaths by gun violence are suicide, there are solutions here, like safe storage and emergency risk protection orders, and red flag statutes that simply keep guns safely stored, like Ethan's Law, or that separate guns from people who say they are going to kill themselves or others or who give evidence that that is what they are going to do.

The good news is we are seeing a new generation of leaders. We are seeing a political movement, not just a moment but a political movement, and a group of organizations that is mobilizing the vast majority of the American people who know we need to put an end to gun violence: Sandy Hook Promise, Newtown Action Alliance, Connecticut Against Gun Violence, Moms Demand Action, Students Demand Action, Giffords, Brady, March for Our Lives—in the wake of Parkland, March for Our Lives. This is a new generation brought together by tragedy, united regardless of their party. Regardless of their other politics, they are together in demanding action.

With every one of these mass tragedies—Parkland, Las Vegas, Charleston, El Paso, Orlando, Pittsburgh, Atlanta, Boulder, Indianapolis, and now Oxford, MI—the scourge of gun violence has united these groups in a way that has never happened before, with the hope that Americans will express themselves not only in their neighborhoods and at community meetings but also at the ballot box in order to hold us accountable—truly responsible—for the complicity of Congress. Yes, it is complicity in that death and murder that occur literally every day. More than 100 lives are lost every day.

There are real commonsense solutions here. I don't need to describe them in detail—that will be for another day: expanding background checks and closing loopholes in that background check system, keeping weapons off our streets, funding public health research and community violence intervention programs, protecting domestic violence survivors, setting standards for safe and secure storage, implementing those red flag statutes, and holding the gun industry and its nefarious partners accountable. We know what to do. We know what is necessary to help stop gun violence. There is no mystery here, and this movement—a political movement and social movement—can achieve it.

But I want to talk not only about the grief suffered by families who have lost

loved ones but about the impact on the living who may not even know about Sandy Hook. There are children at schools right now, children who routinely do active shooter drills, diving under their desks or barricading their doors in anticipation of a mass murder in the place that should be the safest to them.

What will this generation think of school? What will this generation think of safety?

Today, in some schools, there was no school because of the copycat threats phoned in to those schools.

What kind of nation has to shut down schools because of the threat of mass murder? Not our Nation, I would hope; not our Nation, if we use our power to make our Nation safer; not our Nation, if we have the same kind of courage and guts and grit that those families of Sandy Hook have. We promised to honor them with action.

We should keep in mind the grace and bravery of people like Kristin and Mike Song, who lost their son, a teenager, at a friend's house, to a shooting that was the result of an unsecured weapon—unsecured because the parents of his friend failed to put it under lock and key. They made it accessible. Kids die like that every day, every week. As our hearts break, we should remember the bravery of Kristin and Michael Song, who crusaded for Ethan's Law, named after their son.

They were here just last week at a vigil—literally, within a stone's throw of the Capitol—reciting their story, seeking to inspire us to act and take that step toward safe storage but taking nobody's gun away. These measures take no one's gun away. They just make it safe to own a gun and to save lives.

We have children. I have four children. My colleagues on the floor have children and families. We remember those days when our kids were 6 years old. We remember the joy and life they brought to our lives.

There is a saying that no parent should outlive a child. Until we know someone who loses a child, but most especially at that age, the power of that saying may have less meaning.

In 10 years, we should have done a lot more, if we mark 10 years without doing more. In 10 years, next year at this time, we should hold ourselves accountable for doing more.

Over this next year, we have work to do. And as dark as December may seem, it is also a season of light. And the heroism of those families, of the first responders, of the community of Sandy Hook should provide us with the inspiration we need to honor those brave and wonderful children, to honor them with action, not just words.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

TRIBUTE TO BRYN STEWART

Mr. BARRASSO. Mr. President, I come to the floor today to honor an extraordinary public servant. It is my

longtime legislative director, Bryn Stewart.

He is going to be leaving the Senate after a 20-year career of working on behalf of the people of Wyoming.

He served in this great institution under two different U.S. Senators from Wyoming. He and his family have deep roots within our State, and he is a third-generation Wyomingite.

Bryn was born and raised in Sheridan, WY. His father Clyde was a high school business teacher who also coached basketball and the golf team. His mother Jerrie worked at the Sheridan Press, our local newspaper. Both of his parents encouraged him to work hard, to always be respectful, and, most importantly, to be himself, not to be what others expected him to be. Well, he has exceeded all expectations, I will tell you.

Family means everything to Bryn. He is the fifth oldest of seven children. And while it is Bryn's career that we are here to pay tribute to today, in terms of his work in the Senate, his older sister Kendall was the first Stewart sibling to work in the U.S. Senate. She worked for Wyoming Senator Malcolm Wallop. She then came to work in my own office in Sheridan, WY, in Bryn's hometown.

It is also important to point out that Bryn's brother Dow also worked in the U.S. Senate. What a testament to Bryn's parents that so many of their children were committed to public service.

Bryn took a very different route to the U.S. Senate than his siblings. After graduating from the University of Wyoming with a finance degree, Bryn went on to earn his law degree from the College of Law at the university in 1985.

It turns out that Bryn wasn't the only standout from his class that year at the University of Wyoming School of Law. My fellow U.S. Senator from Wyoming, CYNTHIA LUMMIS, was Bryn's classmate in the law school, and the two of them remain great friends to today.

After passing the Wyoming State Bar, Bryn has maintained his membership in the Wyoming Bar for 36 years.

He moved to Gillette, WY, and he started his career there as legal advisor to the Campbell County sheriff and deputy county attorney. Now, I would point out that Campbell County, in Gillette, is the town where Mike Enzi, my former colleague, had been a representative in the legislature as well as the mayor. And Mike Enzi also had graduated, as has Bryn, from Sheridan High School.

Ten years later, Bryn became the director of administrative services for the Campbell County Board of Commissioners. In that role, Bryn was able to balance the budget during a major economic downturn without laying off any employees. This was not an easy achievement.

Now, after more than 16 years of serving the people of Campbell County,

Bryn made the move to Washington, DC. He came to DC to work for my predecessor, Senator Craig Thomas, as his tax and trade counsel. The person who gets full credit for convincing Bryn to come work for the U.S. Senate wasn't Senator Thomas; it wasn't me; it was my incredible wife Bobbi Brown Barrasso who encouraged Bryn to take the job and move across the country.

Bryn fondly tells the story of how my wife Bobbi, who was then the State director for Senator Thomas at the time in 2001, reached out to Bryn about the opportunity that really did change the course of his life and his career.

Now, she knew that he would be a perfect fit for the job. We are all very grateful to Bobbi in so many ways but most certainly for recognizing Bryn's talent and talking him into taking a leap of faith.

Although it turns out a cross-country move wouldn't be the biggest shock of the journey for Bryn—it is a long way from Wyoming to Washington—but he was officially offered the job the Friday before the terrorist attacks of September 11, 2001.

Many people would have reconsidered moving to Washington, DC, after the largest terrorist attack in our country's history, but Bryn didn't think twice. In fact, it only strengthened his resolve and his commitment to serve the Nation and the people of Wyoming.

It turns out he would need that resolve because during his first week in the DC office, the anthrax attacks occurred against our Nation, against our Capitol, and against a Senate office building. Anonymous letters laced with deadly anthrax arrived in congressional offices, and Bryn, like so many staffers on the Hill, was displaced for months into temporary quarters.

Despite the chaos and the rocky start, Bryn was not deterred, and he immediately jumped into his legislative role at full speed.

For his first 2½ years, Bryn served as counsel for Senator Thomas. He worked on numerous tax and trade bills. Most notably, he helped draft and pass legislation providing critical relief to drought-stricken livestock producers in Wyoming and across the country. Senator Thomas was so impressed with Bryn's work that he promoted him to be his legislative director in 2004.

As you know, legislative directors have a very big job and lots of responsibility. They guide the entire policy staff in developing and implementing the Senator's legislative agenda. As a result, legislative directors must be up to speed on all of the issues.

Bryn recalls one story in particular from his early days as legislative director directly on this point. During the 2005 energy bill debate, Senator Thomas was selected to serve on the conference committee. A week into the committee meetings, Senator Thomas's then-energy legislative assistant was diagnosed with cancer. Never one to back down from a challenge, Bryn immediately stepped in.

He quickly took over the reins, and he helped Senator Thomas successfully lead the fight for Wyoming coal and other important energy resources.

Bryn recounts this experience as one of the highlights of his legislative career—always ready to help, always ready to act.

In 2007, when Wyoming and the Senate tragically lost Senator Craig Thomas to cancer, Bryn was central in supporting our entire staff, many of whom are on the floor today, through an extremely difficult and emotional time. And when I was selected to fill Senator Thomas's seat, I asked Bryn to stay on as my legislative director. It is a decision that I have never regretted.

For more than 14 years, I have been incredibly fortunate to have his advice and his counsel. We worked together on critical issues that will have a lasting and positive impact on Wyoming for decades to come. This includes his great work in helping to pass the Craig Thomas Snake Headwaters Legacy Act, which was signed into law in 2009.

Bryn was also instrumental in securing the return of Wyoming's abandoned mine land funds to our State, which is why I have always referred to him as our hundred-million-dollar man.

Now, these are just a few examples of the work Bryn is most proud of in his 20-year Senate career.

Bryn's dependability and knowledge made him an indispensable member of my team. His work ethic and his dedication are legendary. He stays late; he works weekends; and he does whatever it takes to get the job done. We often joke in the office that Bryn is the first one in the "leg shop" and the last one to leave. It doesn't matter if it is a blizzard outside or a global pandemic, Bryn is infamous for not letting anything keep him from doing the work in the Senate for the benefit of the people of Wyoming.

While I have talked a lot about Bryn's professional accomplishments, I also want to highlight the ways that he continues to give back to the community and give back to others. He makes it his mission to live his life with a purpose. It is one of the reasons he prioritizes giving back to the community as much as he can.

One of his biggest passions is supporting organizations focused on providing food and shelter to those in need. He serves as a member of the Salvation Army board in his local community. He served in organizations that build homeless shelters, operate food pantries, and run low-income energy assistance programs. He is also a member of the Northern Wyoming Community College Advisory Board in Gillette that focuses on providing high-quality, postsecondary education to the people in Campbell County and around Wyoming.

Bryn's departure from the Senate leaves very big shoes to fill. And while we are all sad to see him go, we are happy to know he is moving back to where it all started for him, his hometown, Sheridan, WY.

He will be closer to family, also be able to spend time camping, hiking, and biking through his beloved Bighorn Mountains.

Bryn, Bobbi joins me, along with our entire staff, many of whom are here on the floor—the current staff, but it is also the past staff, the present staff—in commending you on a remarkable career of service.

We are grateful that you chose to dedicate your life to helping make Wyoming and our country a better place to live and a better place to work.

It is with admiration, appreciation, and respect that I wish you every success as you embark on this new adventure. And we are not just saying that because today is your birthday. You will be truly missed.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, first, I want to offer my congratulations to Bryn Stewart.

That was a beautiful speech about the public service that he has contributed to Wyoming and to the U.S. Senate. I thank my colleague from Wyoming for that.

#### KENTUCKY

Mr. President, I also want to say that over the weekend, I had the opportunity to travel to Kentucky.

I live in Ohio so Kentucky is our neighboring State. I went down to help some of our neighbors get back on their feet after these devastating tornadoes. It was very emotional, partly, obviously, seeing people's lives just be devastated—houses ruined and family heirlooms lost and, unfortunately, some loss of life—as the tornado hit some of the residential areas in Western Kentucky, but also another emotion, which is gratitude for the people who came forward as volunteers to help, neighbor helping neighbor.

As always happens when you have one of these natural disasters, the only silver lining is that people do come together in providing water and food and help getting people out of their homes through urban search and rescue teams, like Ohio Task Force One, that went down to Kentucky chain-sawing trees down so that people can get their cars out and try to repair some of the damage, get their lives back together.

It was a terrible thing to see the devastation but also a wonderful thing to see people coming together to help one another to get through a tough time.

#### INFLATION

Mr. President, I am on the floor today primarily to talk about the legislation that has been proposed by the Biden administration and by the Democratic leadership.

This is the 11th consecutive week that I have come to the floor to talk about this because, every week since it was introduced 11 weeks ago, I have wanted to talk about what is actually in this legislation, how it would impact our communities, how it would impact our economy.

So, today, I am here to talk a little about some of the new numbers we have in terms of inflation and how this would impact inflation and some of the new numbers that just came out since last week from the Congressional Budget Office, which is the nonpartisan group up here that analyzes these legislative efforts, and what they are saying about what the cost of this bill will be.

So I think it is worth having this conversation before Congress—the Senate and the House—votes on this massive tax bill, a massive spending bill that could fundamentally change the way our economy works and, I think, put us in a very difficult position as it relates to inflation and the economy and our debt and our deficit.

Democrats want to push this through under what is called reconciliation, which is a special procedure here in the Senate where, instead of getting the normal supermajority of 60 votes, they could do it with only 50 votes and then have a tie-breaker be the Vice President in her role as President of the Senate. So I have concerns about the substance of the legislation but also in terms of the process.

Wouldn't it be great if this could actually go through committees and the committees could vet some of these proposals? Last week, I talked about some of the tax proposals, for instance, which I think have inadvertent impacts on pensions—defined benefit plans, in particular—inadvertent effects on businesses that aren't going to be able to write off expansions and plant equipment, which we want them to do.

Maybe some of these things are inadvertent, but it also has a change in the tax policy where it says that the State and local tax deduction would no longer be capped at \$10,000. This is a Federal deduction people are able to take on their State and local taxes, but they would raise that to \$80,000, that cap.

The impact of that and a couple other things in the legislation means that 70 percent of millionaires—people who make over \$1 million in income a year—would get a significant tax cut under this legislation; whereas, if you only make 30,000 bucks a year, only 30 percent of those people get a tax cut.

And that is in the first year. In the second year, it goes down to about half that. And in the third year, it goes down to 10 percent and below. So it really is skewed toward providing tax relief for the wealthy at a time when, obviously, we are concerned about those people. Given the economic uncertainty, given the COVID issues, given the natural disasters, given the other issues that we face, you would want to help those who need the help the most. That is not what this legislation does.

Again, if it had gone through the process of the committees of jurisdiction—in this case, the Finance Committee, the Ways and Means Com-

mittee—I don't think we would be seeing this. All these issues are ones that could have been ironed out had it not been jammed through on this reconciliation process without any committee consideration.

So I am upset that Congress is being thwarted from doing its work, and I think, if we had, it would be a very different piece of legislation.

This plan is also going to hurt, in my view, with regard to inflation. We are looking at the highest inflation we have had in decades. I think everybody knows that now, not because they are looking at the numbers, which I will talk about in a second, but because when they go to the grocery store, they are paying a lot more for a hamburger or for milk or for bread; or when they go to fill up their car with gas, they are seeing the prices at the pump.

I filled up my pickup truck—I took it to Kentucky on the trip I just talked about—and it was almost a hundred bucks to fill it up. That is a lot for people who are on a fixed income or young people or someone who has to commute to work. That really takes a bite out of your budget. But that inflation is across our economy right now, and it is tough on people.

The work shortages that we see, the workforce shortages, the supply chain delays, the inflation—all of these things are problems in our economy right now. All of them get worse, in my view, if we do it the way the Democrats propose because, by adding more fuel to the fire, more stimulus spending—in this case, trillions of dollars—you are going to stimulate more demand in the economy. And inflation happens when demand outstrips supply. So you have a lot of demand for something, but you don't have the supply for it, and it raises inflation.

And that is exactly what many of us predicted would have happened back in March of this year when Congress did the same thing—\$1.9 trillion. A lot of it was stimulus spending. And people said, "This is going to cause inflation," and, sure enough, it did. It wasn't just me and other Republicans. It was some Democrats as well.

So that trend of rising inflation, which has made things so costly and expensive for so many people in my home State of Ohio, shows no sign of slowing down. Late last week, the Labor Department reported that the Consumer Price Index, or the CPI, rose by 6.8 percent over the last 12 months. That is the biggest year-to-year inflationary increase in 39 years—39 years.

And last month, the number for inflation—1 month alone—was 0.8 percent. So get on your calculator and do the math: 0.8 percent in 1 month. Do that times 12 months, and you end up with inflation of 10 percent on an annualized basis. That is just from last month, if we just extrapolate that out over the year.

Ten percent inflation? For those who lived through inflation in the late 1970s, early 1980s, you know what that

does to your economy. So the notion that the Biden administration has that this is going to be temporary or transitory, that is just not true. And, by the way, the Federal Reserve has now said that is not true. It is going to be here for a while.

Although we are hearing a lot of stories these days about businesses paying higher wages to attract workers, average wages went up by 4.3 percent last year. So with all of the labor shortages and the increase in wages, wages went up 4.3 percent. Again, inflation went up 6.8 percent in the same 12-month period.

So this is why, if you are getting a raise at work and you feel pretty good about it—getting the raise—but then you go to the grocery store or go to the gas pump or buy some clothes and you don't feel so good about it, it is because your inflation is higher than your wage gain. So unless your wage gain is over 6.8 percent over the last year, on average, you are losing out. And that is a real problem.

By the way, in 2020, as we got into the COVID-19 crisis, we had a very different economy. In February of 2020, we had the 19th straight month of wage gains of 3 percent or more, and inflation was 1, 1.5 percent. So people were feeling: Hey, I am making more money, and it is not being eaten up by inflation.

That is not the case now, unfortunately. Wages are not keeping pace with these higher prices, and people are finding that their paychecks just don't go as far as they used to.

We can see by some data that just came out from a survey of consumer expectations from the New York Fed that an increasing number of people are reporting that they are struggling more financially than they did a year ago. That is from the Fed, the New York Fed. And fewer are expecting their financial situation to improve by this time next year. That is not a great feeling as we approach the holiday season. That is a real concern.

The other report we have had since I was on the floor last week is with regard to the Producer Price Index. We have talked about the Consumer Price Index. The Producer Price Index is about businesses: What are businesses seeing in terms of inflation on business-to-business purchases, for instance?

The new number out this week on that is the largest increase year over year since we started keeping track of this number, which was about 11 years ago, 12 years ago. So the Producer Price Index is also going up, and the Consumer Price Index is already up.

What this means is that that Producer Price Index number is eventually going to be reflected in higher consumer costs—right?—because businesses are going to pass that along. So this is not a good week because we just got that data, and I was very sorry to see it because what you want to see is the Producer Price Index going down;

meaning that, in the future, the consumer prices are going to go down too. Instead, we are seeing a situation where it is likely that prices are going to keep going up.

Again, Republicans warned of this when the \$1.9 trillion was spent, mostly to stimulate the economy, saying this is going to overheat the economy—more demand, less supply, partly because of COVID. In other words, COVID made it harder to get supply in. If demand goes up, you are going to have inflation. And sure enough, that is what happened.

Larry Summers is the former Secretary of the Treasury under President Obama, former Chair of the national Council of Economic Advisers. Actually, he was Treasury Secretary for President Clinton and Chair of the National Economic Council for President Obama, a respected economist. He, too, warned of this. So it is not just a partisan issue, not Republicans and Democrats. It is the reality of what is happening when you increase demand much more than supply can handle. You get inflation. So it is not a surprise that it happened. Unfortunately, his prediction came true: overheated economy, demand outstripping supply. We found ourselves in this spiral of rising prices.

That was 9 months ago. I think it is fair to say that the inflation that people said was transitory is going to stay here for a while. That is a real cause for concern.

So why are we doing this? Why are we, again, spending trillions of dollars? And what is the cost?

Something that happened since we talked last week is that the true cost of the Build Back Better plan is now being revealed by this group on the outside from the University of Pennsylvania Wharton School, by the Committee for a Responsible Federal Budget, and by others, but now by the Congressional Budget Office itself.

So the Congressional Budget Office is the nonpartisan group up here in Congress that tells us what the fiscal impact is, what the spending impact is, what the taxing impact is, what the economic impact is of legislation.

And the number that has been cited for the cost of this Build Back Better legislation is \$1.7 trillion over 10 years. That is a lot. That would make it the second most expensive bill ever passed by Congress, the first being the \$1.9 trillion we talked about in March.

But it is worse than that because it turns out that even those staggeringly high costs we just talked about—\$1.7 trillion—miss the mark based on the analysis that just came out. Just as prices for everyday goods and services are going up, the estimates we are seeing for the true cost of Build Back Better are increasing with every analysis we see.

These studies have shown us that because the legislation sunsets programs, if you actually assume those programs are not going to be stopped after—let's

say with the child tax credit—1 year or 2 years or 3 years, but you continue it through the life of the legislation, it is going to be much more expensive.

So people tell me: Well, Rob, that is fine, but the child tax credit, as an example, only costs \$185 billion—only.

And I say: Well, actually, if you take it out over time, that becomes trillions of dollars—like \$1.6, \$1.7 trillion.

They say: Well, we are just going to do it for 1 year.

Well, that is just not what happens here in Congress. The history of this is that once we put a program like that in place, it continues to live on year after year.

Let me give you the best example of that. You have probably heard a lot of Democrats saying over the past few weeks: We have to pass this Build Back Better legislation by the end of this year.

Why? Because the child tax credit—it is already in law based on the March legislation—is expiring. So there is a tremendous amount of pressure, right? They are saying you have to extend it.

Well, that makes our case. So you have to extend it this year? That means, I assume, you have to extend it next year and the next year and the next year and the next year.

And anybody who says that they don't want to extend it—on the other side of the aisle—I would like to hear from them because I don't think they are going to say that. And so, if you assume it is extended, then you have this huge cost. The spending is going to continue to increase, and the program is not going to sunset. The total cost of the bill goes from \$1.7 trillion that we talked about to about \$4.5 trillion based on the Penn Wharton study I talked about.

Under the Congressional Budget Office analysis, it actually goes even higher—even higher—to \$4.9 trillion. And when you add interest on the debt, it goes actually over \$5 trillion.

So it is difficult to understand these numbers we are talking about because they are so huge. You know, \$4.5 trillion is \$4,500 billion. We have never spent this kind of money before. I mean, if it is \$5 trillion, that is the size of our budget, more or less—the whole budget for the entire country for a year, in one bill.

Now, people say: Well, it is paid for. Well, the 1.7 part, you could argue, is paid for—although we can talk about that, too, because some of the things in the pay-fors are not sustainable in my view, including, again, the impact on pension funds or the impact on being able to write off investments or the impact of the SALT issue. So there are lots of things that need to be worked out on the spending side but also on the revenue side.

So let's assume it is \$1.7 trillion, but that is not going to cover it because you have these expenses—like the child tax credit—that will continue.

So I am glad that my colleague Senator LINDSEY GRAHAM, who is the rank-

ing member of the Budget Committee, a top Republican, and Senator JOHN CORNYN, another colleague, asked the nonpartisan Congressional Budget Office to do their analysis, because they showed that, without the sunset, the 10-year cost of the child tax credit goes from \$185 billion to \$1.6 trillion.

They also found that, in line with another study by the nonpartisan Joint Committee on Taxation, the revenue lost would be \$1.6 trillion, either taking us further into debt by \$1.6 trillion or requiring new tax hikes.

So that is just one part of the legislation. It would be the costliest expenditure by Congress in our history, but it is just one part of the legislation. The hundreds of billions in funding Democrats are proposing as an example for childcare under a new approach to childcare, which we can also talk about, the substance of that, but it is going to hurt a lot of our State the way they are doing it. But that will end up costing double the written amount over the next decade if they remain in place, for example.

So all in all, the Congressional Budget Office looked at 18 supposedly sunset social spending programs and found that they will end up costing the taxpayers nearly \$3.5 trillion over the next decade when they get extended, if they do. Again, the history around here is that they would. So, you know, the price tag goes up and up and up.

When you add that spending to another program in Build Back Better, the CBO says the total spending in the legislation, again, goes to \$4.9 trillion; \$4.9 trillion is bigger than the economy of any country in the world, with the exception of the U.S., China, and Japan.

Again, these numbers are just astronomical. But think about that. It is bigger than the entire economy, the entire GDP of any country in the world except for the three of us: the United States, China, and Japan.

We are seeing record debts and record deficits right now, as you know. The Congressional Budget Office says that the American people can expect Build Back Better, if the sunsets don't hold, to add another \$3 trillion to the Federal deficit.

So if we continue to debate this in Congress, which way should we go, we just ought to know these numbers. We ought to analyze them. And again, if people on the other side of the aisle are going to say we don't want to have the child tax credit be extended, we need to know that. But my sense is, just as they want to extend it right now, they will want to extend it next year and the next year and the next year.

So is this the right time to do that? Is this the right time to add that kind of stimulus to an economy that already is overstimulated, where you have more demand chasing not enough supply, do you want to add more to the demand side? That is what is going to happen if we pass this.

I hope that we will not make that mistake, and I hope that we will slow



down and look at these numbers and analyze where we are in terms of our spending. We just extended the debt limit. No Republican voted for it, but all the Democrats voted for it, and that is all they needed to be able to extend the debt limit because it was under a special 50-vote margin. That debt limit was just extended for basically 1 year. So after the elections next year, \$2.5 trillion more debt. We had to make room for \$2.5 trillion more debt, in 1 year.

It is clear that a lot of Americans are nervous about that. When you look at the polling data, it says that. But just talking to people—over the weekend, I was also in southeast Ohio, part of our State that is very rural, a lot of people are hurting in terms of the economy because they don't have access to broadband and so on. So we are talking about how they feel about the economy, and there is a lot of nervousness. They feel the surging inflation. They are paying more for everything.

And, you know, common steps, people are saying, Let's just slow down and think about this. They may end up thinking at the end of the day they are for some of this, but they don't want to move forward precipitously and make a mistake and have this add more inflation and more problems for our debt and deficit for our kids and grandkids. They are saying, Let's do the right thing for the country and put the brakes on this.

And if we do put the brakes on this unprecedented spending and taxing, it will help us to avoid some of these economic challenges that we otherwise are going to be facing. If we go ahead with it, it is going to make the economic challenges like inflation even worse.

My hope is that we will put the brakes on, and these economic challenges will not worsen, and instead, we can get the country back on the right track.

I yield the floor.

THE PRESIDING OFFICER (Ms. HASSAN). The Senator from Washington.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 402, 587, 606; that the Senate vote on the nominations en bloc with no intervening action or debate; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD and the President be immediately notified of the Senate's action.

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

The question is, Will the Senate advise and consent to the nominations of Thea D. Rozman Kendler, of Maryland,

to be an Assistant Secretary of Commerce; Alanna McCargo, of Virginia, to be President, Government National Mortgage Association; and Dawn N. Ison, of Michigan, to be United States Attorney for the Eastern District of Michigan for the term of four years?

The nominations were confirmed en bloc.

### EXECUTIVE CALENDAR

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 497, 597, and 598; 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 with no intervening action or debate; that any statement related to the nominations be printed in the RECORD and the President be immediately notified of the Senate's actions.

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

The question is, Will the Senate advise and consent to the nominations of Nickolas Guertin, of Virginia, to be Director of Operational Test and Evaluation, Department of Defense; John Bradley Sherman, of Texas, to be Chief Information Officer of the Department of Defense; and Carrie Frances Ricci, of Virginia, to be General Counsel of the Department of the Army?

The nominations were confirmed en bloc.

### EXECUTIVE CALENDAR

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate consider the following nominations: Calendar Nos. 600, 601, 602, 603, 604, and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, Navy, and Space Force; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

#### IN THE ARMY

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be major general

Brig. Gen. William J. Prendergast, IV

The following named officer for appointment to the grade indicated in the United States Army while serving as Chief Defense Counsel for Military Commissions under article II, section 2, clause 2 of the United States Constitution and section 1037 of the National Defense Authorization Act for Fiscal Year 2014:

#### To be brigadier general

Col. Jackie L. Thompson, Jr.

#### IN THE SPACE FORCE

The following named officer for appointment to the grade in the United States Space Force under title 10, U.S.C., section 624:

#### To be brigadier general

Col. Timothy A. Sejba

#### IN THE ARMY

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be major general

Brig. Gen. Roger D. Lyles

#### IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

#### To be major general

Brig. Gen. James H. Adams, III

Brig. Gen. Eric E. Austin

Brig. Gen. Michael J. Borgschulte

Brig. Gen. William J. Bowers

Brig. Gen. Stephen E. Liszewski

Brig. Gen. Keith D. Reventlow

Brig. Gen. Sean M. Salene

Brig. Gen. Roberta L. Shea

Brig. Gen. Benjamin T. Watson

Brig. Gen. Christian F. Wortman

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK

#### IN THE AIR FORCE

PN1307 AIR FORCE nomination of Troy J. Johnson, which was received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1308 AIR FORCE nomination of Mary T. Guest, which was received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1309 AIR FORCE nomination of Eric J. Jordan, which was received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1310 AIR FORCE nominations (24) beginning ZACHARY P. AUGUSTINE, and ending MICHAEL L. TOOMER, which nominations were received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1311 AIR FORCE nominations (11) beginning CHAD A. BELLAMY, and ending ANDREW L. THORNLEY, which nominations were received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1312 AIR FORCE nominations (37) beginning ROSS ANDREW BROWN, and ending LISA MARIE WOTKOWICZ, which nominations were received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1313 AIR FORCE nominations (25) beginning KIP T. AVERETT, and ending DANIEL S. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1314 AIR FORCE nominations (73) beginning SHAWN J. ALVES, and ending ALEXANDER J. ZOLL, which nominations were received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1315 AIR FORCE nominations (29) beginning PATRICK E. BRACKEN, and ending THADDAEUS J. WERNER, which nominations were received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1329 AIR FORCE nomination of Anthony W. Perez, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1330 AIR FORCE nomination of Dustin R. Meredith, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1387 AIR FORCE nominations (9) beginning GEORGE L. CHAPMAN, and ending MI-CHAE L. YAMZON, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1388 AIR FORCE nominations (79) beginning LUIS J. ADAMES, and ending MI-CHAE L. WILLEN, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1389 AIR FORCE nomination of Rebecca L. Hess, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1390 AIR FORCE nominations (2) beginning ANGELICA M. DREXEL, and ending WILLIAM R. SINGISER, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1391 AIR FORCE nomination of Kyle P. Allen, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1392 AIR FORCE nominations (5) beginning SEAN M. BATZER, and ending LENARD W. TOL, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1393 AIR FORCE nominations (4) beginning ASHLEY D. BROWN, and ending ALEX-ANDER T. PINGREE, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1394 AIR FORCE nomination of Ross C. Stanley, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1395 AIR FORCE nominations (296) beginning BRANDON R. ABEL, and ending BRANDON A. ZUERCHER, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1396 AIR FORCE nominations (110) beginning BRADLEY D. ALTMAN, and ending ROBERT J. YATES, III, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1397 AIR FORCE nominations (52) beginning ALICIA D. ABRAMS, and ending JAMES A. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1398 AIR FORCE nomination of Simone E. Zacharias, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1414 AIR FORCE nomination of Adrian A. Andrews, which was received by the Senate and appeared in the Congressional Record of November 17, 2021.

#### IN THE ARMY

PN984 ARMY nomination of Richard J. Sonnenfeld, which was received by the Senate and appeared in the Congressional Record of August 4, 2021.

PN1266 ARMY nomination of Andrea N. Apple, which was received by the Senate and appeared in the Congressional Record of October 19, 2021.

PN1304 ARMY nominations (21) beginning ROBERT J. ABBOTT, and ending MEGAN WAKEFIELD, which nominations were received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1305 ARMY nomination of Tanya K. Bindernagel, which was received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1306 ARMY nominations (80) beginning GRANT T. ALEXIS, and ending THOMAS J. WITKOWSKI, which nominations were re-

ceived by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1331 ARMY nomination of Gabrielle L. Murray, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1332 ARMY nomination of Michael R. Ruiz, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1333 ARMY nomination of Nicholas J. Beck, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1334 ARMY nomination of Peter A. Doblar, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1335 ARMY nomination of Francis E. Igo, IV, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1336 ARMY nomination of Ken M. Woods, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1337 ARMY nominations (46) beginning KATHARINE M. E. ADAMS, and ending HANS P. ZELLER, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1338 ARMY nominations (3) beginning ALEJANDRO L. BUNIA, JR., and ending MICHAEL W. WEAVER, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1339 ARMY nomination of Erica A. Wheatley, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1340 ARMY nomination of Jamison S. Nielsen, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1341 ARMY nominations (2) beginning ROBERT P. LEWIS, and ending SCOT W. MCCOSH, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1342 ARMY nomination of Jader A. Morales, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1343 ARMY nomination of Moises Salinas, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1399 ARMY nomination of Michael S. Schwamberger, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1400 ARMY nomination of Kyle A. Lippold, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1401 ARMY nomination of Taylor K. Opel, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1402 ARMY nominations (21) beginning SHAWN G. ABBE, and ending NATHANIEL C. STONE, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1403 ARMY nomination of Jamie E. Mueller, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1415 ARMY nominations (9) beginning PETER S. BLACK, and ending ROBERT G. SACCA, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2021.

PN1430 ARMY nomination of Edward W. Lumpkins, which was received by the Senate and appeared in the Congressional Record of December 1, 2021.

PN1431 ARMY nomination of Gina M. Farrington, which was received by the Senate and appeared in the Congressional Record of December 1, 2021.

PN1432 ARMY nomination of Disa L. Rifkin, which was received by the Senate and appeared in the Congressional Record of December 1, 2021.

PN1449 ARMY nomination of Jessica K. Smyth, which was received by the Senate and appeared in the Congressional Record of December 2, 2021.

PN1450 ARMY nomination of Brock A. Chavez, which was received by the Senate and appeared in the Congressional Record of December 2, 2021.

#### IN THE MARINE CORPS

PN1344 MARINE CORPS nomination of Eric A. Walraven, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1345 MARINE CORPS nomination of Daniel T. Celotto, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1346 MARINE CORPS nomination of Jason A. Retter, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1404 MARINE CORPS nominations (100) beginning RYAN P. ALLEN, and ending MATTHEW P. ZUMMO, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1416 MARINE CORPS nominations (629) beginning NICHOLAS P. ADAMS, and ending JOHN B. ZIMMER, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2021.

#### IN THE NAVY

PN1316 NAVY nomination of Stephen M. Dyer, which was received by the Senate and appeared in the Congressional Record of October 27, 2021.

PN1347 NAVY nominations (34) beginning MITCHELL I. BELL, and ending PATRICK Z. X. YU, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1348 NAVY nomination of Matthew C. Dennis, which was received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1405 NAVY nomination of Joseph M. Molina, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1451 NAVY nomination of Stephen B. Koye, which was received by the Senate and appeared in the Congressional Record of December 2, 2021.

PN1452 NAVY nomination of Michael J. Urbaitis, which was received by the Senate and appeared in the Congressional Record of December 2, 2021.

PN1453 NAVY nominations (3) beginning ALEXANDER C. CHARALAMBOUS, and ending TAIBATU E. I. OBASI, which nominations were received by the Senate and appeared in the Congressional Record of December 2, 2021.

#### IN THE SPACE FORCE

PN1349 SPACE FORCE nominations (2) beginning CHRISTINA N. GILLETTE, and ending D. S. ROGERS, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2021.

PN1406 SPACE FORCE nominations (10) beginning ALBERT J. ASHBY, and ending JOHN C. ZINGARELLI, which nominations were received by the Senate and appeared in the Congressional Record of November 15, 2021.

PN1407 SPACE FORCE nomination of Kevin G. Amsden, which was received by the

Senate and appeared in the Congressional Record of November 15, 2021.

PN1408 SPACE FORCE nomination of Travis Richard Prater, which was received by the Senate and appeared in the Congressional Record of November 15, 2021.

### LEGISLATIVE SESSION

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

### NASA ENHANCED USE LEASING EXTENSION ACT OF 2021

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5746, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 5746) to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

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

Ms. CANTWELL. I ask that the Cantwell amendment, which is at the desk, be agreed to; that the bill, as amended, be considered read a third time and passed; and the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 4893), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “NASA Enhanced Use Leasing Extension Act of 2021”.

#### SEC. 2. FINDINGS.

Congress find the following:

(1) NASA uses enhanced use leasing to enter into agreements with private sector entities, State and local governments, academic institutions, and other Federal agencies for lease of non-excess, underutilized NASA properties and facilities.

(2) NASA uses enhanced use leasing authority to support responsible management of its real property, including to improve the use of underutilized property for activities that are compatible with NASA’s mission and to reduce facility operating and maintenance costs.

(3) In fiscal year 2019, under its enhanced use lease authority, NASA leased 65 real properties.

(4) In fiscal year 2019, NASA’s use of enhanced use leasing resulted in the collection of \$10,843,025.77 in net revenue.

(5) In fiscal year 2019, NASA used a portion of its enhanced use leasing revenues for repairs of facility control systems such as lighting and heating, ventilation, and air conditioning.

(6) NASA’s use of enhanced use leasing authority can contribute to reducing the rate of increase of the Agency’s overall deferred maintenance cost.

### SEC. 3. EXTENSION OF AUTHORITY TO ENTER INTO LEASES OF NON-EXCESS PROPERTY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

Section 20145(g) of title 51, United States Code, is amended by striking “December 31, 2021” and inserting “March 31, 2022”.

### SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

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

The bill was read the third time.

The bill (H.R. 5746), as amended, was passed.

### SUICIDE TRAINING AND AWARENESS NATIONALLY DELIVERED FOR UNIVERSAL PREVENTION ACT OF 2021

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 127, S. 1543.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1543) to amend the Public Health Service Act to provide best practices on student suicide awareness and prevention training and condition State educational agencies, local educational agencies, and tribal educational agencies receiving funds under section 520A of such Act to establish and implement a school-based student suicide awareness and prevention training policy.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Suicide Training and Awareness Nationally Delivered for Universal Prevention Act of 2021” or the “STANDUP Act of 2021”.

#### SEC. 2. STUDENT SUICIDE AWARENESS AND PREVENTION TRAINING.

(a) IN GENERAL.—Title V of the Public Health Service Act is amended by inserting after section 520A of such Act (42 U.S.C. 290bb-32) the following:

##### “SEC. 520B. STUDENT SUICIDE AWARENESS AND PREVENTION TRAINING.

“(a) IN GENERAL.—In awarding funds under section 520A, the Secretary shall give priority to applications under such section from a State educational agency, local educational agency, or Tribal educational agency, submitted directly or through a State or Indian Tribe, for funding for activities in secondary schools, where such agency has implemented, or includes in such application a plan to implement, a student suicide awareness and prevention training policy, which may include applicable youth suicide early intervention and prevention strategies implemented through section 520E—

“(1) establishing and implementing a school-based student suicide awareness and prevention

training policy in accordance with subsection (c);

“(2) consulting with stakeholders (including principals, teachers, parents, local Tribal officials, and other relevant experts) and, as appropriate, utilizing information, models, and other resources made available by the Suicide Prevention Technical Assistance Center authorized under section 520C in the development of the policy under paragraph (1); and

“(3) collecting and reporting information in accordance with subsection (d).

“(b) CONSIDERATION.—In giving priority to applicants as described in subsection (a), the Secretary shall, as appropriate, take into consideration the incidence and prevalence of suicide in the applicable jurisdiction and the costs of establishing and implementing, as applicable, a school-based student suicide awareness and prevention training policy.

“(c) SCHOOL-BASED STUDENT SUICIDE AWARENESS AND PREVENTION TRAINING POLICY.—A school-based student suicide awareness and prevention training policy implemented pursuant to subsection (a)(1) shall—

“(1) be evidence-based;

“(2) be culturally- and linguistically-appropriate;

“(3) provide evidence-based training to students in grades 6 through 12, in coordination with school-based mental health resources, as applicable, regarding—

“(A) suicide prevention education and awareness, including associated risk factors;

“(B) methods that students can use to seek help; and

“(C) student resources for suicide awareness and prevention; and

“(4) provide for periodic retraining of such students.

“(d) COLLECTION OF INFORMATION AND REPORTING.—Each State educational agency, local educational agency, and Tribal educational agency that receives priority to implement a new training policy pursuant to subsection (a)(1) shall report to the Secretary the following aggregated information, in a manner that protects personal privacy, consistent with applicable Federal and State privacy laws:

“(1) The number of trainings conducted, including the number of student trainings conducted, and the training delivery method used.

“(2) The number of students trained, disaggregated by age and grade level.

“(3) The number of help-seeking reports made by students after implementation of such policy.

“(e) EVIDENCE-BASED PROGRAM AVAILABILITY.—The Secretary shall coordinate with the Secretary of Education and the Secretary of the Interior to—

“(1) make publicly available the policies established by State educational agencies, local educational agencies, and Tribal educational agencies pursuant to this section and the training that is available to students and teams pursuant to such policies, in accordance with section 543A; and

“(2) provide technical assistance and disseminate best practices on student suicide awareness and prevention training policies, including through the Suicide Prevention Technical Assistance Center authorized under section 520C, as applicable, to State educational agencies, local educational agencies, and Tribal agencies.

“(f) IMPLEMENTATION.—Not later than September 30, 2024, the Secretary shall report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives the number of recipients of funds under section 520A who have implemented training policies described in subsection (a)(1) and a summary of the information received under subsection (d).

“(g) DEFINITIONS.—In this section:

“(1) The term ‘evidence-based’ has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.

“(2) The term ‘local educational agency’ has the meaning given to such term in section 8101 of the Elementary and Secondary Education Act of 1965.

“(3) The term ‘State educational agency’ has the meaning given to such term in section 8101 of the Elementary and Secondary Education Act of 1965.

“(4) The term ‘Tribal educational agency’ has the meaning given to the term ‘tribal educational agency’ in section 6132 of the Elementary and Secondary Education Act of 1965.”

### SEC. 3. EFFECTIVE DATE.

The amendment made by this Act shall apply only with respect to applications for assistance under section 520A of the Public Health Service Act (42 U.S.C. 290bb-32) that are submitted after the date of enactment of this Act.

Ms. CANTWELL. I ask that the committee-reported substitute be agreed to; and that the bill, as amended, be considered read a third time.

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

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

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

Ms. CANTWELL. I know of no further debate.

The PRESIDING OFFICER. Is there further debate?

Hearing none, and the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1543), as amended, was passed.

Ms. CANTWELL. I ask 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.

## FEDERAL ROTATIONAL CYBER WORKFORCE PROGRAM ACT OF 2021

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 177, S. 1097.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1097) to establish a Federal rotational cyber workforce program for the Federal cyber workforce.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs.

Ms. CANTWELL. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 1097) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1097

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Rotational Cyber Workforce Program Act of 2021”.

### SEC. 2. DEFINITIONS.

In this Act:

(1) AGENCY.—The term “agency” has the meaning given the term “Executive agency” in section 105 of title 5, United States Code, except that the term does not include the Government Accountability Office.

(2) COMPETITIVE SERVICE.—The term “competitive service” has the meaning given that term in section 2102 of title 5, United States Code.

(3) COUNCILS.—The term “Councils” means—

(A) the Chief Human Capital Officers Council established under section 1303 of the Chief Human Capital Officers Act of 2002 (5 U.S.C. 1401 note); and

(B) the Chief Information Officers Council established under section 3603 of title 44, United States Code.

(4) CYBER WORKFORCE POSITION.—The term “cyber workforce position” means a position identified as having information technology, cybersecurity, or other cyber-related functions under section 303 of the Federal Cybersecurity Workforce Assessment Act of 2015 (5 U.S.C. 301 note).

(5) DIRECTOR.—The term “Director” means the Director of the Office of Personnel Management.

(6) EMPLOYEE.—The term “employee” has the meaning given the term in section 2105 of title 5, United States Code.

(7) EMPLOYING AGENCY.—The term “employing agency” means the agency from which an employee is detailed to a rotational cyber workforce position.

(8) EXCEPTED SERVICE.—The term “excepted service” has the meaning given that term in section 2103 of title 5, United States Code.

(9) ROTATIONAL CYBER WORKFORCE POSITION.—The term “rotational cyber workforce position” means a cyber workforce position with respect to which a determination has been made under section 3(a)(1).

(10) ROTATIONAL CYBER WORKFORCE PROGRAM.—The term “rotational cyber workforce program” means the program for the detail of employees among rotational cyber workforce positions at agencies.

(11) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

### SEC. 3. ROTATIONAL CYBER WORKFORCE POSITIONS.

(a) DETERMINATION WITH RESPECT TO ROTATIONAL SERVICE.—

(1) IN GENERAL.—The head of each agency may determine that a cyber workforce position in that agency is eligible for the rotational cyber workforce program, which shall not be construed to modify the requirement under section 4(b)(3) that participation in the rotational cyber workforce program by an employee shall be voluntary.

(2) NOTICE PROVIDED.—The head of an agency shall submit to the Director—

(A) notice regarding any determination made by the head of the agency under paragraph (1); and

(B) for each position with respect to which the head of the agency makes a determination under paragraph (1), the information required under subsection (b)(1).

(b) PREPARATION OF LIST.—The Director, with assistance from the Councils and the Secretary, shall develop a list of rotational cyber workforce positions that—

(1) with respect to each such position, to the extent that the information does not disclose sensitive national security information, includes—

(A) the title of the position;

(B) the occupational series with respect to the position;

(C) the grade level or work level with respect to the position;

(D) the agency in which the position is located;

(E) the duty location with respect to the position; and

(F) the major duties and functions of the position; and

(2) shall be used to support the rotational cyber workforce program.

(c) DISTRIBUTION OF LIST.—Not less frequently than annually, the Director shall distribute an updated list developed under subsection (b) to the head of each agency and other appropriate entities.

### SEC. 4. ROTATIONAL CYBER WORKFORCE PROGRAM.

(a) OPERATION PLAN.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, and in consultation with the Councils, the Secretary, representatives of other agencies, and any other entity as the Director determines appropriate, the Director shall develop and issue a Federal Rotational Cyber Workforce Program operation plan providing policies, processes, and procedures for a program for the detailing of employees among rotational cyber workforce positions at agencies, which may be incorporated into and implemented through mechanisms in existence on the date of enactment of this Act.

(2) UPDATING.—The Director may, in consultation with the Councils, the Secretary, and other entities as the Director determines appropriate, periodically update the operation plan developed and issued under paragraph (1).

(b) REQUIREMENTS.—The operation plan developed and issued under subsection (a) shall, at a minimum—

(1) identify agencies for participation in the rotational cyber workforce program;

(2) establish procedures for the rotational cyber workforce program, including—

(A) any training, education, or career development requirements associated with participation in the rotational cyber workforce program;

(B) any prerequisites or requirements for participation in the rotational cyber workforce program; and

(C) appropriate rotational cyber workforce program performance measures, reporting requirements, employee exit surveys, and other accountability devices for the evaluation of the program;

(3) provide that participation in the rotational cyber workforce program by an employee shall be voluntary;

(4) provide that an employee shall be eligible to participate in the rotational cyber workforce program if the head of the employing agency of the employee, or a designee of the head of the employing agency of the employee, approves of the participation of the employee;

(5) provide that the detail of an employee to a rotational cyber workforce position under the rotational cyber workforce program shall be on a nonreimbursable basis;

(6) provide that agencies may agree to partner to ensure that the employing agency of an employee that participates in the rotational cyber workforce program is able to fill the position vacated by the employee;

(7) require that an employee detailed to a rotational cyber workforce position under the rotational cyber workforce program, upon the end of the period of service with respect to the detail, shall be entitled to return to the position held by the employee, or an equivalent position, in the employing agency of the employee without loss of pay, seniority, or other rights or benefits to

which the employee would have been entitled had the employee not been detailed;

(8) provide that discretion with respect to the assignment of an employee under the rotational cyber workforce program shall remain with the employing agency of the employee;

(9) require that an employee detailed to a rotational cyber workforce position under the rotational cyber workforce program in an agency that is not the employing agency of the employee shall have all the rights that would be available to the employee if the employee were detailed under a provision of law other than this Act from the employing agency to the agency in which the rotational cyber workforce position is located;

(10) provide that participation by an employee in the rotational cyber workforce program shall not constitute a change in the conditions of the employment of the employee; and

(11) provide that an employee participating in the rotational cyber workforce program shall receive performance evaluations relating to service in the rotational cyber workforce program in a participating agency that are—

(A) prepared by an appropriate officer, supervisor, or management official of the employing agency, acting in coordination with the supervisor at the agency in which the employee is performing service in the rotational cyber workforce position;

(B) based on objectives identified in the operation plan with respect to the employee; and

(C) based in whole or in part on the contribution of the employee to the agency in which the employee performed such service, as communicated from that agency to the employing agency of the employee.

(c) PROGRAM REQUIREMENTS FOR ROTATIONAL SERVICE.—

(1) IN GENERAL.—An employee serving in a cyber workforce position in an agency may, with the approval of the head of the agency, submit an application for detail to a rotational cyber workforce position that appears on the list developed under section 3(b).

(2) OPM APPROVAL FOR CERTAIN POSITIONS.—An employee serving in a position in the excepted service may only be selected for a rotational cyber workforce position that is in the competitive service with the prior approval of the Office of Personnel Management, in accordance with section 300.301 of title 5, Code of Federal Regulations, or any successor thereto.

(3) SELECTION AND TERM.—

(A) SELECTION.—The head of an agency shall select an employee for a rotational cyber workforce position under the rotational cyber workforce program in a manner that is consistent with the merit system principles under section 2301(b) of title 5, United States Code.

(B) TERM.—Except as provided in subparagraph (C), and notwithstanding section 3341(b) of title 5, United States Code, a detail to a rotational cyber workforce position shall be for a period of not less than 180 days and not more than 1 year.

(C) EXTENSION.—The Chief Human Capital Officer of the agency to which an employee is detailed under the rotational cyber workforce program may extend the period of a detail described in subparagraph (B) for a period of 60 days unless the Chief Human Capital Officer of the employing agency of the employee objects to that extension.

(4) WRITTEN SERVICE AGREEMENTS.—

(A) IN GENERAL.—The detail of an employee to a rotational cyber workforce position shall be contingent upon the employee entering into a written service agreement with the employing agency under which the employee is required to complete a period of

employment with the employing agency following the conclusion of the detail that is equal in length to the period of the detail.

(B) OTHER AGREEMENTS AND OBLIGATIONS.—A written service agreement under subparagraph (A) shall not supersede or modify the terms or conditions of any other service agreement entered into by the employee under any other authority or relieve the obligations between the employee and the employing agency under such a service agreement. Nothing in this subparagraph prevents an employing agency from terminating a service agreement entered into under any other authority under the terms of such agreement or as required by law or regulation.

#### SEC. 5. REPORTING BY GAO.

Not later than the end of the third fiscal year after the fiscal year in which the operation plan under section 4(a) is issued, the Comptroller General of the United States shall submit to Congress a report assessing the operation and effectiveness of the rotational cyber workforce program, which shall address, at a minimum—

(1) the extent to which agencies have participated in the rotational cyber workforce program, including whether the head of each such participating agency has—

(A) identified positions within the agency that are rotational cyber workforce positions;

(B) had employees from other participating agencies serve in positions described in subparagraph (A); and

(C) had employees of the agency request to serve in rotational cyber workforce positions under the rotational cyber workforce program in participating agencies, including a description of how many such requests were approved; and

(2) the experiences of employees serving in rotational cyber workforce positions under the rotational cyber workforce program, including an assessment of—

(A) the period of service;

(B) the positions (including grade level and occupational series or work level) held by employees before completing service in a rotational cyber workforce position under the rotational cyber workforce program;

(C) the extent to which each employee who completed service in a rotational cyber workforce position under the rotational cyber workforce program achieved a higher skill level, or attained a skill level in a different area, with respect to information technology, cybersecurity, or other cyber-related functions; and

(D) the extent to which service in rotational cyber workforce positions has affected intra-agency and interagency integration and coordination of cyber practices, functions, and personnel management.

#### SEC. 6. SUNSET.

Effective 5 years after the date of enactment of this Act, this Act is repealed.

#### SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 479, 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. 479) supporting the goals and ideals of American Diabetes Month.

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

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

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

The resolution (S. Res. 479) was agreed to.

The preamble was agreed to.

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

#### MORNING BUSINESS

#### RECOGNIZING THE 2021 KEYNOTE ADDRESS AT THE 24TH VERMONT WOMEN'S ECONOMIC OPPORTUNITY CONFERENCE

Mr. LEAHY. Madam President, I would like to take a moment to recognize Xusana Davis, who delivered the keynote address for Vermont's 24th Annual Women's Economic Opportunity Conference earlier this year. Each year, Marcelle and I host this conference to bring together Vermonters to learn how to navigate, grow, and succeed in today's workplace. While public health concerns led to an online conference this year, the dedication of the women who participated shone through. I hope the participants were as inspired by Ms. Davis's words as I was.

Xusana Davis is Vermont's first Executive Director of Racial Equity and was appointed in 2019 by Vermont Governor Phil Scott. In her position as the Director of Racial Equity, she works with Vermont agencies and communities to address systemic racial disparities, ensures the State's operations meet its equity goals and objectives, and guides policy on equity issues. She offered an insightful view of how we can all advance equity in our communities and offered her remarks with grace and eloquence.

Ms. Davis's leadership comes at a time when we continue to see great need for equity in the workplace. The pandemic has worsened preexisting disparities that have effected women, especially those who identify with historically marginalized communities. As Ms. Davis emphasizes in her speech, we must all work to promote equity as we collectively participate in our Nation's economic recovery. I would like to share her inspiring words by submitting them for inclusion in the CONGRESSIONAL RECORD in the hopes that we may all take her message to heart.

I ask unanimous consent to have them printed in the RECORD.

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

[Oct. 23, 2021]

"OPPORTUNITY IS NOT A FUNGIBLE GOOD"

(By Xusana Davis)

Thank you, Senator Leahy, for inviting me to join you today.

Hola, buenos días, everyone. As you might have heard, the Executive Director of Racial Equity is a relatively new position for Vermont state government. While it got its share of fanfare in the summer of 2019 when I was first appointed, I'd like to share with you a little bit of the work we've been doing since then. We've worked hard with our sister agencies across state government on internal and external-facing policy. Things like the Fair and Impartial Policing policy, stimulus funds to get communities through tough times at the outset of the pandemic, and how we provide health services to people by treating the whole person. We've been poking our noses into conversations all over the state to help people at the local level figure out how to grow—or at least retain—their town populations. And of course, we've been a sounding board for leaders of all kinds who want to take bold action to be and do better on matters of equity.

But you probably knew all that. What you may not have known is that all of this work is bigger than race and ethnicity. It always has been. This work is essential in all corners of the state and in every sector, because there's a collective benefit to equity, and a collective harm to inequity. But before we jump into that, let's back up a bit . . .

First, let's talk about "opportunity." Do you ever notice that we talk about "opportunity" like it's a fungible good? Like it's some sort of coupon that we can pass to the person behind us in the checkout line. We talk about "giving" opportunities. Or "seizing" them—maybe you're a bit more aggressive, and that's okay! Or we talk about "creating" opportunities, as if they can just materialize.

But out of all the verbs we choose to deploy on these opportunities, there's always the implication that there's a transfer. That there's a person who holds or creates opportunities, and that the rest of us are just trying to get a piece. That's our first mistake—thinking that an opportunity is something that must be given or surrendered to us, something that we must wrestle from someone's firm grip. And there are a few reasons for this thinking: After all, there's a lot of money to be made from commodifying "girl power." We can produce highly dramatized films about long-ignored women historical figures. Or sell a self-help book about how to be the next successful businesswoman who "can have it all." But for a lot of us, the barriers to opportunity are not something we can unlock with three easy payments of \$39.99 but wait, there's more. No, many of the barriers to opportunity are systemic. They are structural. They are bigger than any of us as individuals, but they absolutely impact all of us as individuals.

That's what I meant when I said racial equity is bigger than race. You see, when we think of women's economic opportunity, many people incorrectly assume that these opportunities are only for the benefit of women. They are not. Women are 51 % of the U.S. population—we're not a "special interest." We are the interest. Something that impacts the numerical majority is inevitably something that impacts the whole. Think about it: Childcare. Reproductive justice. You think these are only women's issues? Well, have you ever been a child? Or cared about a child? Then childcare and child development should matter to you. I'm reminded of the late Supreme Court Justice Antonin Scalia, who for years was, well, rather indignant about parental leave and childcare issues. He didn't get it and he didn't want to get it . . . until his daughter had children and struggled to balance her parental duties with her professional life. Then suddenly Grandpa Scalia was dropping off children here and there, and babysitting, and

you know what? He changed his stance. He suddenly realized that the burden did not simply fall on his adult daughter—and that even if it did, it shouldn't have. And that's the point: there are ripple effects to the ways in which we treat people in society. And when we talk about women's economic opportunity like it's a hobby or a solo mission, like it's something that can be bartered or restricted to only during nap time, then we're ignoring the network of people surrounding us who will be impacted by those choices and resources.

This is true in the racial equity space, too. In workshops and trainings, I often ask people to consider the benefits and rights they enjoy today that were fought and won by people of color. For example, Ernesto Miranda. Do you know him? You do . . . You just may not know you do. Ernesto Miranda is a Latino man who is the reason that you get read your Miranda rights if you get arrested. Sylvia Mendez. Ring a bell? You know her—sure you do! She was on a postal stamp! *Mendez v. Westminster*. 1946. That's the court case that gave us *Brown v. Board*. And *Brown v. Board* is the case that gave every child—including your child—the right to a free and fair basic education. Truth is, in the United States, every gain accomplished by members of dominant groups always benefits members of dominant groups, and only sometimes benefits members of historically marginalized or oppressed groups. But every gain accomplished by historically oppressed groups always benefits members of dominant groups. Affirmative action. Do you know what is the number one beneficiary group of affirmative action policies in education and employment in the U.S.? That's right, White women.

So when we think about equity and reducing structural, systemic barriers, there is always a collective benefit to equity. And that's why Senator Leahy has been doing this conference since 1996—you think he likes making people wake up early on a Saturday? No! Well, maybe . . . But really, it's because he knows what's been right in front of us all along—that when we stop disempowering people, we all move forward. We all win. And you know why? Because life isn't zero-sum. And your winning does not equate my losing.

And we know this now, but people didn't always recognize this truth. Let's think back to the women's suffrage movement. Susan B. Anthony was pretty racist. That's why people like Sojourner Truth and, later, bell hooks had to ask the question "Ain't I A Woman?" This is reflective of a bigger concept—a concept you've likely heard of—called Intersectionality. Intersectionality is what makes us dynamic and multi-faceted. It's what multiplies our strength as a movement and as a community. Because I'm not just a woman. I'm also a person of color. I'm also a Millennial. I'm right-handed. These are only some of my many identities, and not even the more important ones. And when we allow ourselves to represent all of our selves, without letting it come between us, that's when we will have used intersectionality for good.

Of course, intersectionality sometimes has its thorns. Two days ago was Latina Women's Equal Pay Day in the U.S. I'll explain what that means: You see, we already know that in the U.S., women statistically make less money for the same work than men do. And separately, we also know that people of color statistically make less money for the same work than White people do. So statistically speaking, my intersecting identities as a woman and as a person of color make me more likely to earn less than my male counterparts of all ethnicities, and less than my women-identified peers who are White.

So what is Women's Equal Pay Day? Well, it's the symbolic date that represents how much more a woman has to work in order to match the earnings of a man in a given calendar year. In 2021, Women's Equal Pay Day was March 24th. So that means if a woman and a man started working on Jan 1, 2020, then it would take the woman until March 24 of this year to catch up to the earning of a man by Dec 31 of 2020. But that's not the full story: for most women of color, Equal Pay Day comes much later. For example, Equal Pay Day for Asian American and Pacific Islander women was March 9th. But for Black American women, it was August 3rd. For Indigenous women in the U.S., Equal Pay Day was Sept 8th of this year. And for Latina women—that's the bucket where you'll find me—it was Oct 21st. So in other words, statistically speaking, I would have needed to work all of calendar year 2020, plus an additional 9 months and 3 weeks to earn the same that a White man earned in calendar year 2020. And remember intersectionality? Well, it goes beyond just race. There are different Equal Pay Days for mothers and for members of the LGBTQIA+ community. And I need to make an important point, one that my best friend frequently raises: the goal is not to look at what White men are doing and saying "Yeah, we want the right to do that . . ." That's not the standard. It's not about making the same money for the same work if that work is only fueling oppression and ecological harm.

All of this is to say that it's not enough to lump us all into one large bucket and think we're doing enough. That's not true equity. Equity means recognizing that within our communities there are certainly different challenges, but also different skill sets for finding solutions to those challenges. Trust each other more. Trust one another's experience more.

And on the topic of trust, and speaking of solutions, let's think about how we can we turn this dialogue towards action. First things first: action by whom? Who gets to do the thing? And who gets to decide what the thing is? If your rights and liberties are restricted and determined by someone else, then your power is contingent upon them giving you permission to exercise it. Like asking men who can vote to vote on whether you can vote. As Upton Sinclair said, "It is difficult to get a man to understand something when his salary depends on his not understanding." Or holding hearings on reproductive justice without any women present—don't ever forget: "nothing about us without us."

So we're through asking for permission. For those who want to join us in advancing justice, what we need is genuine and sincere support. And support is different from permission—it is not about asking to be "given" opportunities, and it is not about having to "seize" them either. It's about the recognition that opportunity just exists—it always has. And the question is not whether or how to grant it, but rather, how to stop blocking it. This is an important point: People often see equity work as some kind of handout, as if people who have been oppressed are asking to be given something. Incorrect. What's needed is that we stop actively blocking and suppressing people's ability to move and thrive and grow and exist. That's the key.

So how do we stop blocking? Well, first we must make meaningful investments of time, effort, and finances—not token gestures. It means when we talk about mentorship, we don't just shuttle women into the same paths where they still wind up working for rich men to make those men richer. It means when your staff tell you they want you to revise workplace policies because they unjustly prejudice your women-identified



workers, you listen. And don't just listen for the sake of saying "Okay, we listened and we're still going to keep doing things the same way we've always done them because that's how we've always done them . . ." it means listening for the purpose of action. Take a broad view: if you don't provide parental leave to a male employee, you know who suffers? A new mother who might have to delay her re-entry into the workforce—perhaps permanently—because her partner can't participate in childrearing duties. That's a withholding of a women's economic opportunity. And you need to turn your thermostats up in the office. I'm serious—this has "Patriarchy" written all over it. You see, the so-called ideal office temperature is based on a formula that calculated the average of workers' resting metabolic rates, but the workers in question were all men, an average of 40 old, and an average of 154 pounds. Oh, and they were wearing suits and ties. Today's workforce doesn't look the same. There are women in the workforce—and remember, the rigid gender binary has created the expectation that women wear things like skirts and sandals in warmer months, so the clothing differences already create more exposure for us. We also have seniors working longer before retirement, so the workforce also has an aging population that may be more thermosensitive.

That's what we mean when we say inequity is "systemic"—the formulas are actually built in to our lives through infrastructure, fashion, and employment practices. So anyway, when half the office is shivering and stepping into the service stairwell every couple hours to thaw out, you need to bump up the temperature.

So as I bring my remarks to a close, I want to share with you a quote from James Joyce's *Ulysses*, in which the speaker says "We feel in England that we have treated you rather unfairly. It seems history is to blame." And I really enjoy that line because it speaks to how we distance ourselves from the oppression of others. You see, by stating that "history" is to blame, it implies [a] that there was nothing we could have done about it, and [b] that we're not responsible for fixing things. But of course, that isn't true. We are absolutely in control of how we invest, how we govern, how we vote, and how we envision "opportunity." As you engage with workshops, panels, and networking settings throughout today's event, keep these things in mind: who is at the table, who is missing, which intersecting identities are at play here, and who shapes the agenda for action. Remember what Senator Leahy said: "a stronger and more equitable economy." We can get there, but it must include all of us . . . whatever your career might be, equity is still your job. Thank you for your time.

#### BUDGETARY REVISIONS

Mr. SANDERS. Madam President, S. Con. Res. 14, the fiscal year 2022 congressional budget resolution, included a reserve fund in section 3003 to allow the chairman of the Committee on the Budget to revise budget aggregates and committee allocations for legislation that would not increase the deficit over the period of fiscal years 2022 to 2031.

The Senate will soon consider S. 1605, the National Defense Authorization Act for Fiscal Year 2022, as amended by the House, which meets the condition of not increasing the deficit over the relevant 10-year period. As such, I am filing a revision to the aggregates and committee allocations under the bud-

et resolution, which were last revised on December 9. Specifically, the Congressional Budget Office estimates that the anti-fraud provisions in the bill would increase both direct spending and revenues by \$23 million over 5 years and \$72 million over 10 years.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

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

#### REVISIONS TO BUDGET REVENUE AGGREGATES

(Pursuant to Section 3003 of S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022)

	2022	2022–2026	2026–2031
Current Revenue Aggregates .....	3,401.380	17,795.670	38,957.374
Adjustments .....	0	0.023	0.072
Revised Revenue Aggregates .....	3,401.380	17,795.693	38,957.446

#### REVISIONS TO ALLOCATION TO SENATE COMMITTEES

(Pursuant to Section 3003 of S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022)

	2022	2022–2026	2026–2031
Armed Services:			
Budget Authority .....	204.681	1,081.825	1,709.208
Outlays .....	209.330	1,080.912	1,707.478
Adjustments:			
Budget Authority .....	0	0.023	0.072
Outlays .....	0	0.023	0.072
Revised Allocation:			
Budget Authority .....	204.681	1,081.848	1,709.280
Outlays .....	209.330	1,080.935	1,707.550

#### VOTE EXPLANATION

Ms. SINEMA. Madam President, I was necessarily absent, but had I been present I would have voted yes on rollcall vote No. 492 on the Motion to Invoke Cloture on Lucy Koh, to be U.S. Circuit Judge for the Ninth Circuit.

I was necessarily absent, but had I been present I would have voted yes on rollcall vote No. 493 on the Motion to Invoke Cloture on Jennifer Sung, to be U.S. Circuit Judge for the Ninth Circuit.

#### TRIBUTE TO LIEUTENANT SEAN MCDONALD

Mr. KING. Madam President, today I wish to recognize LT Sean McDonald, U.S. Navy, for his outstanding work on behalf of the people of Maine and the Nation as a 2021 Department of Defense Legislative Fellow serving in my Washington, DC, office. Lieutenant McDonald has been integral to shaping my foreign policy and national security priorities and helped secure a number of provisions in the fiscal year 2022 National Defense Authorization Act—FY22 NDAA—that will make our country stronger and safer. Lieutenant McDonald's contributions, both to office morale and to our collective work product, are representative of his good character, competence, and strong work ethic.

Throughout his tenure in my office, Lieutenant McDonald demonstrated a

level of professionalism and hard work I have come to expect—but that I do not take for granted—from Department of Defense Legislative Fellows. Indeed, Lieutenant McDonald follows a long line of accomplished U.S. Navy and Marine Corps officers who have made impactful contributions to my office and to U.S. national security policy. Over the course of the year, Lieutenant McDonald prepared and personally advised me on wide-ranging and complex matters under consideration before the Senate Armed Services Committee. Lieutenant McDonald brought his naval expertise to bear to help secure authorization for the procurement of additional Arleigh Burke-class destroyers in the FY22 NDAA, a critical capability for the U.S. fleet and a boon to the Maine shipbuilding workforce. He also helped guide my work as chairman of the Subcommittee on Strategic Forces during my inaugural year in this position, helping craft policy on nuclear and strategic forces, missile defense, and space programs. Further, during the withdrawal of U.S. forces in Afghanistan, Lieutenant McDonald provided clear-headed and thoughtful analysis on the withdrawal and liaised with representatives from the White House, State Department, and Department of Defense to convey my positions and concerns. His candor and honest assessments provided critical insights during this challenging time, and our Nation is better because of it.

On behalf of my colleagues and the U.S. Congress, I thank Lieutenant McDonald for his dedicated service to my staff, the U.S. Navy, and the Nation. I wish him all the best and know that he will excel in his next endeavors.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO MICHAEL C. NELSEN

● Mr. LEE. Madam President, it is an honor to stand here today to recognize and celebrate the career of Police Chief Michael C. Nelsen of the Brigham City Police Department. For the last 42 years, he has diligently served and protected the people of Brigham City. His positive impact on the lives of many will be remembered as he transitions into retirement.

I wonder if, as a young pre-law student at Rick's College in Rexburg, ID, Mike Nelsen ever sat back to imagine the impact his life would have on so many others? I wonder if, as a student of criminal, justice administration at Brigham Young University, Mike Nelsen ever dreamed of leading a police department to new heights and great successes? However, I hope that at the sunset of an impressive career, Chief Nelsen realizes the significance of the mark he has left on the lives of countless others and the new heights and great successes he has achieved.

During his career as a police officer, Chief Nelsen climbed through the

ranks. He rose from corporal, to sergeant, to lieutenant, and—most notably—to chief. Yet, despite the grandeur of his rise through the ranks, he always remained a faithful and committed public servant. Humility, sacrifice, and character have all been exemplified during his years of police work.

Early in his career, Chief Nelsen earned a reputation for being willing to go the extra mile. From day 1, he set a standard for community engagement outside of day to day policing. Perhaps the best example of this extra-curricular community engagement is Chief Nelsen's avid support of the Special Olympics.

Despite his many responsibilities as a police officer, Chief Nelsen has dedicated hours of service to his role as the director of the Box Elder Torch Run for the Special Olympics. For his service, he has had the honor to run in the International Torch Run for the Special Olympics in Alaska and to carry the Olympic Torch for the 2002 Winter Olympic Games in Salt Lake City. He has been an emissary of Brigham City and of Utah to the world.

Public servants like Chief Nelsen deserve high praise. Their dedicated and faithful service sets an example for those who follow in their footsteps. I know that Chief Nelsen will be missed. However, thanks to the foundation that Chief Nelsen has laid over the last four decades, I have no doubt that the department will continue to flourish.

I am grateful to Chief Nelsen for the commitment he has shown to a difficult, but meaningful job. Without individuals like him willing to shoulder this responsibility, our communities would not prosper as they do. Both he and his family have faithfully made sacrifices for the good of their community for decades. I thank them for their dedication. As Chief Nelsen transitions into retirement, I hope he does so knowing that his community has prospered as a result of his service and the memory of his servant leadership will live on.●

#### MEASURES PLACED ON THE CALENDAR

The following resolution was read, and placed on the calendar:

S.J. Res. 33. Joint resolution joint resolution relating to increasing the debt limit.

#### EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-2800. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Holding Foreign Companies Accountable Act Disclosure" (RIN3235-AM84) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2801. A communication from the Assistant Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Universal Proxy" (RIN3235-AL84) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2802. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Appraisals for Higher-Priced Mortgage Loans Exemption Threshold" (RIN1557-AF13) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2803. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Computer-Security Incident Notification Requirements for Banking Organizations and Their Bank Service Providers" (RIN1557-AF02) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2804. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Fair Credit Reporting Act Disclosures" (12 CFR Part 1022) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2805. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Consumer Leasing (Regulation M)" (12 CFR Part 1013) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2806. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Appraisals for Higher-Priced Mortgage Loans Exemption Threshold" (12 CFR Part 1026) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2807. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending (Regulation Z)" (12 CFR Part 1026) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2808. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Facilitating the LIBOR Transition (Regulation Z)" (RIN3170-AB01) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2809. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regulatory Guide (RG) 1.91 Rev 3, Evaluations of Explosions Postulated To Occur at Nearby Facilities or on Transportation Routes Near Nuclear Power Plants" received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2810. A communication from the Chief Counsel, Economic Development Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Permitting Additional Eligible Tribal Entities" (RIN0610-AA82) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2811. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Illinois; 2008 Ozone Moderate VOC RACT for Chicago; Correction" (FRL No. 8822-03-R5) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2812. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; North Carolina; Mecklenburg Air Quality Permit Rules Revisions" (FRL No. 8958-02-R4) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2813. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; FL, GA, NC, SC; Interstate Transport (Prongs 1 and 2) for the 2015 8-Hour Ozone Standard" (FRL No. 8697-02-R4) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2814. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; TN; Montgomery County Limited Maintenance Plan for the 1997 8-Hour Ozone NAAQS" (FRL No. 8911-02-R4) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2815. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Michigan; Sulfur Dioxide Clean Data Determination for St. Clair" (FRL No. 8826-02-R5) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2816. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Calcium Bisulfate; Exemption from the Requirement of a Tolerance" (FRL No. 9810-01-OCSP) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2817. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Colorado; Control of Emissions from Existing Municipal Solid Waste Landfills" (FRL No. 8789-02-R8) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2818. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval;

AK; Eagle River Second 10-Year PM10 Limited Maintenance Plan" (FRL No. 8787-02-R10) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2819. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Change of Submissions for CERCLA Section 103 Continuous Release Reports to the Appropriate EPA Headquarters Office" (FRL No. 9115-01-OLEM) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2820. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances (20-10.B)" (FRL No. 8215-01-OCSPP) (RIN2070-AB27) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2821. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; North Carolina; Mecklenburg Ambient Air Quality Standards" (FRL No. 9059-02-R4) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Environment and Public Works.

EC-2822. A communication from the Assistant Chief Counsel, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Procedures and Rules for Article 10.12 of the United States-Mexico-Canada Agreement" (RIN0625-AB20) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Finance.

EC-2823. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "COVID-19 Relief under section 45D" (Notice 2020-49) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Finance.

EC-2824. A communication from the Director of the Regulations and Disclosure Law Division, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Extension and Amendment of Import Restrictions Imposed on Archaeological and Ethnological Material of Greece" (RIN1515-AE68) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Finance.

EC-2825. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Risk Adjustment in Medicare Advantage 2021"; to the Committee on Finance.

EC-2826. A communication from the Branch Chief of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Timing of Tax-Exempt Income Relating to Forgiven Paycheck Protection Program Loans" (Rev. Proc. 2021-48) received in the Office of the President of the Senate on December 8, 2021; to the Committee on Finance.

EC-2827. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to two (2) vacancies in the Department of Health and Human Services,

received in the Office of the President of the Senate on November 30, 2021; to the Committee on Finance.

EC-2828. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, thirty-four (34) reports relative to vacancies in the Department of State, received in the Office of the President of the Senate on December 8, 2021; to the Committee on Foreign Relations.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

Navy nomination of Rear Adm. Collin P. Green, to be Vice Admiral.

\*Navy nomination of Adm. Christopher W. Grady, to be Admiral.

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

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

Army nomination of Todd E. Moszer, to be Major.

Space Force nominations beginning with Marc D. Daniels and ending with Jay M. Steingold, which nominations were received by the Senate and appeared in the Congressional Record on December 7, 2021.

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

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

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. TOOMEY:

S. 3379. A bill to amend the Private Security Officer Employment Authorization Act of 2004 to establish a national criminal history background check system and criminal history review program for private security officers; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, Ms. DUCKWORTH, and Ms. ERNST):

S. 3380. A bill to prohibit the Administrator of the Environmental Protection Agency from retroactively reducing certain determinations under the Renewable Fuel Program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. THUNE (for himself, Ms. SMITH, Mr. ROUNDS, and Mr. TESTER):

S. 3381. A bill to require the Bureau of Indian Affairs to process and complete all mortgage packages associated with residential and business mortgages on Indian land

by certain deadlines, and for other purposes; to the Committee on Indian Affairs.

By Mr. SCOTT of South Carolina (for himself, Mr. KENNEDY, Mr. TOOMEY, Mr. PAUL, Mr. THUNE, Mr. RISCHE, Mr. CRAPO, Mr. INHOFE, Mr. BARRASSO, Mr. MARSHALL, Mr. DAINES, Mr. TILLIS, Mr. CRAMER, Mr. LANKFORD, Mr. CORNYN, Mr. MORAN, Mr. CASSIDY, Mr. BOOZMAN, Mr. ROUNDS, and Mr. SCOTT of Florida):

S. 3382. A bill to prohibit the Administrator of the Small Business Administration from directly making loans under the 7(a) loan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

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

S. 3383. A bill to amend the Internal Revenue Code of 1986 to modify the cover over of certain distilled spirits taxes; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. CARDIN, and Mr. SANDERS):

S. 3384. A bill to establish in the Department of State the Office to Monitor and Combat Islamophobia, and for other purposes; to the Committee on Foreign Relations.

By Mr. WHITEHOUSE (for himself, Mr. SANDERS, Mr. BLUMENTHAL, Ms. HIRONO, Ms. WARREN, and Mr. LUJÁN):

S. 3385. A bill to amend title 28, United States Code, to require certain disclosures related to amicus activities; to the Committee on the Judiciary.

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

S. 3386. A bill to prevent, treat, and cure tuberculosis globally; to the Committee on Foreign Relations.

By Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. MENENDEZ, Mr. MURPHY, Mr. PADILLA, and Mr. WHITEHOUSE):

S. 3387. A bill to require the search and retention of certain records with respect to conducting criminal background checks, and for other purposes; to the Committee on the Judiciary.

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

S. 3388. A bill to amend title 38, United States Code, to improve benefits administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOOKER (for himself and Mr. SCOTT of South Carolina):

S. 3389. A bill to amend title XIX of the Social Security Act to establish a demonstration project to improve outpatient clinical care for individuals with sickle cell disease; to the Committee on Finance.

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

S. 3390. A bill to increase research, education, and treatment for cerebral cavernous malformations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 3391. A bill to amend the Securities Exchange Act of 1934 to establish a registration exemption for merger and acquisition brokers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARSHALL:

S. 3392. A bill to require an interagency strategy to disrupt and dismantle narcotics production and trafficking and affiliated networks linked in the regime of Bashar al-Assad in Syria; to the Committee on Foreign Relations.

By Mr. BROWN (for himself, Ms. STABENOW, Mr. CASEY, and Ms. BALDWIN):

S. 3393. A bill to amend the Internal Revenue Code of 1986 to permanently extend the

Health Coverage Tax Credit; to the Committee on Finance.

By Ms. HASSAN (for herself, Mr. BRAUN, and Ms. MURKOWSKI):

S. 3394. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to emergency use authorization transparency; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3395. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to records and other information inspections; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S.J. Res. 33. A joint resolution relating to increasing the debt limit; considered and passed.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. BLACKBURN (for herself, Ms. ERNST, Mr. MARSHALL, and Mr. SCOTT of Florida):

S. Res. 478. A resolution amending rule XXII of the Standing Rules of the Senate to increase the voting threshold to invoke cloture on general appropriation bills during periods of high inflation; to the Committee on Rules and Administration.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. BROWN, Ms. CANTWELL, Ms. KLOBUCHAR, Mr. LANKFORD, Ms. SMITH, Mr. WARNER, Mrs. FEINSTEIN, Ms. STABENOW, Mr. COONS, and Mr. MANCHIN):

S. Res. 479. A resolution supporting the goals and ideals of American Diabetes Month; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 79

At the request of Mr. BOOKER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 79, a bill to eliminate the disparity in sentencing for cocaine offenses, and for other purposes.

S. 450

At the request of Mr. BURR, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from New York (Mrs. GILLIBRAND), the Senator from Utah (Mr. ROMNEY) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 450, a bill to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley.

S. 839

At the request of Mr. CASSIDY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 839, a bill to establish a postsecondary student data system.

S. 1136

At the request of Ms. CANTWELL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1136, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 1452

At the request of Mr. GRASSLEY, the name of the Senator from Maryland

(Mr. VAN HOLLEN) was added as a cosponsor of S. 1452, a bill to require a standard financial aid offer form, and for other purposes.

S. 1457

At the request of Mr. MARKEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1457, a bill to establish programs to address addiction and overdoses caused by illicit fentanyl and other opioids, and for other purposes.

S. 1813

At the request of Mr. COONS, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1877

At the request of Mr. TILLIS, the name of the Senator from Georgia (Mr. WARNOCK) 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. 1893

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1893, a bill to amend title XVIII of the Social Security Act to support rural residency training funding that is equitable for all States, and for other purposes.

S. 2283

At the request of Mr. TESTER, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 2283, a bill to improve the Veterans Crisis Line of the Department of Veterans Affairs, and for other purposes.

S. 2597

At the request of Mr. GRASSLEY, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. 2597, a bill to amend the Animal Health Protection Act with respect to the importation of live dogs, and for other purposes.

S. 2889

At the request of Mr. CORNYN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2889, a bill to amend the Consolidated Appropriations Act, 2021 to address the timing for the use of funds with respect to grants made to shuttered venue operators.

S. 3037

At the request of Mr. COTTON, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 3037, a bill to require elementary schools and secondary schools that receive Federal funds to obtain parental consent before facilitating a child's gender transition in any form, and for other purposes.

S. 3196

At the request of Mr. WICKER, the name of the Senator from Kansas (Mr.

MORAN) was added as a cosponsor of S. 3196, a bill to enhance the policies, procedures, and training for midshipmen at the United States Merchant Marine Academy, and for other purposes.

S. 3245

At the request of Ms. MURKOWSKI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3245, a bill to establish the Interagency Working Group on Coastal Blue Carbon, and for other purposes.

S. 3349

At the request of Mr. RISCH, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3349, a bill to require the Administrator of the Small Business Administration to provide applicants for certain loans and grants with updates with respect to those applications, and for other purposes.

S. 3375

At the request of Ms. ROSEN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3375, a bill to promote travel and tourism in the United States, to improve the health safety and security of international flights entering the United States, and for other purposes.

S. RES. 336

At the request of Mr. KAINE, the names of the Senator from Wyoming (Ms. LUMMIS) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 336, a resolution designating September 15, 2021, as "International Myotonic Dystrophy Awareness Day" and supporting the goals and ideals of International Myotonic Dystrophy Awareness Day.

S. RES. 455

At the request of Ms. ROSEN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 455, a resolution designating November 2021 as "National Hospice and Palliative Care Month".

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself, Ms. SMITH, Mr. ROUNDS, and Mr. TESTER):

S. 3381. A bill to require the Bureau of Indian Affairs to process and complete all mortgage packages associated with residential and business mortgages on Indian land by certain deadlines, and for other purposes; to the Committee on Indian Affairs.

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

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

S. 3381

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Tribal Trust Land Homeownership Act of 2021".

### SEC. 2. DEFINITIONS.

In this Act:

(1) **APPLICABLE BUREAU OFFICE.**—The term “applicable Bureau office” means—

- (A) a Regional office of the Bureau;
- (B) an Agency office of the Bureau; or
- (C) a Land Titles and Records Office of the Bureau.

(2) **BUREAU.**—The term “Bureau” means the Bureau of Indian Affairs.

(3) **DIRECTOR.**—The term “Director” means the Director of the Bureau.

(4) **FIRST CERTIFIED TITLE STATUS REPORT.**—The term “first certified title status report” means the title status report needed to verify title status on Indian land.

(5) **INDIAN LAND.**—The term “Indian land” has the meaning given the term in section 162.003 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(6) **LAND MORTGAGE.**—The term “land mortgage” means a mortgage obtained by an individual Indian who owns a tract of trust land for the purpose of—

- (A) home acquisition;
- (B) home construction;
- (C) home improvements; or
- (D) economic development.

(7) **LEASEHOLD MORTGAGE.**—The term “leasehold mortgage” means a mortgage, deed of trust, or other instrument that pledges the leasehold interest of a lessee as security for a debt or other obligation owed by the lessee to a lender or other mortgagee.

(8) **MORTGAGE PACKAGE.**—The term “mortgage package” means a proposed residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document submitted to an applicable Bureau office under section 3(a)(1).

(9) **RELEVANT FEDERAL AGENCY.**—The term “relevant Federal agency” means any of the following Federal agencies that guarantee or make direct mortgage loans on Indian land:

- (A) The Department of Agriculture.
- (B) The Department of Housing and Urban Development.

(C) The Department of Veterans Affairs.

(10) **RIGHT-OF-WAY DOCUMENT.**—The term “right-of-way document” has the meaning given the term in section 169.2 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(11) **SUBSEQUENT CERTIFIED TITLE STATUS REPORT.**—The term “subsequent certified title status report” means the title status report needed to identify any liens against a residential, business, or land lease on Indian land.

### SEC. 3. MORTGAGE REVIEW AND PROCESSING.

(a) **REVIEW AND PROCESSING DEADLINES.**—

(1) **IN GENERAL.**—As soon as practicable after receiving a proposed residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document, the applicable Bureau office shall notify the lender that the proposed residential leasehold mortgage, business leasehold mortgage, or right-of-way document has been received.

(2) **PRELIMINARY REVIEW.**—

(A) **IN GENERAL.**—Not later than 10 calendar days after receipt of a proposed residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document, the applicable Bureau office shall conduct and complete a preliminary review of the residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document to verify that all required documents are included.

(B) **INCOMPLETE DOCUMENTS.**—As soon as practicable, but not more than 2 calendar days, after finding that any required documents are missing under subparagraph (A), the applicable Bureau office shall notify the lender of the missing documents.

(3) **APPROVAL OR DISAPPROVAL.**—

(A) **LEASEHOLD MORTGAGES.**—Not later than 20 calendar days after receipt of a com-

plete executed residential leasehold mortgage or business leasehold mortgage, proof of required consents, and other required documentation, the applicable Bureau office shall approve or disapprove the residential leasehold mortgage or business leasehold mortgage.

(B) **RIGHT-OF-WAY DOCUMENTS.**—Not later than 30 calendar days after receipt of a complete executed right-of-way document, proof of required consents, and other required documentation, the applicable Bureau office shall approve or disapprove the right-of-way document.

(C) **LAND MORTGAGES.**—Not later than 30 calendar days after receipt of a complete executed land mortgage, proof of required consents, and other required documentation, the applicable Bureau office shall approve or disapprove the land mortgage.

(D) **REQUIREMENTS.**—The determination of whether to approve or disapprove a residential leasehold mortgage or business leasehold mortgage under subparagraph (A), a right-of-way document under subparagraph (B), or a land mortgage under subparagraph (C)—

- (i) shall be in writing; and
- (ii) in the case of a determination to disapprove a residential leasehold mortgage, business leasehold mortgage, right-of-way document, or land mortgage shall, state the basis for the determination.

(E) **APPLICATION.**—This paragraph shall not apply to a residential leasehold mortgage or business leasehold mortgage with respect to Indian land in cases in which the applicant for the residential leasehold mortgage or business leasehold mortgage is an Indian tribe (as defined in subsection (d) of the first section of the Act of 1955 (69 Stat. 539, chapter 615; 126 Stat. 1150; 25 U.S.C. 415(d))) that has been approved for leasing under subsection (h) of that section (69 Stat. 539, chapter 615; 126 Stat. 1151; 25 U.S.C. 415(h)).

(4) **CERTIFIED TITLE STATUS REPORTS.**—

(A) **COMPLETION OF REPORTS.**—

(i) **IN GENERAL.**—Not later than 10 calendar days after the applicable Bureau office approves a residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document under paragraph (3), the applicable Bureau office shall complete the processing of, as applicable—

(I) a first certified title status report, if a first certified title status report was not completed prior to the approval of the residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document; and

(II) a subsequent certified title status report.

(ii) **REQUESTS FOR FIRST CERTIFIED TITLE STATUS REPORTS.**—Notwithstanding clause (i), not later than 14 calendar days after the applicable Bureau office receives a request for a first certified title status report from an applicant for a residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document under paragraph (1), the applicable Bureau office shall complete the processing of the first certified title status report.

(B) **NOTICE.**—

(i) **IN GENERAL.**—As soon as practicable after completion of the processing of, as applicable, a first certified title status report or a subsequent certified title status report under subparagraph (A), but by not later than the applicable deadline described in that subparagraph, the applicable Bureau office shall give notice of the completion to the lender.

(ii) **FORM OF NOTICE.**—The applicable Bureau office shall give notice under clause (i)—

- (I) electronically through secure, encryption software; and
- (II) through the United States mail.

(iii) **OPTION TO OPT OUT.**—The lender may opt out of receiving notice electronically under clause (ii)(I).

(b) **NOTICES.**—

(1) **IN GENERAL.**—If the applicable Bureau office does not complete the review and processing of mortgage packages under subsection (a) (including any corresponding first certified title status report or subsequent certified title status report under paragraph (4) of that subsection) by the applicable deadline described in that subsection, immediately after missing the deadline, the applicable Bureau office shall provide notice of the delay in review and processing to—

(A) the party that submitted the mortgage package or requested the first certified title status report; and

(B) the lender for which the mortgage package (including any corresponding first certified title status report or subsequent certified title status report) is being requested.

(2) **REQUESTS FOR UPDATES.**—In addition to providing the notices required under paragraph (1), not later than 2 calendar days after receiving a relevant inquiry with respect to a submitted mortgage package from the party that submitted the mortgage package or the lender for which the mortgage package (including any corresponding first certified title status report or subsequent certified title status report) is being requested or an inquiry with respect to a requested first certified title status report from the party that requested the first certified title status report, the applicable Bureau office shall respond to the inquiry.

(c) **DELIVERY OF FIRST AND SUBSEQUENT CERTIFIED TITLE STATUS REPORTS.**—Notwithstanding any other provision of law, any first certified title status report and any subsequent certified title status report, as applicable, shall be delivered directly to—

- (1) the lender;
- (2) any local or regional agency office of the Bureau that requests the first certified title status report or subsequent certified title status report;

(3) in the case of a proposed residential leasehold mortgage or land mortgage, the relevant Federal agency that insures or guarantees the loan; and

(4) if requested, any individual or entity described in section 150.303 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(d) **ACCESS TO TRUST ASSET AND ACCOUNTING MANAGEMENT SYSTEM.**—Beginning on the date of enactment of this Act, the relevant Federal agencies and Indian Tribes shall have read-only access to the Trust Asset and Accounting Management System maintained by the Bureau.

(e) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Not later than March 1 of each calendar year, the Director shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing—

(A) for the most recent calendar year, the number of requests received to complete residential leasehold mortgage packages, business leasehold mortgage packages, land mortgage packages, and right-of-way document packages (including any requests for corresponding first certified title status reports and subsequent certified title status reports), including a detailed description of—

(i) requests that were and were not successfully completed by the applicable deadline described in subsection (a) by each applicable Bureau office; and

(ii) the reasons for each applicable Bureau office not meeting any applicable deadlines; and



(B) the length of time needed by each applicable Bureau office during the most recent calendar year to provide the notices required under subsection (b)(1).

(2) **REQUIREMENT.**—In submitting the report required under paragraph (1), the Director shall maintain the confidentiality of personally identifiable information of the parties involved in requesting the completion of residential leasehold mortgage packages, business leasehold mortgage packages, land mortgage packages, and right-of-way document packages (including any corresponding first certified title status reports and subsequent certified title status reports).

(f) **GAO STUDY.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes—

(1) an evaluation of the need for residential leasehold mortgage packages, business leasehold mortgage packages, land mortgage packages, and right-of-way document packages of each Indian Tribe to be digitized for the purpose of streamlining and expediting the completion of mortgage packages for residential mortgages on Indian land (including the corresponding first certified title status reports and subsequent certified title status reports); and

(2) an estimate of the time and total cost necessary for Indian Tribes to digitize the records described in paragraph (1), in conjunction with assistance in that digitization from the Bureau.

#### **SEC. 4. ESTABLISHMENT OF REALTY OMBUDSMAN POSITION.**

(a) **IN GENERAL.**—The Director shall establish within the Division of Real Estate Services of the Bureau the position of Realty Ombudsman, who shall report directly to the Secretary of the Interior.

(b) **FUNCTIONS.**—The Realty Ombudsman shall—

(1) ensure that the applicable Bureau offices are meeting the mortgage review and processing deadlines established by section 3(a);

(2) ensure that the applicable Bureau offices comply with the notices required under subsections (a) and (b) of section 3;

(3) serve as a liaison to other Federal agencies, including by—

(A) ensuring the Bureau is responsive to all of the inquiries from the relevant Federal agencies; and

(B) helping to facilitate communications between the relevant Federal agencies and the Bureau on matters relating to mortgages on Indian land;

(4) receive inquiries, questions, and complaints directly from Indian Tribes, members of Indian Tribes, and lenders in regard to executed residential leasehold mortgages, business leasehold mortgages, land mortgages, or right-of-way documents; and

(5) serve as the intermediary between the Indian Tribes, members of Indian Tribes, and lenders and the Bureau in responding to inquiries and questions and resolving complaints.

By Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. MENENDEZ, Mr. MURPHY, Mr. PADILLA, and Mr. WHITEHOUSE):

S. 3387. A bill to require the search and retention of certain records with respect to conducting criminal background checks, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I am reintroducing legislation

that would help bolster the Nation's background check system for firearms.

Under current law, the FBI is forced to remove records from incomplete background checks from their systems if those checks are not finalized within 90 days. As a result, many firearms are sold without completed background checks—a dangerous practice that allows individuals to access a firearm even if they are prohibited by law from possessing such weapons.

In 2020, Americans purchased a record number of guns—over 23 million firearms—and this year is expected to set records once again. That record number of purchases is overwhelming our background check system.

The large majority of background checks are straightforward and are completed within 3 days, but especially due to the volume of checks required by the increase in gun purchases, some can take significantly longer.

According to Everytown for Gun Safety, between March 2020 and July 2020, the FBI was unable to resolve 207,694 background checks within 90 days and was therefore required to wipe the incomplete checks from their systems. Since these background checks were never completed, it is impossible to know how many firearms were transferred to prohibited purchasers.

As firearms sales continue to soar, Congress must act to protect public safety by ensuring background checks are completed.

This bill would do exactly that. It would allow the FBI to maintain gun purchase records until the background checks is completed. It would also require the FBI to query additional relevant databases as part of a firearm-related background check. This would guarantee that the information necessary for conducting effective firearm background checks is maintained.

I thank Senators BLUMENTHAL, BOOKER, BROWN, MENENDEZ, MURPHY, PADILLA, and WHITEHOUSE for their support and urge the rest of my colleagues to support the bill as well.

#### **SUBMITTED RESOLUTIONS**

#### **SENATE RESOLUTION 478—AMENDING RULE XXII OF THE STANDING RULES OF THE SENATE TO INCREASE THE VOTING THRESHOLD TO INVOKE CLOTURE ON GENERAL APPROPRIATION BILLS DURING PERIODS OF HIGH INFLATION**

Mrs. BLACKBURN (for herself, Ms. ERNST, Mr. MARSHALL, and Mr. SCOTT of Florida) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 478

#### **Resolved, SECTION 1. SHORT TITLE.**

This resolution may be cited as the “Stop Inflationary Spending Resolution”.

#### **SEC. 2. CLOTURE THRESHOLD FOR GENERAL APPROPRIATION BILLS DURING PERIODS OF HIGH INFLATION.**

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended in the second undesignated subparagraph by inserting “, or on a general appropriation bill, or an amendment thereto, amendment between the Houses in relation thereto, conference report thereon, or motion thereon, that is considered during a period during which the increase in the Consumer Price Index for All Urban Consumers with respect to the preceding 12-month period, as determined by the Bureau of Labor Statistics, is more than 4.0 percent, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting” after “present and voting”.

#### **SENATE RESOLUTION 479—SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH**

Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. BROWN, Ms. CANTWELL, Ms. KLOBUCHAR, Mr. LANKFORD, Ms. SMITH, Mr. WARNER, Mrs. FEINSTEIN, Ms. STABENOW, Mr. COONS, and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 479

Whereas, according to the Centers for Disease Control and Prevention (referred to in this preamble as the “CDC”)—

(1) 34,200,000 individuals in the United States have diabetes; and

(2) an estimated 88,000,000 individuals in the United States who are 18 years of age or older have prediabetes;

Whereas diabetes is a serious chronic condition that affects individuals of every age, race, ethnicity, and income level;

Whereas the CDC reports that—

(1) Hispanic Americans, African Americans, Asian Americans, and Native Americans are disproportionately affected by diabetes and develop the disease at much higher rates than the general population of the United States; and

(2) an estimated 21.4 percent of individuals with diabetes in the United States have not yet been diagnosed with the disease;

Whereas, in the United States, more than 10.5 percent of the population, including 26.8 percent of individuals who are 65 years of age or older, have diabetes;

Whereas, of the 18,820,000 veterans in the United States, 1 in 4 are receiving care for diabetes from the Department of Veterans Affairs;

Whereas the risk of developing type 2 diabetes at some point in life is 40 percent for adults in the United States;

Whereas, according to the American Diabetes Association, the United States spent an estimated \$237,000,000,000 on direct medical costs for cases of diagnosed diabetes in 2017, and out-of-pocket costs for insulin have grown significantly in recent years for many patients;

Whereas the American Diabetes Association reports that care for people with diagnosed diabetes accounts for 1 in 4 health care dollars spent in the United States;

Whereas the cost of health care is estimated to be 2.3 times higher for individuals in the United States with diabetes than those without diabetes;

Whereas, as of November 2021, a cure for diabetes does not exist;

Whereas there are successful means to reduce the incidence, and delay the onset, of type 2 diabetes;



Whereas, with proper management and treatment, individuals with diabetes live healthy and productive lives; and

Whereas individuals in the United States celebrate American Diabetes Month in November: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of American Diabetes Month, including—

(A) encouraging individuals in the United States to fight diabetes through increased awareness of prevention and treatment options; and

(B) enhancing diabetes education;

(2) recognizes the importance of awareness and early detection, including awareness of symptoms and risk factors such as—

(A) being—

(i) older than 45 years of age; or

(ii) overweight; and

(B) having—

(i) a racial and ethnic background that is disproportionately affected by diabetes;

(ii) a low level of physical activity;

(iii) high blood pressure;

(iv) a family history of diabetes; or

(v) a history of diabetes during pregnancy;

(3) supports decreasing the prevalence of type 1, type 2, and gestational diabetes in the United States through research, treatment, and prevention; and

(4) recognizes the importance of addressing systemic barriers to health care that—

(A) leave many communities at a heightened risk for diabetes; and

(B) limit access to health care resources that are needed to effectively prevent the onset, and to manage the condition, of diabetes.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4893. Ms. CANTWELL proposed an amendment to the bill H.R. 5746, to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

#### TEXT OF AMENDMENTS

**SA 4893.** Ms. CANTWELL proposed an amendment to the bill H.R. 5746, to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration; as follows:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “NASA Enhanced Use Leasing Extension Act of 2021”.

##### SEC. 2. FINDINGS.

Congress find the following:

(1) NASA uses enhanced use leasing to enter into agreements with private sector entities, State and local governments, academic institutions, and other Federal agencies for lease of non-excess, underutilized NASA properties and facilities.

(2) NASA uses enhanced use leasing authority to support responsible management of its real property, including to improve the use of underutilized property for activities that are compatible with NASA’s mission and to reduce facility operating and maintenance costs.

(3) In fiscal year 2019, under its enhanced use lease authority, NASA leased 65 real properties.

(4) In fiscal year 2019, NASA’s use of enhanced use leasing resulted in the collection of \$10,843,025.77 in net revenue.

(5) In fiscal year 2019, NASA used a portion of its enhanced use leasing revenues for repairs of facility control systems such as lighting and heating, ventilation, and air conditioning.

(6) NASA’s use of enhanced use leasing authority can contribute to reducing the rate of increase of the Agency’s overall deferred maintenance cost.

#### SEC. 3. EXTENSION OF AUTHORITY TO ENTER INTO LEASES OF NON-EXCESS PROPERTY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

Section 20145(g) of title 51, United States Code, is amended by striking “December 31, 2021” and inserting “March 31, 2022”.

#### SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

#### AUTHORITY FOR COMMITTEES TO MEET

Ms. SMITH. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, December 14, 2021, at 11:30 a.m., to conduct a hearing on nominations.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, December 14, 2021, at 10:15 a.m., to conduct a hearing.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, December 14, 2021, at 10 a.m., to conduct a hearing on nominations.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, December 14, 2021, at 2:30 p.m., to conduct a hearing on nominations.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, December 14, 2021, at 10 a.m., to conduct a hearing on a nomination.

#### ORDERS FOR WEDNESDAY, DECEMBER 15, 2021

Ms. CANTWELL. Madam President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 10 a.m., Wednesday, December 15; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of the House message to accompany S. 1605; further, that at 11:30 a.m., the motion to concur with amendment No. 4880 be withdrawn and the Senate vote on the motion to concur; and that following disposition of the House message, the Senate proceed to executive session to resume consideration of the Sung nomination and vote on confirmation of the nomination; further, that at 2:15 p.m., the Senate vote on confirmation of the Elliott nomination; and finally, that if any of the nominations are confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate and the President be immediately notified of the Senate’s action.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. CANTWELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:21 p.m., adjourned until Wednesday, December 15, 2021, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate December 14, 2021:

##### DEPARTMENT OF COMMERCE

THEA D. ROZMAN KENDLER, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

##### DEPARTMENT OF DEFENSE

NICKOLAS GUERTIN, OF VIRGINIA, TO BE DIRECTOR OF OPERATIONAL TEST AND EVALUATION, DEPARTMENT OF DEFENSE.

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ALANNA MCCARGO, OF VIRGINIA, TO BE PRESIDENT, GOVERNMENT NATIONAL MORTGAGE ASSOCIATION.

##### DEPARTMENT OF DEFENSE

JOHN BRADLEY SHERMAN, OF TEXAS, TO BE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE.

CARRIE FRANCES RICCI, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY.

##### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### To be major general

BRIG. GEN. WILLIAM J. PRENDERGAST IV

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY WHILE SERVING AS CHIEF DEFENSE COUNSEL FOR MILITARY COMMISSIONS UNDER ARTICLE II, SECTION 2, CLAUSE 2 OF THE UNITED STATES CONSTITUTION AND SECTION 1037 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014:

##### To be brigadier general

COL. JACKIE L. THOMPSON, JR.

## IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. TIMOTHY A. SEJBA

## IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIG. GEN. ROGER D. LYLES

## IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. JAMES H. ADAMS III  
BRIG. GEN. ERIC E. AUSTIN  
BRIG. GEN. MICHAEL J. BORGSCHULTE  
BRIG. GEN. WILLIAM J. BOWERS  
BRIG. GEN. STEPHEN E. LISZEWSKI  
BRIG. GEN. KEITH D. REVENTLOW  
BRIG. GEN. SEAN M. SALENE  
BRIG. GEN. ROBERTA L. SHEA  
BRIG. GEN. BENJAMIN T. WATSON  
BRIG. GEN. CHRISTIAN F. WORTMAN

## DEPARTMENT OF JUSTICE

DAWN N. ISON, OF MICHIGAN, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF MICHIGAN FOR THE TERM OF FOUR YEARS.

## IN THE AIR FORCE

AIR FORCE NOMINATION OF TROY J. JOHNSON, TO BE MAJOR.

AIR FORCE NOMINATION OF MARY T. GUEST, TO BE COLONEL.

AIR FORCE NOMINATION OF ERIC J. JORDAN, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH ZACHARY P. AUGUSTINE AND ENDING WITH MICHAEL L. TOOMER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 27, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH CHAD A. BELLAMY AND ENDING WITH ANDREW L. THORNLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 27, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH ROSS ANDREW BROWN AND ENDING WITH LISA MARIE WOTKOWICZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 27, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH KIP T. AVERETT AND ENDING WITH DANIEL S. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 27, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH SHAWN J. ALVES AND ENDING WITH ALEXANDER J. ZOLL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 27, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH PATRICK E. BRACKEN AND ENDING WITH THADDAEUS J. WERNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 27, 2021.

AIR FORCE NOMINATION OF ANTHONY W. PEREZ, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF DUSTIN R. MEREDITH, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH GEORGE L. CHAPMAN AND ENDING WITH MICHAEL L. YAMZON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH LUIS J. ADAMES AND ENDING WITH MICHAEL J. WILLEN, WHICH

NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

AIR FORCE NOMINATION OF REBECCA L. HESS, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH ANGELICA M. DREXEL AND ENDING WITH WILLIAM R. SINGISER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

AIR FORCE NOMINATION OF KYLE P. ALLEN, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH SEAN M. BATZER AND ENDING WITH LENARD W. TOL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH ASHLEY D. BROWN AND ENDING WITH ALEXANDER T. PINGREE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

AIR FORCE NOMINATION OF ROSS C. STANLEY, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH BRANDON R. ABEL AND ENDING WITH BRANDON A. ZUERCHER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH BRADLEY D. ALTMAN AND ENDING WITH ROBERT J. YATES III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH ALICIA D. ABRAMS AND ENDING WITH JAMES A. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

AIR FORCE NOMINATION OF SIMONE E. ZACHARIAS, TO BE MAJOR.

AIR FORCE NOMINATION OF ADRIAN A. ANDREWS, TO BE COLONEL.

## IN THE ARMY

ARMY NOMINATION OF RICHARD J. SONNENFELD, TO BE COLONEL.

ARMY NOMINATION OF ANDREA N. APPLE, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH ROBERT J. ABOTT AND ENDING WITH MEGAN WAKEFIELD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 27, 2021.

ARMY NOMINATION OF TANYA K. BINDERNAGEL, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH GRANT T. ALEXIS AND ENDING WITH THOMAS J. WITKOWSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 27, 2021.

ARMY NOMINATION OF GABRIELLE L. MURRAY, TO BE MAJOR.

ARMY NOMINATION OF MICHAEL R. RUIZ, TO BE MAJOR.

ARMY NOMINATION OF NICHOLAS J. BECK, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF PETER A. DOBLAR, TO BE MAJOR.

ARMY NOMINATION OF FRANCIS E. IGO IV, TO BE MAJOR.

ARMY NOMINATION OF KEN M. WOODS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH KATHARINE M. E. ADAMS AND ENDING WITH HANS P. ZELLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 1, 2021.

ARMY NOMINATIONS BEGINNING WITH ALEJANDRO L. BUNIAG, JR. AND ENDING WITH MICHAEL W. WEAVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 1, 2021.

ARMY NOMINATION OF ERICA A. WHEATLEY, TO BE COLONEL.

ARMY NOMINATION OF JAMISON S. NIELSEN, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH ROBERT P. LEWIS AND ENDING WITH SCOT W. MCCOSH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 1, 2021.

ARMY NOMINATION OF JADER A. MORALES, TO BE MAJOR.

ARMY NOMINATION OF MOISES SALINAS, TO BE MAJOR.

ARMY NOMINATION OF MICHAEL S. SCHWAMBERGER, TO BE COLONEL.

ARMY NOMINATION OF KYLE A. LIPPOLD, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF TAYLOR K. OPEL, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH SHAWN G. ABBE AND ENDING WITH NATHANIEL C. STONE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

ARMY NOMINATION OF JAMIE E. MUELLER, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH PETER S. BLACK AND ENDING WITH ROBERT G. SACCA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2021.

ARMY NOMINATION OF EDWARD W. LUMPKINS, TO BE COLONEL.

ARMY NOMINATION OF GINA M. FARRINGTON, TO BE MAJOR.

ARMY NOMINATION OF DISA L. RIFKIN, TO BE COLONEL.

ARMY NOMINATION OF JESSICA K. SMYTH, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF BROCK A. CHAVEZ, TO BE MAJOR.

## IN THE MARINE CORPS

MARINE CORPS NOMINATION OF ERIC A. WALRAVEN, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF DANIEL T. CELOTTO, TO BE COLONEL.

MARINE CORPS NOMINATION OF JASON A. RETTER, TO BE MAJOR.

MARINE CORPS NOMINATIONS BEGINNING WITH RYAN P. ALLEN AND ENDING WITH MATTHEW P. ZUMMO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

MARINE CORPS NOMINATIONS BEGINNING WITH NICHOLAS P. ADAMS AND ENDING WITH JOHN B. ZIMMER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2021.

## IN THE NAVY

NAVY NOMINATION OF STEPHEN M. DYER, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH MITCHELL I. BELL AND ENDING WITH PATRICK Z. X. YU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 1, 2021.

NAVY NOMINATION OF MATTHEW C. DENNIS, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF JOSEPH M. MOLINA, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF STEPHEN B. KOYE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF MICHAEL J. URBAITIS, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH ALEXANDER C. CHARALAMBOUS AND ENDING WITH TAIBATU E. I. OBASI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 2, 2021.

## IN THE SPACE FORCE

SPACE FORCE NOMINATIONS BEGINNING WITH CHRISTINA N. GILLETTE AND ENDING WITH D. S. ROGERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 1, 2021.

SPACE FORCE NOMINATIONS BEGINNING WITH ALBERT J. ASHBY AND ENDING WITH JOHN C. ZINGARELLI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 15, 2021.

SPACE FORCE NOMINATION OF KEVIN G. AMSDEN, TO BE COLONEL.

SPACE FORCE NOMINATION OF TRAVIS RICHARD PRATER, TO BE COLONEL.