

Federal Courts of the Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, March 10, 2021, at 3 p.m., to conduct a hearing.

ORDERS FOR THURSDAY, MARCH 11, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Thursday, March 11; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of the motion to discharge the nomination of Xavier Becerra from the Committee on Finance, with the time expiring at 12 noon; further, that upon disposition of the motion to discharge, the Senate resume consideration of the nomination of DEBRA HAALAND to be Secretary of the Interior; finally, that the cloture motion on the Haaland nomination ripen at 1:30 p.m.

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

Mr. SCHUMER. For the information of Senators, there will be two rollcall votes during Thursday's session of the Senate at 12:00 noon on the motion to discharge the Becerra nomination and at 1:30 p.m. on the motion to invoke cloture on the Haaland nomination.

ORDER FOR ADJOURNMENT

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator SULLIVAN.

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

The PRESIDING OFFICER. The Senator from Alaska.

CONFIRMATION OF MICHAEL STANLEY REGAN

Mr. SULLIVAN. Mr. President, we just voted on Secretary Michael Regan to be the new EPA Administrator. I want to congratulate him on his vote. He is now the new EPA Administrator.

I sit on the Committee on Environment and Public Works. So we had hearings for Mr. Regan—Administrator Regan, I guess we want to call him now—and I have had a number of conversations with him. I actually voted for him to move out of committee to come to the floor for this vote that we took today.

I like to come down to the floor to explain my votes because sometimes I support the Biden administration's Cabinet officials. I introduced Secretary of Defense Austin at his con-

firmation hearing. I served with him many years ago when I was a marine and he was a four-star general in the Army. I have a lot of respect for the Secretary of Defense.

Then there are other times when I am a "no." What I typically like to do is come and explain the noes but not always. On this one, for Secretary Regan, for Administrator Regan and his team, I want to explain it because I will say that I was impressed with him. I think he is qualified. He was essentially the EPA administrator for North Carolina. Both of his Republican Senators introduced him at his hearing and voted for him, I believe, today, and I have had good conversations with him as well.

Here is the thing: I was trying to get commitments from him. Now, this is very normal in the confirmation process. You work with the nominees and try to get commitments. Sometimes they give them, and sometimes they don't, but that is what we do—give advice and consent. We have been doing this since the Founding Fathers wrote the Constitution on what the Senate should be doing in these confirmation processes that we are going through right now with the Biden administration. So I wasn't asking for a lot in terms of commitments from this administration for the great State of Alaska, but it was important to me.

Why was it important to me?

Unfortunately, the Biden administration has launched a war on working families in Alaska. Now, that sounds like a pretty dramatic statement, "a war on working families in Alaska." What I am looking for is a ceasefire. My State, like a lot of States, is hurting economically. We are doing very well and I am very proud of Alaska on the health side. We are No. 1 in terms of vaccinations per capita in the country, which is remarkable, if you have been to my State, as it is so huge and the populations are so spread out, but we are working together, all of us, and we are achieving really remarkable results. We have been No. 1 in testing per capita throughout the whole pandemic, and we have had some of the lowest per capita death rates throughout the whole pandemic. But we are being really hit hard economically in the energy sector, the tourism sector, and the commercial fishing sector.

So why am I looking for a ceasefire?

In the first 2 months of the Biden administration, there have been eight Executive orders, if you include the recent statement by the President and the Prime Minister of Canada, which had a focus on Alaska, which have been focused on my State. Usually, it will be on economic development projects and usually on access to Federal lands. Eight. There is no State in the country that is getting that kind of attention from this administration, and we are hurting. It is not even close. Show me any other State represented in the U.S. Senate Chamber that has eight Executive orders directed at your State. It

won't exist. Trust me—my constituents don't like all the attention.

So I want to ask the President—not the Presiding Officer but the President: Mr. President, Mr. President Biden, sir, you were a U.S. Senator for three decades. Let me just ask you this question: If a Republican administration came into office and focused its attention on shutting down Delaware with eight Executive orders inside of 2 months, you would be on the floor every day like me, talking about it, asking for some relief. That is all we are asking for—a ceasefire on the hard-working families of Alaska.

This is what I asked Secretary Regan. A commitment on these is not a big issue. I told him, if I could get a commitment on these things, I would come down to the floor and give a speech in favor of his confirmation.

One was of a very big energy project in my State that has been permitted for almost 25 years. It started with the Clinton administration, in a place called the National Petroleum Reserve of Alaska, and was set aside by Congress for oil and gas development. That is what the NPR-A is. We do it responsibly, better than any place in the world, but this is a project that was started by the Clinton administration and moved forward by the Bush administration. There was a big NEPA environmental impact statement by the Obama administration, called the Integrated Activity Plan for NPR-A, which was approved. It was completely non-controversial because that is what this part of Alaska is set aside for. Then the Trump administration finalized a very large but responsibly developed energy project. We started it this winter with no controversy. It has estimates of 2,000 direct jobs, with thousands more indirect jobs. All we wanted was a commitment to keep it going. That is it—simple, status quo. Couldn't get it. Couldn't get it.

There is litigation with regard to this project right now. About 200 people—almost 200 workers—have been sent home with pink slips during a recession. Those were great jobs by the way. We tried to get a commitment on this. We couldn't get it. By the way, 75 percent of those 2,000 jobs were union jobs and high-paying—building trades, laborers, operating engineers, teamsters. They are great Americans, by the way. Seventy-five percent. Non-controversial. Twenty-five years of permits. No one has been against this. So I just wanted a commitment on it. No. Like I said, it is a war on working families.

Here is another one. Here is something that a lot of people don't know about Alaska: 60 percent of the country's wetlands, of America's wetlands, are in my State—six zero. Now, we have the most beautiful State. We love our wilderness. We love the outdoors. We care about the Alaskan environment more than anyone else and—trust me—more than anyone else in the

EPA. That is for sure. We have 175 million acres of wetlands. So this creates challenges.

Unlike most of the lower 48, we have not dredged and filled these areas in the past. If you look at the east coast, at its environments—no offense to some of my colleagues whose States are up the corridor here—holy cow. And you wonder about my environment? Geez Louise. But it is hard to do compensation for projects where you haven't had dredge and fill before, because we have so many wetlands. So, in 2018, the Corps of Engineers and the EPA had an MOU to address some of these mitigation challenges. It wasn't controversial; it was creative. I thought Secretary Regan thought it was creative when I talked to him about it. So we just asked for a continuation of this. These are really simple commitments, good ideas—couldn't get it from the Secretary.

Now, look, here's my own view. I think Mr. Regan wanted to—I explained these to him. I think he was reasonable, someone who has done this in his State and knows each State is unique. He cares about jobs. He cares about environmental justice. That is a big issue in my State when a lot of these communities that are getting targeted are actually Alaska Native communities. They are killing jobs in those communities. That is environmental justice; that is for sure. So my instinct was he wanted to make these commitments, but I think he was told no. I don't know that, but I'm pretty—well, I can't say. But I think he was told no by the White House. This raises a much bigger concern about this nominee.

My good friend, the esteemed Senator from West Virginia, Senator CAPITO, was on the floor earlier. She also sits on the EPW Committee. She is the ranking member on the committee. She gave a really important speech on why she also voted no for Mr. Regan. And I think she had the same feeling I did. He knows the issues, is qualified, cares about different States' challenges. But she raised a concern that I want to reiterate because I think it is going to be a really big concern, and I think it is going to come to a head here soon, and that is this: There is concern, not just among Republican Senators—it is all over the press, and she cited it—that Mr. Regan, who is now the EPA Administrator might not be the person in charge of the EPA. Now he's Senate-confirmed. He is the one who has to come before the Congress for hearings, for oversight, but what are we talking about here?

Well, the former EPA Administrator, Gina McCarthy, is in the White House. She is out talking to the press all the time. She's an unaccountable czar on these issues, working behind the scenes—and, actually, not even behind the scenes. She was recently quoting about herself, saying she's the orchestra leader of all of these issues.

Wait, what about the EPA Administrator? I thought he was the Senate-

confirmed person nominated by the President. The big, big concern is that he is not going to have the authority or the decision-making capacity and is going to be told what to do by a shadow EPA working out of the White House run by Gina McCarthy. That is not just me. That is not just Senator CAPITO. That is all over the press. Read it. Inside EPA—she was quoting from that, Senator CAPITO was. No transparency there? All these previous Obama administration EPA alumnae in the White House running it.

By the way, if I am the new EPA Administrator, Mr. Regan, I wouldn't want that notion out there. But with all due respect, sir—and, again, congratulations—it is out there, and you need to tamp this down because it is going to come to a head.

Look, my State did not fare well under the Gina McCarthy EPA. There is a long list: the waters of the United States—I won't get into the details of the disrespect to my constituents. Armed EPA officials with body armor, rifles, were going after gold miners and placer miners in Alaska because they thought they were violating the Clean Water Act. No kidding. Read about it. Chicken, AK—go Google that. We were not big fans.

So I believe Mr. Regan wants to work with Alaskans. I believe he understands the concept of cooperative federalism on these environmental issues. I don't believe he would authorize armed guards to terrify small placer miners in the interior of Alaska the way the previous Administrator McCarthy did and talk to the press in a blatantly disrespectful way to my fellow Alaskans. It was shameful, in my view. But this issue is going to come to a head.

Who is in charge? Regardless of whether you are a Democrat or Republican, if you voted for the EPA Administrator or you didn't, we want him in charge because he is the Senate-confirmed official nominated by the President, not an unelected official in the White House who I guarantee wouldn't have been able to get confirmed. So it is going to be a challenge.

And it is not just Gina McCarthy. We had an EPW hearing today, and I raised the issue of the other czar—John Kerry, the former Senator. But he is not confirmed. He hasn't been appointed to a Senate-confirmed job. He and the President are at loggerheads on a really big issue. President Biden, the President of the United States, recently in a meeting reported by the press with labor leaders, said: I am all in on natural gas. That is important. That is a huge issue for our environment and our workers. The President of the United States said "I am all in on natural gas" to the men and women who build pipelines. He told them that recently in a White House meeting. He is the President of the United States.

Now John Kerry—I think some people think he is President of the world. He is flying around on his airplane

right now, and he is telling people he is not for natural gas. Well, I wonder who is going to win that debate.

But this goes to this issue: These are going to come to a head. Who is in charge here—the President of the United States or the President of the world—on natural gas? I hope it is the President of the United States because natural gas is going to be key for our workers, for our environment, for our national security. And at the EPA level, who is in charge? Mr. Regan? I hope so. Or Gina McCarthy? It is looking more and more like she is in charge.

So that is why a number of us, despite being impressed, wanting to work with the new EPA Administrator voted no, and I certainly hope that the unaccountable team of McCarthy and Kerry in the White House are not going to be running the policy, but it is going to be the people who were actually confirmed by the U.S. Senate because that is the way our system of government is supposed to work.

So, Mr. President, for those reasons, although I again want to congratulate Mr. Regan, I respectfully declined to support his nomination, and we will see. We will see who is going to be ultimately in charge.

I want to work with him and his team. These issues are so important to my State. I want him to help convince others in the Biden White House for the ceasefire that my constituents need.

We need to get to work, and I am hoping he is going to be a constructive partner in that regard.

NATIONAL GUARD

Mr. SULLIVAN. Mr. President, most mornings I get up kind of early, and I go for a run on the Mall, run by the Capitol, this beautiful building, the Senate, the House, the people's house, which recently was open for all of us to enjoy. And now, as most Americans know, it is ringed with gates and razor wire and troops. It looks a little bit like the Green Zone in Baghdad, not the U.S. Capitol.

Here's the thing. When I go running—I do this most mornings; I did it this morning—you see these wonderful National Guard men and women who are serving their country still here behind the fence, behind the razor wire. And they are literally about every 50 yards, sometimes closer, standing post all night—all night—hundreds of them, American soldiers.

They are doing their duty, and we all appreciate it. I talk to them. I just say: Hey, how you guys doing? How is morale? You want to be here? You think it is time to go home? I think it is time for you to go home, and I am going to try and help you with that.

Now, look, most are stoic. They are tough. They are soldiers doing their job. But make no mistake, they want to go home. They are standing their post all night, 1, 2, 3 in the morning,