

they have presumably been saving for the apocalypse and only take out the weapons if “the zombies start to appear.”

I appreciate Mr. Chipman’s long service as an ATF special agent, but I have serious concerns that, as the head of the ATF, he would spend more time going after law-abiding gun owners than actual criminals.

The fact that he spent years as a gun control advocate gives us a pretty strong indication of what his priorities are likely to be if he ends up heading this Bureau. While Mr. Chipman couldn’t make new gun laws as head of the ATF, he would certainly—I should say he could certainly have a hand in writing a whole lot of new regulations, regulations that could end up substantially burdening Americans’ Second Amendment rights.

ATF has already gotten away with the Biden gun control agenda with proposed rules against firearms parts kits often used by hobbyists and widely used stabilizing braces, often referred to as pistol braces, first designed to help a disabled veteran safely fire a weapon. These regulations would turn millions of legal gun owners into potential criminals, and David Chipman would be in charge of seeing them through.

Moreover, his demeaning attitude toward gun owners should also disqualify him from the ATF position. An individual who regards law-abiding, gun-owning Americans as a bunch of untrained and irresponsible doomsday preppers waiting for the zombie apocalypse has no business—no business—leading a gun enforcement Agency.

The President, the Vice President, and Mr. Chipman may not like it, but the plain language of the Bill of Rights clearly guarantees the right of law-abiding Americans to own firearms. That right, like every other right guaranteed by our Constitution, must be respected and protected, and those who exercise their Second Amendment rights deserve to be respected as well.

I do not believe we can rely on Mr. Chipman to respect our Second Amendment rights or the Americans who exercise them, which is why I cannot vote to confirm him as Director of the ATF. I encourage supporters of the Second Amendment on both sides of the aisle to oppose his nomination. Law-abiding, gun-owning Americans deserve better than Mr. Chipman to handle the ATF.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

NOMINATION OF JENNIFER ANN ABRUZZO

Mrs. MURRAY. Mr. President, you know, this pandemic has made it clearer than ever that our economy is working great for those at the very top but not for our workers.

Saturday actually marks the 12th anniversary of the last time that we raised our Federal minimum wage. Twelve years. That is unacceptable, and our workers really deserve better.

No one working 40 hours a week should be making wages so low, their family is living in poverty and they can’t even afford to pay for even their most basic needs. It is past time that we finally give workers, who are the backbone of our economy and have kept us going through this pandemic, a hard-earned and much deserved raise.

Another important step the Senate can take to build back an economy that is stronger and fairer and works for everyone is to ensure that Agencies like the National Labor Relations Board work effectively and protect workers’ rights. Jennifer Abruzzo is the type of dedicated public servant who will make sure the NLRB is enforcing the law and protecting the rights of workers.

I urge all of my colleagues to join me in voting to confirm her as general counsel of the NLRB. She has dedicated her career to upholding the law and protecting workers from unfair treatment. She has won victories against companies that attempted to undermine workers’ right to organize and call for better wages. She has 23 years of experience at the NLRB, including her time serving as acting general counsel, the role she is now nominated to fill.

It is clear she has the right experience, qualifications, and values for the job, and we need her to be able to get to work right away because we have seen 7 years of—we have seen years of unprecedented Republican obstruction of the NLRB nominees. There has been an empty Democratic seat on the NLRB for nearly 3 years, and there wasn’t a single Democrat on the Board from late 2019 to mid-2020. That obstruction tipped the scales of justice in favor of big corporations, and workers have suffered the consequences.

When workers stand together to form a union, it is the NLRB that makes sure the election is fair. If a worker is fired or unfairly punished because they want to join or form a union, the NLRB is tasked with protecting their rights. If companies refuse to negotiate fairly with unions fighting for higher wages and better benefits or a secure retirement or safer working conditions, it is the NLRB that protects unions and union workers who have helped build our country’s middle class.

Working families simply cannot afford an NLRB that fails to protect workers’ rights when they are threatened. So we have to confirm nominees like Jennifer Abruzzo who will protect workers’ rights and make sure their voices are heard if we are serious about building back a stronger, fairer economy. If we are serious about standing with working families, then we need to confirm Jennifer Abruzzo as general counsel of the NLRB and then get to work increasing our Federal minimum wage.

I yield the floor.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the vote scheduled to occur at 11:30 a.m. begin immediately.

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

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the clerk will report the Abruzzo nomination.

The legislative clerk read the nomination of Jennifer Ann Abruzzo, of New York, to be General Counsel of the National Labor Relations Board for a term of four years.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the Abruzzo nomination?

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

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

[Rollcall Vote No. 273 Ex.]

YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Luján	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—50

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

(Ms. CORTEZ MASTO assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative.

The nomination was confirmed.

The VICE PRESIDENT. Under the provision of the previous order, the motion to reconsider is considered made and laid upon the table and the President will immediately be notified of the Senate’s action.

CLOTURE MOTION

The VICE PRESIDENT. 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. 142, Bonnie D. Jenkins, of New York, to be Under Secretary of State for Arms Control and International Security.

Charles E. Schumer, Ben Ray Lujan, Jeff Merkley, Raphael G. Warnock, Alex Padilla, Sheldon Whitehouse, Christopher A. Coons, Benjamin L. Cardin, Jack Reed, Patrick J. Leahy, Tammy Baldwin, Robert P. Casey, Jr., Christopher Murphy, Tim Kaine, John W. Hickenlooper, Angus S. King, Jr., Tammy Duckworth.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). 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 Bonnie D. Jenkins, of New York, to be Under Secretary of State for Arms Control and International Security, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

(Mr. HICKENLOOPER assumed the Chair.)

The PRESIDING OFFICER (Mr. BROWN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 48, as follows:

[Rollcall Vote No. 274 Ex.]

YEAS—52

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
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Paul	
Heinrich	Peters	

NAYS—48

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

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 48.

The motion is agreed to.

The senior Senator from Connecticut is recognized.

JOHN LEWIS VOTING RIGHTS ACT

Mr. BLUMENTHAL. Mr. President, there is a reason that the JOHN LEWIS Voting Rights Advancement Act bears his name, and the reason is that John Lewis was truly a civil rights hero, an icon, a trailblazer, a model, and a mentor to so many of us, not because of what he said but because of what he did.

In marching across the Edmund Pettus Bridge, where he was beaten and bloodied in leading those civil rights activists, in fighting for equality and justice here in the Halls of Congress, he set a model of courageous public service that inspires us today.

It has inspired voting rights since 1965, when those acts of courage led the Congress to adopt that Voting Rights Act of 1965. It was bipartisan then; it has been a bipartisan cause since then. In fact, it was most recently reauthorized in 2006 by an overwhelming bipartisan vote.

There should be nothing partisan about voting rights, which go to the core of our democracy. They are the lifeblood of our democracy, as we know better or as well as anyone in this Chamber, because we know that we act here with authority by the consent of the governed, as the Founders said. We govern by the consent of the people who elect us, hopefully fairly. That is the reason we need now the John Lewis Voting Rights Advancement Act, because the U.S. Supreme Court, in two decisions, *Shelby County v. Holder* and *Brnovich v. Democratic National Committee*, has in effect eviscerated—more bluntly, gutted—two key sections, 5 and 2, of the Voting Rights Act.

Now, we have the opportunity—in fact, we have the obligation to make sure that the memory and the cause of John Lewis in advancing voting rights are upheld. We have that obligation not for ourselves but for the country, which is why John Lewis fought so hard and so well.

Today, State legislatures are taking advantage of the gaps and defects opened by those two Supreme Court decisions to attack America's right to vote. What we are seeing is the greatest assault on voting rights in the history of this country, maybe with the exception of Jim Crow.

I know some have called these laws a second Jim Crow. It may be the son of Jim Crow or the nephew or niece of Jim Crow, but the goal is the same: suppression of voting rights, discriminating against individuals who have that right to vote.

Last week, I chaired a hearing in the Constitution Subcommittee on the impact of these two Supreme Court decisions on voting rights. What we heard from the witnesses appearing there was nothing less than a call to action to protect our democracy and live up to America's founding ideals. We heard from men and women who have been litigating—in the trenches, on the frontline of this battle to preserve voting rights—about the impact of these

two Supreme Court decisions and the lower court decisions that have been in their wake.

Since *Shelby County* in 2013, approximately 21,000 polling places nationwide serving the people of the United States on election day have been eliminated. Millions of voters have been purged from the voter rolls. This year alone, 17 States have passed 28 laws to restrict voting rights.

This assault on the right to vote, this effort to suppress men and women who by law should have that right, is purposeful, relentless, unremitting, and it is supported, unfortunately, by elected officials across the country. We have seen it in Arizona, in Florida, Texas, but many more State legislatures are moving in this direction. The voting rights of this Nation are at stake because what we are seeing is a deliberate, systematic attempt to make it harder and more difficult to register to vote and particularly for people of color to have this right. It is an attempt to subvert our democracy and attack the lifeblood of our Nation.

We know in theory that the Founders intended that, in fact, our government “derives [its] just powers from the consent of the governed.” But more than an exercise in theory, this effort is a direct, clear attempt to defend against the tsunami of voter suppression bills now crashing on our Nation. That is why the John Lewis Voting Rights Advancement Act should be bipartisan. I have no illusions about it being so, but one way or the other, we ought to follow the advice of John Lewis, who said:

The right to vote is precious, almost sacred. It is the most powerful nonviolent tool or instrument we have in a democratic society.

In memory of what he said but more in tribute to the ideals of democracy that he advanced by his actions, we should stand up to this assault on our democracy and pass the John Lewis Voting Rights Advancement Act. There is no time to waste.

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. KENNEDY. 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 Senator from Louisiana.

TRIBUTE TO JOHN R. STEITZ

Mr. KENNEDY. This is one of those days that we often have, at least for me, that is both happy and sad.

A couple of weeks ago, I was back home in Louisiana. I was sitting at my dining room table, minding my own business, drinking a cup of coffee, petting my two dogs—dogs are the best people—and I got a phone call from one Mr. John R. Steitz, who is my deputy chief of staff for policy and my legislative director. I knew this phone call was coming someday. I knew it. I

didn't know it was coming so soon, but I knew someday I would get this call.

John said: Senator, they made me an offer I can't refuse. I am going to take it.

I have to be honest. I thought to myself: Damn, you know, Steitz is leaving. Another part of me was saying: God, I am so happy for him. I am really pleased with his new position in the private sector.

I wanted to suggest to him that if he needed any help picking out a new Mercedes, I could come help him. If he gets it down to this color or that color, he could just buy two.

I have known some folks in public service. The Presiding Officer has too. I have known some people in business—to each his own—who are often afraid to hire people more capable than them or smarter than them, and that is human nature, you know. I get it. I will have a lot to answer for on judgment day, but doing that is not one of the things. I have always tried to hire people who were smarter than me or more capable than me or had talents that I don't have. But there is a price you pay when you do that. You are going to lose them at some point because you can't keep a good person down. And that is John Steitz. So I knew this day was coming. That is why it really is bittersweet.

John is—most of you know him—John is a graduate of SMU.

When we are joking around, I like to say that the closest John ever got to a 4.0 at SMU was his blood-alcohol level, but that is not accurate. John, as we all know—and we are kidding—is whip-smart. He finished SMU in public policy and business administration. I think he had a minor in cheerleaders, but he never neglected his studies. He is a very smart guy. He is whip-smart. Don't ever let him try to kid you.

Brooks, his better half, who is here with us today, is an accomplished professional in her own right; and they are a team, I can assure you. When you work the hours that John Steitz works, you had better do it as part of a team.

They have two children. Eleanor is their oldest. I am told that Eleanor's very first words were "vote-arama." She said "vote-arama" before she said "Mama" or "Daddy." That is an exaggeration, but probably not by much. They have a young son, John, Jr., whom they call Jack.

If I taught a class or if the Presiding Officer taught a class, and if we told the truth about how a bill becomes a law, I think a lot of Americans would be surprised. This is not "Mr. Smith Goes to Washington." It is hard to pass a bill in the U.S. Senate. It is supposed to be, because that is our job, to not act on the basis of feelings but to act on the basis of logic. It is a lot of work to get a bill passed. I have been able to pass a couple, and I wouldn't have passed one single, solitary one of them without John Steitz.

I made a list here—and I am not going to read all of it—of stuff, like the

National Flood Insurance Program Extension Act, the Justice Against Corruption on K Street Act, the RBIC Advisers Relief Act, the Holding Foreign Companies Accountable Act, and the Rebuilding Small Businesses After Disasters Act.

You know, this isn't all my doing. This has John Steitz's fingerprints all over it—on every one of these bills.

John has a rare combination, and he is going to do really well in the private sector. I mentioned that he is whip-smart, and he is, but it takes more than that to succeed around here. First, you have got to have a work ethic. You have got to be willing to put in the hours. I can't tell you the number of times I looked around when I was working late and I would see Steitz there.

I would say: Steitz, go home for God's sake. Brooks is going to change the locks on you. She may already have.

He was there constantly. I don't know when he found the time to father Eleanor and Jack. I mean, he was always in the office.

So you have got to have a work ethic, but it is more than that. You have got to like people; you have got to understand people; and you have got to respect people. You have got to know which bridge to burn and which bridge to cross. You have got to understand when to go forward and say, "To hell with it. We are going full speed ahead," and when to back off a little bit.

It is a lot more art than science, and everybody in this Chamber knows what I am talking about. That is not something you pick up in a week.

When I asked John to be my legislative director before he became deputy chief of staff, he didn't have all of this. I mean, he was as green as a gourd. I was too. He learned it. He learned it on the job, and, boy, did he do an incredible job.

There is one other quality you have got to have to succeed around this place aside from smarts, work ethic, respect for other people, and integrity, all of which John Steitz has. You have got to care. You have really got to care. You can't fake it, you know. You can't be motivated by moving up another rung on the ladder, though some people are. I get it. We are all human. Sometimes that may be a part of it, but if that is your sole motivation, you are not going to make it. People up here on Capitol Hill are smart. They can smell it. So you can't be guided by ambition. You have got to be guided by knowledge, yes; by wisdom, yes; but also by empathy.

John knows what he believes. He believes what he believes, and he is willing to fight for it. But he is also willing to listen to another point of view. There were many times he would come to my office and say: You know, here is what is going on. Look at it this way, but listen to it from this perspective.

He is also sneaky. Now, I don't mean that in a bad way. By sneaky, I mean

he is a great strategist in terms of he can figure out how to go from point A to point B to point C, do a half gainer, get to point D, and circle back to point A.

There are some times when John has come to my office and said: Here is how we are going to get this amendment done, or here is how we are going to get this passed.

Then he will lay out the plan. I wish I could use examples, but I would tip my hand. He would lay out the plan, and I would say: John, this isn't college. Have you been smoking dope around here? This isn't college. We can't do that. It will never ever work. It won't work.

It usually did. But I always said: Well, heck. Let's try it. If you want to try it, I am willing to try. It is legal; it is honest; but it is just such a long shot.

But it worked, and I was appreciative of that. That didn't just happen. That came from smarts, hard work, and caring.

I guess I will end.

Thank you, Brooks, for sharing your time and for sharing John with us. I know it wasn't easy for you. We are going to—I started to say that we are going to miss you, but we expect you to come back around and bring Eleanor and bring Jack and bring Chili. John has a great dog. Chili became the mascot in the office. Chili is the best beggar you have ever seen. I am going to miss him.

I want to thank John here today for giving so much. He could have made a lot more money in the time he has been here in the private sector because he is that talented, but he is moving to the private sector. It is their gain and our loss. He is welcome back any time.

Thank you, John. Thank you, thank you, thank you not just on my behalf, but on behalf of the people of Louisiana and on behalf of the American people for giving so much to your country.

God bless you. Godspeed.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PADILLA). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TAX INCREASES

Mr. BOOZMAN. Mr. President, America's family farmers and ranchers have faced unprecedented challenges in recent years. They have been caught in the middle of trade wars, repeatedly lost harvests and livestock to one catastrophic natural disaster after another, and faced a whole new set of unparalleled complications when COVID-19 took hold.

Now a new threat to their future looms, the Democrats' reckless tax-and-spend agenda for which family farmers and ranchers are being told to foot the bill.

The Democrats are proposing changes to capital gains tax rates, stepped-up basis, and the use of like-kind exchanges that put the future of our family farms and ranches at risk. The next generation of family farmers will face devastating consequences if the Democrats have their way, as their proposed changes put the future of nearly 2 million family-owned farm operations at risk.

The President and his allies in Congress will tell you that family farms and ranches will not be impacted by their proposed changes. In fact, they make a very specific claim that 98 percent of farms will not be impacted. Yet they have provided no evidence to support that claim, and they have been asked to provide that directly by myself and a majority of the Republican side of the Ag Committee.

We essentially asked USDA to show its math. That request has gone unanswered. It seems unlikely that we will ever get a response, so we took it upon ourselves to find out if there was any legitimacy to their claim.

We asked the highly respected team at the Agricultural and Food Policy Center at Texas A&M University to conduct a study on the legislation that mirrors tax increases President Biden and congressional Democrats have floated to pay for their massive human infrastructure plan.

The results confirm exactly what we expected. These proposed changes are going to crush rural America.

Remember the administration's claim that 98 percent of family farms and ranches will be protected? Well, AFPC's research showed just the opposite when it comes to changes to stepped-up basis, which allows the tax basis of an inherited asset to be stepped up at death to the fair market value as of the date of death.

If these changes were to be implemented, 92 of AFPC's 94 representative farms would be impacted with an average additional tax liability of more than \$720,000 per farm. That means 98 percent of family farms included in AFPC's study are hurt by these tax increases, not protected by them.

And as you can see on this map, this chart, those changes hit rural America very, very hard. We are looking at over half a million dollars in additional tax liabilities per farm in the Southwest and in the Southeast, which includes my home State of Arkansas. In fact, the average tax liability for the five Arkansas farms represented in the study is over \$800,000. In the Northeast and out West, these changes would result in over \$700,000 in additional tax liabilities per farm. And look at the Midwest. It is over \$1 million in additional tax liabilities per farm.

These obligations will take literally years to pay off. And, again, that is just when you take into account changes to stepped-up basis, just that one particular part.

Add in the higher capital gains tax rates Democrats have proposed and

limitations to like-kind exchanges, which allow taxpayers, including family farmers, to exchange property and defer the capital gains tax, and you can see why so many literally fear for their livelihood.

Farmers are land rich and cash poor. Farmland is equivalent to a farmer's 401(k). Instead of traditional retirement accounts, farmers and ranchers invest in cropland and pastureland and tirelessly work that land in an effort to create a more prosperous future for their loved ones.

That lifetime of hard work, planning, and sacrifice will all be for naught if these changes are allowed to be implemented.

On top of that, these Tax Code changes will dry up the farmland market, lead to further consolidation in the agricultural sector, create barriers to entry for new or beginning farmers, and stunt reinvestment in rural communities.

Ultimately, agriculture as a whole and rural America will suffer. That is why my colleagues and I are down here today. If changes of these magnitude are implemented, the economic harm it will cause will have a lasting impact on rural America.

These tax increases, which again are only being proposed because the Democrats are determined to force their reckless spending agenda through Congress, certainly need to be rejected.

With that, I yield to Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, to finance their big spending agenda, President Biden and Members of his party in Congress have called for over \$3 trillion in new taxes.

This group claims that these tax hikes are targeted solely to the very wealthy. However, deep down, embedded in their tax-hike proposal, is a direct attack on family farms and resulting ruination of rural communities.

If Democrats get their way, family farms would be decimated through the enactment of a second death tax that operates on top of the existing estate tax. This second death tax would subject the paper gains of business and investment assets to tax upon transfer to the next generation. At the same time, the current long-term capital gains rate would be nearly doubled.

Now, as a result, decades of paper gains in farmland and other property could be subject to capital gains taxes at a rate as high as 43.4 percent.

Given inflation as well as the escalating value of farmland over the past several decades, some Iowa farms could easily generate a half-a-million-dollar tax bill or even more based upon land values alone. And those land values have gone up as a result of inflation and nothing else.

Moreover, according to an analysis by KPMG, family farms captured both by this new death tax and the existing estate tax could see tax rates exceeding 66 percent.

Now, it is pretty simple. That is not taxation; that is confiscation.

Proponents claim this new tax—or you might say this new confiscation—is needed to close a loophole that allows the appreciation in value of property over one's lifetime to go untaxed, but death isn't a loophole, and it shouldn't be a taxable event.

In fact, rather than solving a problem, this proposal would resurrect failed policy from a decade past.

As part of the Tax Reform Act of 1976, Congress experimented with a similar attempt to subject paper gains in inherited assets to tax. This change was immediately met with outcries from farmers, ranchers, and small business owners, resulting in its repeal in a few years.

In fact, it is such a complicated process, it is probably impossible to administer such a tax; at least that was the main point made in the late 1970s against that 1976 legislation.

Now, as problematic as this change was for farmers in 1976, what Democrats have in store would actually be far worse. Where in 1976 no tax was due until an asset was eventually sold by an heir, current proposals could result in a tax bill due in the year of that person's death.

As is often said, and with a lot of truth to it, farmers are land rich and cash poor. This means it is unlikely for a decedent's estate to have cash on hand to satisfy a six-figure tax bill. Now, as a result, all or portions of a family farm might have to be sold to satisfy an oversized tax bill.

This would endanger the continuation of family farms from one generation to the next, and it would devastate rural communities along with it because, you see, most people, if you invest in farmland, you don't invest today because you are going to sell it tomorrow; you invest in it to work it and you work it for a generation and you pass it on to the next generation.

Now, we had one recent study that found subjecting paper gains to a tax at death could cost as much as 80,000 jobs each year over the next decade.

So I say to my Democratic colleagues, pursue this policy at your own peril. I assure you, farmers, ranchers, and small business owners are paying close attention. If you aren't, you better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I have the privilege of representing Kansas in the U.S. Senate and Kansas and especially the opportunity, the privilege of representing farmers and ranchers. It is a huge component of our State's economy and a significant way that we live our lives. Agriculture has molded the nature of our State generation to generation.

In agriculture, farming and ranching is one of the few remaining professions where sons and daughters still can work alongside moms and dads. They can work alongside their grandparents.

I still remember a video that a farmer proudly showed me of him and three generations of his family, so four total—him and three other generations—cutting wheat in Kansas one July summer and how proud he was to look out and see that his son was in one combine, he was in another, his father in another, his grandfather in another.

Family farming and ranching is not just important for food production. We are productive in that family farm setting. It is not just important for food production for our country and for the rest of the world, but it also is important for us in preserving our values and principles which are passed down from generation to generation.

The love of life, respect for others, the joy of earning a living, the idea that what you do every day has a consequence in feeding the world—those characteristics of Kansas farmers need to be around for the country not only today but into the future. But unfortunately, the tax-and-spend spree, the Democrats' tax proposal, is a direct assault on multigenerational farms and ranches in Kansas and across the country. These proposals threaten the ability of producers to be able to pass on their operations to that next generation.

I have watched farmers talk to their kids about where the future lies for them, and sometimes it is positive in the sense that there is hope for a bright future, and at other times, in difficult days in agriculture, it is the worry about whether or not the next generation can afford to be on that farm.

For the past century, this thing called stepped-up basis—so that the value of a piece of property for its inheritance tax purposes is valued at the date of the death of the person—the farmer in this case and rancher in this case. For this past century, stepped-up basis has been a cornerstone of our Tax Code, and it has protected family farms and ranches in their plan to transition to the next generation.

Farm- and ranchland have tripled in value since the late nineties, so even a second generation, somebody currently just now coming to the farm because of the death of a parent, could be devastatingly impacted.

For example, a 2,000-acre farm purchased in the midnineties in Kansas by a first-generation producer—kind of a typical-size farm, particularly in western Kansas. Even with a modest capital gains exemption, the inheriting farmer, the son or daughter, could face a tax liability close to a fourth of the present-day value of the land.

To keep the farm in operation to satisfy the tax liability, the son or daughter inheriting the farm would be faced with the difficult decision of either to sell a significant portion of the land that was farmed by their parents or take on even more debt in a business that is faced with increasingly tight margins. The damage would only get

increasingly worse for family farms and ranches passed down through additional generations.

If the proposed changes in stepped-up basis are implemented, the big farms will get bigger by purchasing land from the smaller operations unable to meet that tax liability. The consequences would certainly be felt by the small farmer and his or her family, who are forced to sell the land, but also throughout the entire rural community in which the farms are built around.

We need those family farmers on land in Kansas producing food, fiber, and fuel for the well-being of our country and its economy, but we need them especially for the well-being of the community's future. In the absence of those family farmers and their kids, the family ranchers and their children, the ability to keep a grocery store, to have a farm store, to have an implement dealership, to support the local bank, to pay the taxes for the school—we lose those things when we lose family farmers.

Our farmers and ranchers should not be forced to shoulder the Democratic trillion-dollar spending spree to expand social programs. Our Tax Code should work for American families, not against them, and especially for family farms and ranches that often lack the cash flow to make ends meet.

I urge my colleagues, my Democratic colleagues, to reject imposing taxes, to changing the issue of stepped-up basis that is so valuable and viable for farmers' and ranchers' future, and it would endanger their ability to pass on land to the next generation of producers. It would be a bad thing for the farmers and ranchers and their families, it would be a bad thing for the community in which they live, and it would be a terrible thing for our Nation.

I yield the floor.

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

Mr. BLUNT. Mr. President, a lot of time when people come to Washington, they come up with ideas for new policies, and they have a theory of how those policies are supposed to work. What they don't always know are the unintended consequences of what that law is going to produce. As a matter of fact, I have said on occasion that the most certain thing that will happen when we pass a law is unintended consequences, and I haven't been proved wrong very many times on that.

The unintended consequences are things that nobody saw coming. They are things you didn't expect to happen the way they did. Smart people writing the laws may do all they can to anticipate everything they can, but there is always something never thought of. So it is helpful to have information that tells us what the consequences are likely to be.

The topic we are talking about here today is filled with intended consequences if you look just beyond the

comment you are making at the impact it is going to have.

In this case, the proposed laws are a couple of ideas my Democratic colleagues have as to how to pay for the spending spree they are on right now. The tax-and-spend plans include a lot of bad ideas, but two of the tax ideas are particularly bad and will have particularly devastating impact.

First is a proposal from Senator SANDERS to raise the death tax on farmers and ranchers, to change the exemption and do things that simply raise that tax. The second would be to impose the double-death tax by eliminating what Senator MORAN was just talking about, the stepped-up basis in calculating how much families have to pay.

The research tells us what we can expect to happen if these two bills pass. Research was done at the Texas A&M University that looked at a representative group of 94 farms in 30 States. You can look at this research. You can verify my facts. With 94 farms, 30 States, they found that under current law, 2 of those 94 farms could expect to be hit by a big death tax when the farm goes from one generation to the next. But if the step-up basis tax hike proposed by President Biden and Democrats in Congress were enacted, the researchers found that 92 of 94 farms would be hit hard. The average additional tax liability would be \$726,000. So 94 farms; 30 States; 92 farms affected; the average tax, \$726,000. That is not the total taxes; that is just the additional taxes if these two bills pass.

If these tax hikes favored by the other side were allowed to pass, we would have 92 farms paying a higher tax bill. That average additional tax would add up to more than \$1.5 million. Many families would be forced to sell all or part of their farm. And these aren't families who are inheriting big stock portfolios or families who are inheriting multimillion-dollar beach houses. They are not families who focus on every way you can think of to cheat the tax law. They are not billionaires looking for every way they can use a loophole. These are farmers and ranchers who have put their lives into the effort to make their farms work.

I will point out also that these same statistics would apply to many small businesses. Give this same speech for small businesses with many of the same considerations.

According to the Missouri Department of Agriculture, our State has 95,000 farms. They cover two-thirds of the State's total land acreage. The average Missouri farm is 291 acres, and almost all of them are owned by families. Between the investment there and the efforts that have been made, those families can be devastated in what they have worked hard to put together.

So for my friends on the other side of the aisle, I point out that unintended consequences are one thing, and unintended consequences often happen, but here we know what the consequences

are. So if these bills pass, this is intended consequences to make a big difference for family farms, for ranches, and, frankly, for small businesses as well.

I hope my colleagues will not go forward with these tax hikes on family farms. We know what damage it will cause. It is easy to verify. Don't make the family sell the farm. Don't make the small business sell the farm to a bigger business. Don't make these mistakes that have clear and intended consequences if this is what the Senate and the Congress will do.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise today to join my good friend from Arkansas, JOHN BOOZMAN, who is the ranking member on our Ag Committee. He has organized this colloquy that we have to talk about how important it is that we support our farmers and ranchers. I mean, in my home State of North Dakota right now, we have terrible drought, and our farmers and ranchers are up against it. I think the Presiding Officer—I think in your State, you are having real drought as well.

So it is a tough time for our farmers and ranchers, and we need to be out there doing everything we can to help them and support them, but instead, the Biden administration is looking at tax increases. That is going to be a big, big problem for them. So we are here today to talk about that.

Our farmers and ranchers produce the highest quality, lowest cost food supply in the world, and they continue to navigate bottomed-out commodity prices, complex global trade uncertainties, unpredictable weather, as I said, including drought this year in North Dakota and across much of the West, and also the COVID pandemic. So they have been dealing with all of these things.

Throughout these numerous challenges, our producers have continued to put food on the shelves at supermarkets and on the tables of families around the world, not just in this country but around the world. In this country, every single American benefits every single day from what our farmers and ranchers do, and that is, produce the highest quality, lowest cost food supply in the world.

Yet, rather than help improve the economic outlook for our producers and strengthen our ag supply chain, the Biden administration has put forth tax-and-spend policy proposals that would further increase the cost of food production, harm family farmers and ranchers, and reduce our economic growth, all as we are working to recover from the COVID-19 pandemic.

The trillions that Democrats in Congress have already spent this year have led to a \$2.2 trillion deficit through the first 9 months of the fiscal year, and we are on track to end the year with a deficit of more than \$3 trillion, the second largest deficit since World War II. With

our national debt already at \$28 trillion, we simply cannot afford to spend more.

The American people are beginning to feel the impact of those spending policies. The prices of consumer goods are increasing at the fastest rate since 2008. Just last week, the Department of Labor released data showing that inflation has increased to 5.4 percent, the largest year-over-year gain since 2008. This includes farm country, where producers are facing increased costs for everything from fertilizer to fencing supplies, to combines and tractors.

As we watch inflation grow faster than American workers' paychecks, wiping out wage gains and leaving American families behind, the Biden administration is planning an even larger, \$3.5 trillion tax-and-spend package that will bring economic harm to American workers, small businesses, and farmers and ranchers.

For example, the Biden administration and Democrats in Congress have proposed to eliminate stepped-up basis, a tax provision that prevents family-owned farms and ranches from being hit with a crippling tax bill when a family member passes away.

Under current law, when passing down a family farm or ranch to the next generation, the tax basis is stepped up to fair market value, preventing a large tax bill on the next generation of farmers.

In addition to increasing the tax bill on multigeneration farmers and ranchers, repealing stepped-up basis would add significant complexity to farmers' and ranchers' tax-filing process. In fact, when a Democratic Congress previously tried to repeal stepped-up basis in the 1976 Tax Reform Act, it was labeled by the New York Times as "impossibly unworkable." Congress at the time must have agreed because the provision was never implemented and was ultimately repealed 4 years later in 1980.

The impacts of a repeal of stepped-up basis would not only be felt by our farmers and ranchers, but it would also impact small businesses and their employees and supplementary services.

A recent report from Ernst & Young estimates the repeal of stepped-up basis would result in the loss of 80,000 jobs in each of the first 10 years after the repeal and the loss of 100,000 jobs in each subsequent year—80,000 jobs to 100,000 jobs.

Similarly, a study by the Texas A&M Agricultural and Food Policy Center determined that more than 97 percent of the representative farms in its 30-State database, including North Dakota, would be impacted by a proposal to eliminate stepped-up basis, with an average additional tax liability totaling nearly \$725,000 per farm.

While the administration claims these changes would impact only 2 percent of farms, they have provided no explanation or data to support those assertions.

With the average age of farmers in our country now nearing 60 years old,

now is not the time to burden the next generation of young farmers and ranchers with massive, complex tax bills.

In addition, the Biden administration has proposed to eliminate the use of 1031 like-kind exchanges, a provision that has been in the Tax Code since 1921, which allows farmers and ranchers to defer taxes on land transfers when they continue their investment in similar land assets.

Farmers and ranchers use the 1031 like-kind exchanges for many reasons. This includes consolidating land parcels to reduce time and money they spend moving equipment, supplies, and commodities from one place to another. Producers also consolidate cropland closer to their livestock barns, crop storage facilities, or even as part of the estate planning process to help young or beginning farmers join their business.

In short, in the middle of the recovery from a global pandemic, President Biden is proposing a massive tax-and-spend bill that will harm our economic recovery, increase the cost of consumer goods, reduce American competitiveness globally, and disproportionately hurt our small businesses, our farmers, and our ranchers.

Instead, we need to get our debt and deficit under control and ensure U.S. competitiveness in the global marketplace, while positioning our farmers, ranchers, and ag supply chain to continue to produce the highest quality, lowest cost food supply in the world.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Mr. President, in the last few weeks, I have been back home, and many, many people were finishing up wheat harvest. It is absolutely one of the joys of the entire year, when a year's work of hard work comes to fruition. Every corner of the State was speckled with combines, tractors, grain carts, and trucks, all doing their part in the harvest process. Inside those implements were fathers and sons, sisters, mothers, brothers, and my cousins, all working side by side to harvest the crop that will provide the financing for land payments, equipment loans, operating loans, and next year's inputs, like seed and fertilizer.

Now, agriculture is a capital-intensive industry, much more than I could have ever imagined. Harvesting wheat requires at least four different pieces of machinery, many costing \$250,000, \$500,000, or more each. It takes years for a farmer building up equity to purchase a new piece of equipment or land. And for many families, it is only by passing down the land and equipment that a family farm can remain viable. This is the only way a young farmer can truly survive.

Now, the common saying in Kansas is that farmers live poor but die rich. Across this great Nation, contrary to most people's beliefs, 98 percent of farms and ranches are family-owned—

98 percent, family-owned. Those families produce much of the food, fuel, and fiber we consume here in the United States and around the globe. These family farms, many in their fourth, like mine, fifth generation—and even sixth and seventh generation farms and ranches are out there now. They endure turbulent weather, inconsistent market conditions, and tight labor markets. It seemed like, growing up, a week never passed that my dad never looked at me and said: You know, farming has to be the biggest gamble there is in America.

In 2017, Republican-led government passed the Tax Cuts and Jobs Act, which provided sweeping tax changes to encourage private entrepreneurship and economic growth. Under the Tax Cuts and Jobs Act, the exemptions for the estate tax—as we call it, the death tax—more than doubled, keeping most family farms safe from redundant government taxation.

But now, the current administration and some of my friends across the aisle want to tax hard-working agricultural producers with the financing of their roughly \$5 trillion reckless tax-and-spending bill. I think President Eisenhower—or Ike, as we call him, a fellow Kansan—hit the nail on the head when he said: “You know, farming looks mighty easy when your plow is a pencil, and you’re a thousand miles from a corn field.”

First, they proposed not only eliminating stepped-up basis on realized property but also on unrealized assets at the time of the owner’s death. Their proposal would tax unrealized capital gains over \$1 million at ordinary income tax rates, which would be levied at the top marginal rate of 39.6 percent. That means the next generation inheriting land and equipment would have to pay taxes on the increase in value, even if the property is never sold.

Secondly, the administration has proposed lowering the exemption to the death tax from \$11.7 million, under the Tax Cuts and Jobs Act, to \$3.5 million per person and increasing the top tax rate from 40 to 45 percent. Consequently, a family farm commonly would have to sell off a third of their land to keep going from generation to generation. And the buyers, unfortunately, will be large corporations or foreign entities.

According to a report published by Texas A&M’s Agriculture and Food Policy Center, under current law only 2 of their 94 representative farms would be impacted by an event triggering a generational transfer of property—2 out of 94. To contrast this, up to 98 percent of their representative farms would see new higher tax burdens if certain parts of the administration’s plan were enacted.

From 1997 to 2020, in Kansas, crop-land values have risen 220 percent. In some parts of the United States, they have increased over 500 percent. If there was a 20-percent capital gains tax

on those valuation increases, the average Kansas farmer would have a new tax obligation of nearly a quarter of a million dollars. These numbers are simply unbearable.

I stop and pay homage to my grandfather and both of my grandfathers, who have had fourth and fifth generation family farms. These farms were bought in the early 1900s. Both farms have been in the family over 100 years. I would suppose my grandfathers paid less than \$100 per acre. Today, those farms maybe are worth \$1,000 or \$2,000 an acre. But if you can imagine the tax burden of trying to pass down that farm and pay for that stepped-up basis, for the tax on the increase of net property, it simply isn’t going to happen. None of us have brothers and sisters and cousins that have that type of cash available. We want to encourage the next generation to return home to the family farm, not tax them into bankruptcy.

America will see millions of acres of land and billions of dollars of equipment change hands over this next decade. While the current administration contests that only a small percentage of our farm families will be impacted by the proposed changes, all evidence really indicates otherwise.

The administration fails to consider the several realities of multigenerational farms, with some siblings staying on the farm and some selling their interest. Any changes to the estate tax and opportunities to pass assets from one generation to the next will lead to further consolidation in the ag industry, fewer young families returning home to their rural communities, and more rural Main Street businesses closing shop.

We can’t allow this administration to saddle our hard-working farming families with the responsibilities of funding their socialist agenda. Agriculture is still responsible for 40 percent of the Kansas economy. We must all do what we can to ensure our family farms have every opportunity possible to continue their way of life and bring the next generation back to the farm and keep rural America alive and well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mrs. HYDE-SMITH. Mr. President, I appreciate the opportunity to join a number of my colleagues representing farm States to sound the alarm to the millions of rural Americans who will be harmed by proposed tax changes outlined in the American Families Plan. Described as a plan to help American families, it would do the exact opposite for farm families across the United States.

The most concerning changes to the Tax Code include decreasing the estate tax exemption, increasing capital gains tax rates on transfers of property to heirs, and increasing taxes on appreciated assets, such as farmland, which has increased in value very significantly in recent years.

These misguided proposals fail to take into consideration the fact that farmers in general are highly vulnerable to these types of tax changes, as land and equipment comprise most of the farmer’s net worth.

If enacted, these tax provisions would strongly discourage and make it more difficult for our next generation to get into farming. The provisions would create significant hurdles from a financial perspective, to say the least.

With the average age of U.S. farmers being nearly 60 years old, do we really want to force surviving spouses or heirs to sell half of the farm they inherited simply to continue farming the land that has been passed down for generations?

Family farms are the backbone of American agriculture. Roughly 98 percent of all U.S. farms are family owned and operated. Whether you like large family farming operations or not, they account for 44 percent of total U.S. farm production annually. That is a staggering figure, given that American farmers contributed \$136 billion to the U.S. gross domestic product in 2019. These people who put food on our table and clothes on our back do not need to go out of business because they are being taxed at every turn, punished for their achievements and sacrifices.

Initial reports from the Biden administration suggested that the proposed tax changes I am discussing would have very little impact on America’s farmers and ranchers. However, recent research and analysis conducted by Texas A&M University paints a very different picture.

For instance, should the proposed capital gains tax changes and generational transfers become enacted into law, nearly all U.S. family farms would face higher taxes. Nationwide, the average additional tax liability per farm under the capital gains tax change would be \$726,104. Mississippi would be the State most heavily affected, with an average additional tax liability per farm of \$2.1 million. It is totally unbelievable.

Should the estate tax changes become law, recent analysis also determined that nearly half of all U.S. family farms would face higher taxes. The average additional tax liability per farm nationwide would be \$2.2 million, and the fifth most heavily impacted State would again be Mississippi, with an average additional tax liability per farm of \$4.6 million. That is totally incredible. As a former ag commissioner of Mississippi, I personally know these farmers and their families. This is truly unbelievable.

More than 3 years of net cash farm income would be needed to meet these additional tax obligations alone. That is simply unmanageable. I am perplexed as to why Democrats want to place the highest tax burden on one of the most economically challenged and socially disadvantaged States in the Nation, my home State of Mississippi.

Let's not forget that in rural America, the primary source of jobs and income are often associated with agriculture. It is the No. 1 industry in Mississippi, employing more than 17 percent of the State's workforce either directly or indirectly.

If family farms are taxed out of business, far more than the farmers will suffer. Low-income and minority populations across rural America will lose jobs and be forced to rely on government support. I hope this is not the underlying plan of my Democratic colleagues.

Let me be clear. For those who are willing to pay for reckless spending by punishing America's farmers and ranchers and everyone who relies on them, you will be doing far more than just that. You will be running off our next generation of farmers. You will be making it easier for large corporations owned by foreign adversaries, such as China, to buy up available farmland, and you will be ensuring that every American pays more for the food they eat and the clothes they wear. The list goes on.

I know there is a deep desire on the other side of the aisle to enact a reckless tax-and-spending spree that makes Americans more dependent on the Federal Government, but family farms cannot be caught up in the administration's punitive dragnet to find ways to pay for it.

Any changes to the Federal Tax Code should be geared toward supporting economic growth and helping the next generation keep these family-owned operations alive. I hope that we can all come to our senses on this.

I yield the floor.

NOMINATION OF BONNIE D. JENKINS

Mr. MENENDEZ. Mr. President, I rise today to express my support for the nomination of Bonnie Jenkins to be the next Under Secretary for Arms Control and International Security.

The position for which Ambassador Jenkins has been nominated is one of the most vital senior security positions in the Department of State. This individual is responsible for overseeing nuclear policy and nonproliferation efforts, directing U.S. arms sales and security assistance policy, dealing with the legacies of unexploded munitions and landmines, and orchestrating global cooperation among both allies and adversaries on critical national security issues.

As the United States is preparing for its first Strategic Stability Dialogue with Russia, which will occur later this month, it is absolutely critical we have a Senate-confirmed leader in the State Department to effectively compete with and confront Moscow's challenges to our national security. This meeting will set the tone for U.S. diplomatic efforts to limit Russia's nuclear arsenal, which is crucial at a time when we are also witnessing the initial stages of a

major build-up of Chinese nuclear forces.

I am pleased to be supporting Ambassador Jenkins's nomination for this position, and I am confident that her extensive experience in the State Department and her 22 years in the Air Force and Naval Reserves provide her with the type of background and knowledge required to meet the challenges that await her, if confirmed.

During the Obama administration, Ambassador Jenkins' spearheaded efforts to fight nuclear terrorism. She helped coordinate four nuclear security summits which sought to persuade nations around the world to secure vulnerable nuclear material that might fall into the hands of dangerous actors.

For over 20 years, she served as an intelligence officer in the U.S. Naval Reserves, retiring as a lieutenant commander. She also holds multiple degrees, including a Ph.D., a master of laws, a law degree, and a master in public administration.

Outside of government she has consistently empowered voices rarely heard in national security debates, providing a different but important perspective on how the United States should tackle the threats we confront.

The fact that Ambassador Jenkin's nomination, someone whose leadership is so essential to the State Department and to our national security, has languished on the Senate floor for 56 days is a travesty.

I urge my colleagues to support her nomination and make sure that this critical national security position is filled without further delay.

VOTE ON JENKINS NOMINATION

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

Mrs. MURRAY. 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. BENNET assumed the Chair.)

(Mr. HICKENLOOPER assumed the Chair.)

(Ms. BALDWIN assumed the Chair.)

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 275 Ex.]

YEAS—52

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

Van Hollen	Warnock	Whitehouse
Warner	Warren	Wyden

NAYS—48

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

The nomination was confirmed.

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

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 bill 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 proceed to Calendar No. 100, H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Charles E. Schumer, Alex Padilla, Jeff Merkley, Sheldon Whitehouse, Jon Tester, Christopher A. Coons, Benjamin L. Cardin, Jack Reed, Patrick J. Leahy, Tim Kaine, Tammy Baldwin, John Hickenlooper, Angus S. King, Jr., Tammy Duckworth, Patty Murray, Joe Manchin III, Mark Kelly, Kyrsten Sinema.

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 proceed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, 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.

The yeas and nays resulted—yeas 49, nays 51, as follows:

[Rollcall Vote No. 276 Ex.]

YEAS—49

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