

vote on the nomination without intervening action or debate, and if confirmed, the motion to reconsider be considered made and laid upon the table, all without intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The nomination was confirmed.

LEGISLATIVE SESSION

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

The PRESIDING OFFICER (Mr. KAINE). The Senator from Texas.

INVESTING IN A NEW VISION FOR THE ENVIRONMENT AND SURFACE TRANSPORTATION IN AMERICA ACT—Continued

Mr. CRUZ. Mr. President, I rise today to discuss the mammoth \$1.2 trillion infrastructure bill before the Senate.

On Sunday night, we finally got to see the 2,700-page infrastructure bill that we will be voting on sometime tomorrow or Saturday. And what we saw is that Democrats want to give billions of dollars to unelected bureaucrats in the Biden administration to spend however they please.

This bill spends \$21.5 billion to create a new office at the Department of Energy called the Office of Clean Energy Demonstrations, which would give President Biden's Secretary of Energy the power to use taxpayer dollars to invest in whatever green energy initiative she likes. Reminiscent of Solyndra, we can have the same bankruptcies at taxpayer expense.

This bill spends \$24 billion in taxpayer dollars to preserve the water in the San Francisco Bay, and the Long Island Sound would receive \$106 million in taxpayer dollars.

As the New York Times reported, "Climate resiliency programs would receive their largest burst of government spending ever" from this bill.

And the Wall Street Journal rightly called it "a major down payment on President Biden's Green New Deal." That is exactly what this bill is.

Furthermore, this bill institutes a new tax on 42 chemicals that will raise prices for everyday consumers. Texans will bear the brunt of these high prices because 40 percent of the manufacturing plants that this new tax will hit are in Texas alone.

But this tax will also hurt Louisiana and Michigan and Pennsylvania and Ohio and other manufacturing States.

Indeed, this provision will also likely make many of the raw materials used

in infrastructure projects more expensive.

I filed an amendment that would strike this harmful provision. Not only will manufacturing plants in Texas be hurt by this new tax, but for some of these plants, the new taxes will exceed profit margins, leading to plant closings and more and more manufacturing moving to China.

In effect, the loss of these plants would result in lower tax revenue to the Federal Government, not more. Imports would rise, U.S. exports would fall, and production in the United States would fall as well.

Ironically, this infrastructure bill also tries to grow more critical minerals manufacturing and personal protective equipment, or PPE, manufacturing in America. But it places a brandnew tax on both of these things.

PPE is made with many of the 42 chemicals this infrastructure bill now wants to tax, and four of these chemicals are on the Biden administration's own critical minerals list.

The old saying was: If it moves, tax it, and if it stops moving, subsidize it. Well, this bill taxes the things that we are trying to get moving in the first place.

This bill is also a liberal spending wish list. The fact of the matter is, this bill spends too much money, and it is not paid for. We are told that this bill would, in part, be paid for with \$205 billion in repurposed COVID relief funds. But when the bill text was released, magically, those funds weren't there. It became apparent, instead, that only about \$50 billion in COVID funds was being used to help pay for this bill.

Some have claimed that the bill is paid for, but, by any measure, the pay-fors are quite simply gimmicks. This is a bait-and-switch, and the bill is not paid for like we were promised.

At a time when we spent trillions of dollars already to combat a deadly pandemic, at a time when we are seeing rising inflation across the country, we can't responsibly be spending yet another trillion dollars. This bill is part of a much broader problem we are having with reckless Federal spending.

Furthermore, suppose this so-called bipartisan \$1.2 trillion infrastructure bill were being offered in exchange for the Democrats' massive \$3.5 trillion reckless tax-and-spend bill. In that case, I could understand the logic of doing the smaller bill instead of the massive bill. But it is not being offered in exchange.

The Democrats have made it clear that they are going to pass this infrastructure bill, take every penny of the spending, and then turn around and try to ram through their massive \$3.5 trillion tax-and-spend bill right on top of this, which means we are looking at about \$5 trillion of spending in just those two bills.

That means trillions of dollars in new taxes. If you pay taxes, they are going up. It means corporate taxes are going up; it means individual taxes are

going up; it means small business taxes are going up; it means capital gains taxes are going up; it means the death tax is going up—all while our debt is going through the roof and inflation is rising across the country.

Republicans shouldn't play a part in this. We should instead say enough is enough.

Look, the American people want good roads and good bridges. I want good roads and good bridges. But what this bill does is reminds me of the old swindler who says over and over again: I am going to sell you a bridge; I am going to sell you the Brooklyn Bridge—because the proponents of this bill are selling the same bridge over and over and over again. They go on TV, and they say: Bridges are popular. Roads are popular. You want roads and bridges; therefore, we have to do this.

So let's see what the actual spending looks like to understand the shell game that is being played.

This bill has about \$100 billion for roads and bridges. Do you know what? If the Democrats want to pass just that—\$100 billion for roads and bridges—I bet you could we get 90 Senators to agree with that. We could be done and go home this evening.

And let me remind my fellow Senators: \$100 billion is a lot of money. We aren't talking about \$5 at a soda machine in the hall. We aren't talking about \$100. We are talking about \$100 billion, which, in history, is massive spending. But compare that to the \$1.2 trillion in this bill. It is not Monopoly money. It is not make-believe money. It is taxpayer dollars, and it is money we are borrowing from China and debt that we are putting on our kids and grandkids.

The roads and bridges part of this bill, in the context of the larger spending free-for-all in Washington, is about one-eighty-sixth the explosive spending going on. Let's compare that to the overall spending going on in this bill and the total spending, so that it is not in a silo or a vacuum; it is all together.

The \$1.2 trillion infrastructure bill today is roughly 12 times the new spending on roads and bridges. So they are selling the roads and bridges, but the bill is 12 times bigger. But that ain't it. A few months ago, the Democrats rammed through a massive, so-called COVID relief bill. Only 9 percent of the bill actually went to healthcare spending for COVID.

That was \$1.9 trillion. So that was roughly 19 times larger than what is being spent on roads and bridges. Mind you, we keep being told: Roads and bridges are good.

That bill was 19 times that.

And then the massive \$3.5 trillion tax-and-spend bill that is coming right after this that the Democrats intend to ram through—that is 35 times the spending on roads and bridges. And when you add up the spending from December 2020 to now, with the Biden budget request, with the Democrats' tax-and-spend reconciliation proposal,

with this infrastructure bill, with the so-called COVID relief bill, and with the emergency spending in December, you hit a whopping \$9.5 trillion. That is 86 times the newest spending on roads and bridges.

You know, that is hard to wrap your mind around. These numbers all seem abstract—millions, billions, trillions. It is hard to know what you are talking about. So let's see if we can make it a little more real.

To understand the comparative size, let's take a look at the average American home, right here. The average American home is about 20 feet tall. Compare that to a giant sequoia tree, which is about 240 feet tall, 10 times as much. That is a lot.

But compare that to Big Ben, 380 feet tall. Compare that to Trump Tower in New York City at 700 feet tall. Compare that to One Shell Plaza, where I used to work, in Houston, TX. Or compare that to the Sears Tower, now called the Willis Tower. I don't know why. I like Sears. Compare that to the Sears Tower at 1,400 feet tall.

The Sears Tower is 70 times as tall as the average American house. The Democrats' reckless spending is more than 70 times what is being spent on roads and bridges.

So when you see politicians going on TV saying: Isn't it going to be great to have a new freeway? Isn't it going to be great to repair a bridge?—yes, we should do that—they are selling this. That is what they are selling—this tiny, little bit. But understand that what they are ramming through is this. They are ramming through trillions of dollars.

To give you a sense of what \$9.5 trillion means, if the Democrats get their way, Congress will be spending \$28,563 for every single American. So I ask you at home: Have you got 28 grand sitting around? The Democrats think you do, and they want to spend it.

I have said more than once: Dear God, please let nobody tell the Democrats what comes after a trillion.

These numbers are real. To put that in perspective, indexed for inflation, the U.S. Government spent \$4.1 trillion to win World War II—\$4.1 trillion to win World War II—the greatest generation, scaling the cliffs of Normandy, beating the Nazis. The Democrats, in 7 months, are spending more than double what we spent to win World War II.

This is reckless, and it is unprecedented. As Admiral Ackbar said in Star Wars, "It's a trap." This is a trap. This is a trap.

Now, listen, for Democrats, it is what they campaign on. If you are a Democrat, you want to raise taxes and raise spending. You want more debt from China. That is what Democrats do. But for Republicans—come on, guys—we are like Charlie Brown, with CHUCK SCHUMER being Lucy and the football. And you have Republicans happily running going: Oh, he is going to keep the football; he is going to keep the football.

And, every time, Lucy pulls the football back, and we go up in the air and land on our rear. It would be nice for Republicans not to fall for it again.

The Senate minority leader is fond of saying there is no learning in the second kick from a mule. Well, there are a whole lot of Republicans that seem eager to get kicked a second time from a mule. The spending that we are looking at—I want to repeat again—is more than double what the United States spent to win World War II, in 7 months.

If you care about your kids, if you care about your grandkids, that is irresponsible. And let me tell you something it is causing. It is causing inflation across this country. You know, families at home—in Texas, in Virginia, across the country—families go to the grocery store, and they buy food for that week. They buy milk. They buy cereal. They buy fruit. They are noticing the cost of groceries going up and up and up. You get to the cash register, and, gosh, that costs a lot more than it cost a month ago, and it costs a lot more than it cost 3 months ago, and it costs a lot more than it cost a year ago.

Then when you go out and fill up your car with gas, you notice the cost has gone way, way up. And then maybe you go with your daughter to Home Depot to buy some lumber. And you look at the prices of the lumber, and you think: Is this a typo? How did these prices go so high?

And then maybe you go to buy a new house, and you see the prices of a new house—the average new house—going up \$20,000 to \$30,000.

In the last decade or so, we have been living in a little bit of a holiday from history. Inflation has not been a major factor for many people. Particularly many young people don't know what inflation is. Mr. President, you and I are both old enough to remember the 1970s. We remember the Jimmy Carter Presidency. We remember double-digit inflation. We remember 20 percent home-mortgage rates.

Inflation is a cruel tax. It is a tax on the middle class. It is a tax on working men and women. It is a tax on anyone with a fixed income. And it is a tax, in particular, on seniors. Millions of seniors across this country, on Social Security, struggling to make ends meet, their income isn't going up. But thanks to the Democrats' reckless spending and endless printing of money, their expenses are going up each and every month.

This is wrong. This is harmful. The inflation bomb we are facing is hurting Americans.

In a perfect world, I would ask my Democratic colleagues to reconsider. How about we spend just what we spent on World War II, not twice as much. In a perfect world, that might seem like a reasonable proposition. Actually, in a perfect world, anyone would say you are out of your mind to spend what you spent on World War II.

But I am not naive enough to think that Democrats are suddenly going to

see the light. I hope, though, at least some Republicans will. If you vote for this monstrosity, it will open the door to trillions more. That is harmful for our country.

And if you are being told it is all about roads and bridges, just remember the one little house we saw. Roads and bridges are one-eighty-sixth of the total spending that is being rammed through. These trillions are 86 times more. We can't afford it. It is irresponsible, and I urge every Senator to say: Enough is enough. Stop the madness.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I would ask unanimous consent to speak as if in morning business.

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

REMEMBERING RICHARD TRUMKA

Mr. CASEY. Mr. President, I rise this afternoon, almost the evening now, to reflect on the sad news that we received today that Rich Trumka, the president of the AFL-CIO, passed away today.

I wanted to try to provide some perspective, at least from my vantage point as a Pennsylvanian, because he was a son of Pennsylvania, born in Southwestern Pennsylvania, in Greene County.

Greene County, for those who don't know where it is, is in the furthest southwestern corner of our State, the corner where Pennsylvania, Ohio, and West Virginia meet.

Rich Trumka was a man who fought his whole life in the cause of justice, fighting on behalf of working men and women. Before he became president of the AFL-CIO, obviously a national position, he also, as a very young man—I think he might have been 32 at the time—served as the president of the United Mine Workers of America, that union. And that was during a very difficult time for coal miners and their families.

And then, in that position and in so many others, he fought for workers everywhere, literally the world over—not just here in America but workers in South Africa and other parts of the world.

So to sum up what he meant to this country is difficult, but I think it can be said of Rich Trumka that he spent every day of his adult life advancing the cause of justice: the cause of justice for workers; the cause of economic justice, social justice, and racial justice. He dedicated his life in service to American workers and their families.

I wanted to reflect a little bit about two parts of his life: first of all, his roots and then, secondly, his work and his contributions.

I mentioned that Rich was a native of Greene County, PA—Southwestern Pennsylvania—a coal county. He was not just a miner himself as a young man, before and actually overlapping, really, getting a degree at Penn State and then eventually getting a law degree at Villanova University, but he

worked in the coal mines himself. He was a third-generation miner. Both his father and grandfather and uncles—just like any coal-mining community, virtually everyone was working in the mines.

The town that he was born in and raised in goes by the name of Nemaquin, PA, in Greene County, right on the Greene County-Fayette County border. And it was that kind of community, a coal-mining community, as was most of Greene County in those days.

I think of this community from the perspective of my own ancestors' background. I come from the other end of the State, all the way up in the northeastern part of the State—Scranton, Lackawanna County, Northeastern Pennsylvania, also a coal community. Lackawanna County, Luzerne County, Carbon County, Susquehanna County, Northumberland County—I may have left one out, but they were the main counties that were producing anthracite coal, hard coal. Where Rich and his family were living was so-called bituminous coal—soft coal, as they used to call it.

In 1894, the great novelist Stephen Crane, who is famous for, among other novels, "The Red Badge of Courage"—Stephen Crane visited a coal mine near my hometown of Scranton, and he was, at the time, a very young man. I think he passed away before the age of 30. So he was in his twenties when he wrote a long essay about visiting this coal mine, a beautiful description but a haunting description of what a coal mine was like in 1894.

Now, when Rich Trumka went into the mines in the late sixties, of course, there were great advancements to protect workers, new technology, other protections that his ancestors and mine would not have benefited from. But you are still going underground. You are still going every day into that darkness, into that place of so many risks, what Stephen Crane called a place of "inscrutable darkness, a soundless place of tangible loneliness."

That is how he described his first impression of a coal mine, when Crane was just in his twenties. Later, he described all the ways you could die in that coal mine, what he called the 100 perils of dying in a coal mine. Of course, this is in the context of the 1890s, but he said:

There is an insidious, silent enemy in the gas. If the huge fanwheel on the top of the earth should stop for a brief period, there is certain death. If a man escapes the gas, the floods, the "squeezes" of falling rock, the cars shooting through little tunnels, the precarious elevators, the hundred perils, there usually comes to him an attack of "miner's asthma" that slowly racks and shakes him into the grave.

He was talking about pneumoconiosis, what they used to call miner's asthma in the old, old days.

Rich Trumka understood that. His own family members had died from that same cause of death. It wasn't some theory or some passage he read in

a history book or even a passage that he might have read from Stephen Crane. He lived it. His father and his grandfather and his extended family and his community lived it.

And that awareness, that understanding of danger in the workplace, that understanding of suffering that workers still face today—in a different context but certainly faced in a coal mine all those years ago—is part of who he was. And to understand Rich Trumka and his contributions to American working men and women, you have to understand where he came from, those roots.

So I am thinking about that today because of the connection to my own region of Pennsylvania; really, the connection to my own family. I am far removed from it. We had, I guess, four generations before me working the coal mines, but it kind of stopped when my grandfather worked there as a child and then was able to escape the mines.

These were people who not only understood labor and suffering and contribution to their community, these are people who kept their promises. That is why we fought so hard just a couple of years ago—the Presiding Officer was one of the people waging this battle—to get healthcare benefits for retired miners. They waited year after year after year, when we finally had a breakthrough. And one of the arguments we were making is, these miners had kept their promise. They were told by their country, by their government—the Federal Government—that those benefits would be there for them. And the Federal Government was not, at that time, keeping its promise.

You had miners who had kept their promise to their country—sometimes serving in combat and World War II or the Korean war or Vietnam and Iraq and Afghanistan—but also keeping their promise to their employer to work every day in the most dangerous job in the world, and, of course, they kept their promise to their family.

So Rich Trumka knew what it meant to make a commitment and to keep your promise, to never break faith with those to whom you had made the promise. And that is why workers all over the country trusted him. They knew that he came from them, that he understood their struggles, and that he kept his promises. So to understand the life of Rich Trumka and what he meant to this country, what he meant to workers, you have to understand his roots in the coal mines.

How about his work? Well, it was a lifetime of fighting battles tooth and nail for workers, first for coal miners and then for workers across the board, represented by the AFL-CIO.

And there is no way, if I had a half an hour or several hours—there is no way I could encapsulate his work leading the AFL-CIO. So I won't try to do that. But suffice it to say, if there was a battle on healthcare or pensions or the minimum wage or the right to organize and bargain collectively, Rich Trumka

was at the center of it, often the leader of all those battles, and it is noteworthy—and this, of course, applies to Rich Trumka but also any labor organization or any labor leader—often fighting battles for the rest of us, battles that they had already won. Rich Trumka was trying to preserve the protections of the Affordable Care Act, and yet as the leader of the AFL-CIO, unions have already bargained and negotiated for healthcare benefits. But he knew that other people who were not members of a union needed that protection, needed the protection and the security that a family would need that the Affordable Care Act would provide.

The minimum wage, another example. Unions had already bargained for their wage—in almost every instance, higher than minimum wage. But there they were, and there he was, Rich Trumka, on the street, marching and battling for an increase in the minimum wage, even though his entire membership already had a higher wage, always helping those who didn't have power.

It is difficult on a day like today to be comprehensive in a recitation of all that Rich Trumka contributed to working men and women and, by extension, our country.

But I think our best tribute is not what we will say in a floor speech or in a statement or even in a eulogy, as important as those words are, as important as it is to pay tribute—maybe the best tribute of all that we can contribute, that we can offer in memory of Rich Trumka, is to keep up the work, to pick up the banner and keep marching, keep fighting. And we have one of those opportunities in the next few months in the opportunity that presents itself in the form of a piece of legislation that Senator MURRAY talked about from the floor today and she has led the fight on—the PRO Act, the Protecting the Right to Organize Act, that Rich Trumka spent his whole life—or, I should say, the most recent years of his life trying to enact into law. Our tribute to him should be to pass that piece of legislation.

Let me conclude with condolences for Rich's family, especially his wife Barbara and his son and the men and women of the AFL-CIO who have lost a leader but, more importantly, have lost a friend, someone who would walk with them in every battle. May it be said of all of us that we will walk those same battle lines with him.

With that, I will yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I ask unanimous consent that Senator SHAHEEN and I be allowed to engage in a colloquy.

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

H.R. 3694

Mr. WICKER. Senator SHAHEEN, the Portman-Sinema substitute provides in title 1 of the division on broadband that "[n]othing in this title may be

construed to authorize the Assistant Secretary or the National Telecommunications and Information Administration to regulate the rates charged for broadband service.”

It is my understanding that an agreement was made among the bipartisan group that no rate regulation of broadband services would be authorized or permitted by NTIA or the Assistant Secretary who leads the NTIA, as part of the State broadband grants program.

Is it the Senator’s understanding that the language I just quoted accomplishes that goal?

Mrs. SHAHEEN. Senator WICKER, that is my understanding.

Mr. WICKER. I thank the Senator.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 2498

Ms. LUMMIS. Mr. President, I want to say a few words about the Wyden-Lummis-Toomey amendment that is ready before the Senate to vote on tonight.

America is, at its core, a country of innovators. It is written into our DNA. It is why we were the first country to develop a computer, land on the Moon, and develop the internet.

Right now, our financial system is evolving before our eyes, much in the same way that the internet first began to find a foothold in the mid-1990s. Distributed ledgers, digital assets, and other forms of financial technology are in the early stages of transforming the way we share and store value.

These technologies have the potential, if implemented properly, to create a vast, new economic opportunity, reduce systemic risk in our economy, and provide for faster payments and create a more inclusive financial system. These are principles that all Americans can agree on.

America has a heritage of being the global leader in financial services, and this has created enormous wealth and opportunity in this Nation. But we must be careful not to rest on our laurels. America’s leadership in the global economy is a privilege, not a right, and one we must earn through innovation and hard work.

Europe, China, Singapore, and other nations have a head start on the United States in implementing financial technology and integrating it into their economies. We have a window to catch up because the U.S. dollar is still the world’s reserve currency and because our central role in payments and the capital markets put us there. But let’s not make a mistake here; we still have a lot of catching up to do.

The digital asset reporting provisions in the infrastructure bill is one of the first times the Senate has been required to grapple with the opportunities and risks of digital assets.

I thank Senator PORTMAN for bringing attention to this very important issue: the issue of ensuring tax compliance in the digital asset markets. Everyone should be paying the taxes they

owe under the law, and I support the spirit of this provision.

I also want to thank Senator PORTMAN for his willingness to work with me over the last week to make changes to the language currently in the bill. It has come a long way. But even with these changes, it isn’t quite ready to become law.

The Wyden-Lummis-Toomey amendment is very simple. It clarifies in law what most of us already believe, that validators of distributed ledger data like miners and stakers, hardware wallet providers, and software developers should be required to report transactional data to the Internal Revenue Service. This is common sense.

The most important thing this amendment does is say in plain English what the law means. This is so important to startups, small business owners, and ordinary Americans who want to take a risk on their ideas. In many cases, these Americans can’t hire a fancy lawyer to tell them what a complicated law means.

The amendment makes clear that Congress is about to have a really important debate on the legal status of digital assets as securities or commodities and the appropriate regulatory framework in which to house digital assets.

We must make sure that the validators of distributed ledger assets—like miners and stakers, hardware wallet providers, and software developers—are not in a position to report transaction data to the Internal Revenue Service.

Mr. President, this amendment is the first step in a long journey towards America renewing its commitment to innovation and retaining its role as the leader in the global economy. This is why Chairman WYDEN, Ranking Member TOOMEY, and I brought this amendment forward. It is because we care deeply about the future of American innovation, and we want to see thoughtful debate and good public policy around these issues.

I am very thankful to Chairman WYDEN, Ranking Member TOOMEY, Senator SINEMA, Senator PORTMAN, and others for allowing us to have this debate today. It will be the first of many in the coming years.

I urge my colleagues to thoughtfully consider Senate amendment No. 2498 and to support it when it comes up for a vote.

I yield the floor.

The PRESIDING OFFICER (Mr. OSSOFF). The majority leader.

H.R. 3684

Mr. SCHUMER. Mr. President, we are working on an agreement. As you know, we have been working all day, but we aren’t there yet as work continues on the agreement. I am filing cloture on both the substitute and the underlying bill for a Saturday vote. If we come to an agreement yet tonight, which is our preference, we will have additional votes on amendments. I believe we are very close to an agreement

and see no reason why we can’t complete this important bipartisan bill. I urge both sides to continue working diligently to make it happen.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Sinema substitute amendment No. 2137 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, Thomas R. Carper, John Hickenlooper, Jon Tester, Richard J. Durbin, Joe Manchin III, Kyrsten Sinema, Jeanne Shaheen, Angus S. King, Jr., Mark Kelly, Chris Van Hollen, Tammy Baldwin, Benjamin L. Cardin, Margaret Wood Hassan, Sheldon Whitehouse, Amy Klobuchar, Christopher A. Coons, Mark R. Warner, Patrick J. Leahy.

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Mr. SCHUMER. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, Thursday, August 5, be waived.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that if cloture is invoked on Executive Calendar No. 50, the Lee nomination, all postcloture time be yielded back and that notwithstanding rule XXII, the Senate vote on confirmation at a time to be determined by the majority leader in consultation with the Republican leader, not before Saturday, August 7, 2021; that if confirmed, the motion to reconsider be considered made and laid upon

the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

CLOTURE MOTION

Mr. SCHUMER. I ask that the Senate vote on cloture as under the previous order.

This vote—I know that Members are probably not all here right now, so we will keep it open for a little while. I urge Members to get here soon.

The PRESIDING OFFICER. 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 the debate on the nomination of Executive Calendar No. 250, Eunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit.

Charles E. Schumer, Tammy Duckworth, Christopher Murphy, Richard Durbin, Christopher A. Coons, Sheldon Whitehouse, Tim Kaine, Tammy Baldwin, Tina Smith, Elizabeth Warren, Martin Heinrich, Richard Blumenthal, Margaret Hassan, Raphael Warnock, Kirsten Gillibrand, Jacky Rosen, Patrick Leahy.

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 Eunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit, 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. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 308 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	Braun	Collins
Blackburn	Burr	Cornyn
Blunt	Capito	Cotton
Boozman	Cassidy	Cramer

Crapo	Lankford	Sasse
Cruz	Lee	Scott (FL)
Daines	Lummis	Scott (SC)
Ernst	Marshall	Shelby
Fischer	McConnell	Sullivan
Grassley	Moran	Thune
Hagerty	Murkowski	Tillis
Hawley	Paul	Toomey
Hooven	Portman	Tuberville
Hyde-Smith	Risch	Wicker
Inhofe	Romney	Young
Johnson	Rounds	
Kennedy	Rubio	

NOT VOTING—1

Graham

(Mr. PADILLA assumed the chair.)
(Ms. BALDWIN assumed the chair.)
The PRESIDING OFFICER (Mr. KING). On this vote the yeas are 50, the nays are 49.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Cloture having been invoked, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Eunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, now we have worked long, hard, and collaboratively to finish this important bipartisan bill.

The Senate has considered 22 amendments during this process, and we have been willing to consider many more. In fact, we have been trying to vote on amendments all day but have encountered numerous objections from the other side.

However, we very much want to finish this important bill, so we will reconvene Saturday at noon to vote on cloture, and then we will follow the regular order to finish the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Ms. SINEMA. Mr. President, I rise in support of the majority leader's comments, and I want to commend my colleagues for the work we have done together in a bipartisan fashion over the last 4 days, considering and clearing 22 amendments as a body together in the Senate.

And while we were unable to agree on additional amendments today, I do also look forward to us reconvening together on Saturday and proceeding under regular order to finish what will be a historic piece of legislation both in its bipartisan nature and in the impact it will have on our country.

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

The PRESIDING OFFICER (Mr. KELLY). Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar No. 143, 144, 145, and 272; 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 statements related to the nominations be printed in the RECORD and that the President be immediately notified of the Senate's actions; and that the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Thereupon, the Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nominations of Jose W. Fernandez, of New York, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years; United States Alternate Governor of the Inter-American Development Bank for a term of five years; Jose W. Fernandez, of New York, to be United States Alternate Governor of the European Bank for Reconstruction and Development; Jose W. Fernandez, of New York, to be an Under Secretary of State (Economic Growth, Energy, and the Environment); and Kathleen S. Miller, of Virginia, to be a Deputy Under Secretary of Defense (New Position), en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

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

MORNING BUSINESS

VOTING RIGHTS

Mr. LEAHY. Mr. President, it is alarming to know that voter suppression, which we have worked for decades to overcome, is not a ghost from our past. Suppression efforts are resurfacing—and surging—in State legislatures across the country. Voter roll purging, out-of-the-way polling stations, and needless barriers to accessing the ballot box are underway and under consideration in jurisdictions across the country. It cannot stand.

Under the guise of election integrity, even in the wake of the most secure election in our Nation's history, proponents of these suppressive movements make no effort to hide their targets: African Americans, Latino Americans, college students, low-income voters, the list goes on.