

on fossil fuel money, unfortunately, we have to do it alone.

We can't count on the fossil fuel industry to mend its ways. They have been at a decade of lying. They built this, an entire web of phony-baloney front groups all paid for with fossil fuel money—in the hundreds of millions, billions of dollars—to put out fake science, to hide who they are behind the dark money, behind these front groups. They ran an enormous corrupt scheme to fool Americans and block progress here in this building so that they could keep polluting. And now we are supposed to count on them? No way.

They still haven't come clean about their years of funding denial, and they won't come clean. Guess why. Because they are still at it. Their CEOs will say one thing at a press conference, but this machine of disinformation and obstruction—this machine is still funded, and it is still rolling. So you can't count on the fossil fuel industry to change its ways.

Third, unfortunately—and I really hate to say this—you can't count on corporate America. They are full of great statements. CEOs go to the business roundtables, and they go to the Climate Leadership Council, and they go to C2ES. They join series and talk about their support for climate and how it is urgent and how they support carbon pricing. But when it comes to the levers of power here in this building, forget about it. They have built the most powerful lobbying and electioneering apparatus in our country's history. Trade association after trade association, business group after business group—not one has been switched on to do anything about climate.

By the way, when it is a CEO giving a press conference in New York, but that trade association is saying nothing or "Don't do it," guess who people listen to here in Washington. They listen to that trade association. They know what greenwashing is, and they know when corporate America is serious. At this moment, no major trade association is taking any interest in climate action.

The chamber of commerce—nothing. They are embroiled in a long conversation with members of theirs who are fed up with their climate denial, but they have done nothing.

The National Association of Manufacturers—also nothing. They were recently the two worst climate obstructers in America. Have they changed their direction? No. Now they are just climate obstruction light, climate obstruction 2.0.

Look at API, the American Petroleum Institute. This one is pretty funny. They come out and they say they support carbon pricing. They are going to support putting a cost on pollution, on greenhouse gas. And then we come out of the Budget Committee and we announce, as Leader SCHUMER did, that we are going to actually price methane, another greenhouse gas—an

even more potent greenhouse gas and actually kind of a dangerous one—so, uh-oh, suddenly it looks real. Somebody might actually price methane. And what did API to? Came out against it.

Now, you tell me how you can be for pricing a milder greenhouse gas in order to help address climate change but against pricing an even more toxic chemical to help solve climate change. It makes no sense. The only way you can reconcile those two things is with the statement of the Exxon lobbyists that the only reason the industry is talking about carbon pricing is because it doesn't think it is going to happen. It is another fake. It is another scheme. It is another denial and obstruction—in this case, probably 5.0.

The American Bankers Association. You read from central banks around the country warnings about the economic crash that is going to happen if we don't get ahead of the climate problem. Those are the central banks' warnings, but what did the American Bankers Association have to say to us? Nothing.

Insurance companies are screaming about the risks that they are facing now from worse hurricanes, worse flooding, worse droughts, worse wildfires; claims going up, difficulty anticipating what risks are, and hard-to-price insurance. Yet where is the American Insurance Association? Silent.

Freddie Mac has warned us that there is going to be a coastal property values crash as those sea levels rise and, as you can predict, that that home is going to be literally under water in the 30-year mortgage period, not just figuratively under water—so no mortgage, no insurance, no market; hence, our property values crash.

And where is the Realtors Association? Where are the American Home Builders? Silent.

The American Beverage Association. Oh, Coke and Pepsi talk a really big game. What is the American Beverage Association doing on this? Nothing.

And all those big barons out in Silicon Valley are represented by a group called TechNet. A year ago, they didn't even mention climate change in their lobbying materials. They didn't even mention clean or renewable energy, and they have clean and renewable energy companies in their membership.

So we cannot count on corporate America to take climate change seriously here, where a solution is needed. So this is on us.

And I will tell you, we intend to—I intend to—meet the moment. And there are those out there who will grouse and complain. And to you, I say: Too damned bad. You have had years to help, and you did nothing or worse. So you have lost your right to complain.

But under pressure of the facts and the realities of what is going on around us, under pressure of the warnings about this being irreversible, unequivocal,

and unprecedented, we are going to act. We are going to act.

And I don't want to hear your complaining because you had a decade to come in and try to do something about this and you shirked your responsibilities for a decade, you funded trade associations that were doing nothing, you funded these creepy front groups that were attacking us on climate change. So you lost your right to complain.

And in the next 6 or 7 or 8 weeks, as we go through building this reconciliation instruction, we aren't just going to address climate change, we are not just going to do more than has ever been done before; we are going to get on a safe pathway for this country and for the planet.

Because I will tell you, "more than we have ever done before on climate" is a pathetically low bar because, for a decade, thanks to the fossil fuel industry and its web of denial and its control over the Republican Party, we have done nothing on climate.

So we have got a lot of catching up to do. Reconciliation gives us the chance to do it. I pray to God that we meet the moment.

I yield the floor.

#### K-12 CYBERSECURITY ACT OF 2021

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 107, S. 1917.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1917) to establish a K-12 education cybersecurity initiative, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which was reported from the Committee on Homeland Security and Governmental Affairs.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 1917) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1917

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "K-12 Cybersecurity Act of 2021".

#### SEC. 2. FINDINGS.

Congress finds the following:

- (1) K-12 educational institutions across the United States are facing cyber attacks.
- (2) Cyber attacks place the information systems of K-12 educational institutions at risk of possible disclosure of sensitive student and employee information, including—

(A) grades and information on scholastic development;

(B) medical records;

(C) family records; and

(D) personally identifiable information.

(3) Providing K–12 educational institutions with resources to aid cybersecurity efforts will help K–12 educational institutions prevent, detect, and respond to cyber events.

### SEC. 3. K-12 EDUCATION CYBERSECURITY INITIATIVE.

(a) DEFINITIONS.—In this section:

(1) CYBERSECURITY RISK.—The term “cybersecurity risk” has the meaning given the term in section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659).

(2) DIRECTOR.—The term “Director” means the Director of Cybersecurity and Infrastructure Security.

(3) INFORMATION SYSTEM.—The term “information system” has the meaning given the term in section 3502 of title 44, United States Code.

(4) K–12 EDUCATIONAL INSTITUTION.—The term “K–12 educational institution” means an elementary school or a secondary school, as those terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(b) STUDY.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Director, in accordance with subsection (g)(1), shall conduct a study on the specific cybersecurity risks facing K–12 educational institutions that—

(A) analyzes how identified cybersecurity risks specifically impact K–12 educational institutions;

(B) includes an evaluation of the challenges K–12 educational institutions face in—

(i) securing—

(I) information systems owned, leased, or relied upon by K–12 educational institutions; and

(II) sensitive student and employee records; and

(ii) implementing cybersecurity protocols;

(C) identifies cybersecurity challenges relating to remote learning; and

(D) evaluates the most accessible ways to communicate cybersecurity recommendations and tools.

(2) CONGRESSIONAL BRIEFING.—Not later than 120 days after the date of enactment of this Act, the Director shall provide a Congressional briefing on the study conducted under paragraph (1).

(c) CYBERSECURITY RECOMMENDATIONS.—Not later than 60 days after the completion of the study required under subsection (b)(1), the Director, in accordance with subsection (g)(1), shall develop recommendations that include cybersecurity guidelines designed to assist K–12 educational institutions in facing the cybersecurity risks described in subsection (b)(1), using the findings of the study.

(d) ONLINE TRAINING TOOLKIT.—Not later than 120 days after the completion of the development of the recommendations required under subsection (c), the Director shall develop an online training toolkit designed for officials at K–12 educational institutions to—

(1) educate the officials about the cybersecurity recommendations developed under subsection (c); and

(2) provide strategies for the officials to implement the recommendations developed under subsection (c).

(e) PUBLIC AVAILABILITY.—The Director shall make available on the website of the Department of Homeland Security with other information relating to school safety the following:

(1) The findings of the study conducted under subsection (b)(1).

(2) The cybersecurity recommendations developed under subsection (c).

(3) The online training toolkit developed under subsection (d).

(f) VOLUNTARY USE.—The use of the cybersecurity recommendations developed under (c) by K–12 educational institutions shall be voluntary.

(g) CONSULTATION.—

(1) IN GENERAL.—In the course of the conduction of the study required under subsection (b)(1) and the development of the recommendations required under subsection (c), the Director shall consult with individuals and entities focused on cybersecurity and education, as appropriate, including—

(A) teachers;

(B) school administrators;

(C) Federal agencies;

(D) non-Federal cybersecurity entities with experience in education issues; and

(E) private sector organizations.

(2) INAPPLICABILITY OF FAC.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any consultation under paragraph (1).

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 9:11 p.m., adjourned until Tuesday, August 10, 2021, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### DEPARTMENT OF ENERGY

COREY HINDERSTEIN, OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NONPROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION, VICE BRENT K. PARK.

### DEPARTMENT OF DEFENSE

DAVID A. HONEY, OF VIRGINIA, TO BE DEPUTY UNDER SECRETARY OF DEFENSE, VICE LISA PORTER, RESIGNED.

ALEX WAGNER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE SHON J. MANASCO.

### DEPARTMENT OF COMMERCE

LISA W. WANG, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE JEFFREY KESSLER.

### DEPARTMENT OF STATE

MARK BRZEZINSKI, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND.

ELIZABETH ANNE NOSEWORTHY FITZSIMMONS, OF DELAWARE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE TOGOLESE REPUBLIC.

RASHAD HUSSAIN, OF VIRGINIA, TO BE AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM, VICE SAMUEL DALE BROWNBAC.

### INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

ADRIANA DOBRA KUGLER, OF MARYLAND, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS, VICE JENNIFER D. NORDQUIST.

### DEPARTMENT OF STATE

CINDY HENSLEY MCCAIN, OF ARIZONA, FOR THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE UNITED NATIONS AGENCIES FOR FOOD AND AGRICULTURE.

BRIAN WESLEY SHUKAN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BENIN.

DAVID JOHN YOUNG, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALAWI.

### EXECUTIVE OFFICE OF THE PRESIDENT

BINIAM GEBRE, OF VIRGINIA, TO BE ADMINISTRATOR FOR FEDERAL PROCUREMENT POLICY, VICE MICHAEL ERIC WOOTEN.

### FEDERAL LABOR RELATIONS AUTHORITY

SUSAN TSUI GRUNDMANN, OF VIRGINIA, TO BE MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2025, VICE JAMES THOMAS ABBOTT, TERM EXPIRED.

KURT THOMAS RUMSFELD, OF MARYLAND, TO BE GENERAL COUNSEL OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS, VICE JULIA AKINS CLARK, TERM EXPIRED.

### ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

ANDREW FOIS, OF THE DISTRICT OF COLUMBIA, TO BE CHAIRMAN OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES FOR A TERM OF FIVE YEARS, VICE PAUL R. VERKUIL, RESIGNED.

### FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE TO BE A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ELIZABETH R. BAIOCCHI, OF FLORIDA  
ERIC T. BRASSIL, OF VIRGINIA  
JOSEPH KWANG CHUNG, OF NEVADA  
GABRIELLE CHWAZIK-GEE, OF NEW YORK  
MELISSA JENAL-LEE CRAWFORD, OF MICHIGAN  
ANGUS JAMES DOWTON, OF CONNECTICUT  
LESLIE M. ELDRIDGE, OF THE DISTRICT OF COLUMBIA  
JOEL BRENDON FITCH, OF FLORIDA  
JAMES G. GREENLEAF, OF TEXAS  
KEITH E. HAGER, OF NEW MEXICO  
AARON R. HALL, OF FLORIDA  
BETHANY A. HAWORTH, OF VIRGINIA  
KYLE J. HENNING, OF OREGON  
CAITLIN M. KEBGAN, OF CALIFORNIA  
MEGAN E. KENNY, OF WASHINGTON  
JOANNE E. KRAMB, OF VIRGINIA  
ANUM SHAUKAT MALIK, OF VIRGINIA  
BRIAN B. MALLOY, OF MONTANA  
LESLIE E. MARKS, OF FLORIDA  
FIONA R. MASLAND, OF MASSACHUSETTS  
MATTHEW R. MCCARTY, OF FLORIDA  
JOHN DEAN MCGREGOR, OF MICHIGAN  
SCOTT A. MOORE, OF VIRGINIA  
EMMA E. MOROS, OF VERMONT  
KRISTIN J. MURRAY, OF VIRGINIA  
JOSHUA M. NELSON, OF FLORIDA  
MELISSA LEA NELSON, OF THE DISTRICT OF COLUMBIA  
ANNE LOVE NUECHTERLEIN, OF THE DISTRICT OF COLUMBIA

BRIGID A. OTIENO, OF NORTH CAROLINA  
KRYSTAL A. OVERMYER, OF NEBRASKA  
RUBY REYNA C. PARKER, OF WASHINGTON  
ROBERT L. REEVES, OF TEXAS  
NICHOLAS J. SCHUCK, OF OHIO  
LINDA L. SHIN, OF VIRGINIA  
CHRISTOPHER B. C. SORENSEN, OF VIRGINIA  
JOHN R. STARK, OF FLORIDA  
JENNIFER L. TORRES, OF FLORIDA  
JULIE G. TRAWEEK, OF TEXAS  
JENNIFER M. TURNER, OF NEW MEXICO  
DAVID C. WILCOX, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND A CONSULAR OFFICER AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

STEPHEN R. DONOVAN, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE TO BE A CONSULAR OFFICER IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

WILLIAM K. MAKANEOLE, OF VIRGINIA

## CONFIRMATIONS

Executive nominations confirmed by the Senate August 9, 2021:

### DEPARTMENT OF ENERGY

SAMUEL T. WALSH, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF ENERGY.

### DEPARTMENT OF DEFENSE

MARA ELIZABETH KARLIN, OF WISCONSIN, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 156:

*To be brigadier general*

COL. ROBERT A. BORCHERDING

### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS AND FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10 U.S.C., SECTION 8046: