

previous order, following the remarks of Senator LANKFORD.

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

The Senator from Oklahoma.

#### CORONAVIRUS

Mr. LANKFORD. Mr. President, last week, President Biden announced that he had lost patience with the American people and that he was demanding people get a vaccination.

Now, I have had the vaccine. I am grateful for the vaccine. But it is an entirely different issue for the President of the United States to wag his finger at the American people and to say: I know what you have chosen, but I choose something different, and you are going to follow me.

To literally instruct every employer with 100 employees or more, every Federal contractor, every Federal employee to bend to the will of the President and take this injection, that is a very different thing.

There are over 39 million Americans right now, that we know of, that have already had COVID-19, have survived it, and have natural immunity. The President's demand for a vaccine ignored those almost 40 million Americans that already have natural immunity. His demand was: I know you have natural immunity. I want you to get this vaccine as well.

It ignores cancer survivors who are very, very careful about what goes into their system. It ignores people with religious objections, and there are millions who have religious objections. It ignores individuals who just don't want to do it because they are an American and they don't have to and they do not like to have a Federal Government instructing them what they are going to actually put in their body.

Now, ironically, this was a random selection of companies that have 100 employees and up, so I assume that if you have 99 employees, you are all fine, but if you have 100 employees, it is totally different. There seems to be no accounting for where your employees work. Are your employees all tightly packed, all 100 in one small room, or are your employees all working outside? Do you have 100 employees, but they are in 19 different locations?

There seems to be no accommodation for any of those. It is just the President saying: I have lost patience. You need to go get the vaccine immediately.

So, by Thanksgiving, he is planning on laying this vaccine mandate down on the country. There are multiple problems there, as I have already outlined: the 40 million people who have already survived COVID and don't want to do the vaccine, the individuals in different medical treatments, the individuals with different other religious issues that they have.

But it is also an issue of trying to have a mandate come down from the Federal Government with an Executive

order. That is not how our system works. The President of the United States does not have the ability to be able to just demand behavior from the American people. That is not their role.

It has been interesting to me. I have had several people who have reached out to me and said: I found out that the President's order exempts Congress. So how come you get an exemption and I don't?

I quickly responded back to them: Because we are a coequal branch of government, and the President is trying to find everybody under his purview to be able to do this. But the judicial branch and the legislative branch aren't under his purview. Neither should be the American people because the American people do not work for the President of the United States. And companies of 100 people or more, their chief executive, their leadership does not work for the President of the United States.

So now what? There are lawsuits that are pending, but those lawsuits can't move forward until the actual paperwork comes out from the White House. When the actual paperwork comes out in the next couple of weeks, we assume—we have not been told—then they will have what is called standing in the courts, and litigation from across the country will be able to speak into and Federal judges across the country will be able to move on an injunction on this out-of-control mandate and to be able to say they cannot just compel people to be able to go take a shot because the President wants them to get it.

So that will be the first big step. There will be legislative challenges that will come through this body. They are slower, so the Federal courts are the fastest response to this. But there will be multiple other groups that will push back on this, myself included.

Listen, why would we not respect those individuals who have already had COVID-19? According to an article that is in the Wall Street Journal just today, there was a study out of Israel that shows that the immunity from natural immunity is 27 times more effective than the shot—27 times, according to the study that has just recently come out.

To ignore that and to say that is not enough is absurd—or to compel Americans, whether they have had COVID or not, to be able to have a behavior just because the President has "lost patience" is not who we are as Americans. It is not constitutional. It will not stand in the courts and should not stand. We should push back on this.

#### GOVERNMENT SHUTDOWNS

Mr. LANKFORD. Mr. President, you are very aware because in the committee that we both sit on, we have worked through a process of trying to form an answer to a problem that is coming at us again in 2 weeks.

Two weeks from now, we will hit the end of the fiscal year. At the end of the fiscal year, according to the Budget Act of 1974, we should have already passed 12 appropriations bills out of this body, 12 appropriations bills out of the House, have conferred those two bills, sent it to the White House for a signature. That is the instructions that should be done by the end of the fiscal year.

The problem with that is the Senate has not passed a single one of those appropriations bills even out of committee—not one. So our government is not funded 2 weeks from now, which means the countdown clock will begin again toward when we are headed to another government shutdown, and the conversation will be: Are we going to have another government shutdown? Are we going to be open? What is going to happen to Federal workers?

Agencies across Washington, DC, and across the country will shortly get instructions for here is what to do in case of a shutdown in your Agency. Here is who, of employees, would be nonessential, what needs to happen to them; essential, what needs to happen to them.

And the chaos will begin in all these Agencies because 2 weeks from now we are headed toward the end of the fiscal year and not a single appropriations bill, of the 12, has been taken up in committee. Not one of them is even scheduled even to be debated on the floor of the Senate. We will not have appropriations bills done 2 weeks from now. It is not going to happen.

So here are the alternatives: There will be what is called a short-term continuing resolution of some length or we will have a shutdown 2 weeks from now.

For the past 3 years, Senator MAGGIE HASSAN and I have proposed a very straightforward solution to end the threat of government shutdowns. Our straightforward proposal to stop government shutdowns is a simple way to be able to solve this issue. If we get to the end of the fiscal year, September 30, midnight, and we have not finished the work that needs to be done on those 12 appropriations bills, automatically a continuing resolution will kick in to prevent a government shutdown. But starting the very next day, October 1, the Senate and the House have mandatory quorum calls every single day until we finish the 12 appropriations bills. We stay here to be able to finish our work. But the work has to be done.

Why is that important? Because Federal Agencies shouldn't constantly be worried about another government shutdown, and the American people should be able to interact with their own government. Now, all of us know the government actually doesn't shut down, but it moves into shutdown mode. Some people have to show up for work; some people do not. But everyone is paid. Some people can get access to a permit when they contact their

Federal Agency; some people cannot. Some people can get licensing; some people cannot. Some people can work through the process with the Corps of Engineers; some people cannot.

And this chaos for the American people and for people who work for the Federal workforce happens all over the country simply because Congress did not get its job done.

Well, the solution is simple. Hold the American people and the Federal workers harmless and push Members of Congress to actually finish the work. This is not a partisan solution. It is just a solution. That is why Republicans and Democrats alike have agreed to the simple solution that MAGGIE HASSAN and I have come to, to be able to end government shutdowns and to say let's continue the conversation that needs to be done, but let's not have yet another shutdown.

This body knows, in the past 40 years, we have had 21 government shutdowns—21. The last one needs to be our last, but I don't know if it will be because 2 weeks from now we are headed to the end of the year, and there is no solution on the table for how to avoid a government shutdown again.

Senator HASSAN and I and multiple others again filed our bill today and said: We know how to stop government shutdowns. Keep us at work. Hold the American people harmless, and let's get the task done.

Honestly, I have had people say: That is such a creative solution, and it is such a simple process to get done. I have smiled at them and said: Actually, it is not all that creative. It is the same thing that my mom did when my brother and I were growing up at the house. When my brother and I were in an argument, she would put the two of us in our room and would say: You guys work it out. When you work it out, then you can come out of the room.

It is really no different than that to say Members of Congress should stay at the task until we solve the budget work and we should not leave with the budget work undone and leave the American people experiencing another government shutdown.

Let's not have shutdown 22. Let's end government shutdowns, and let's get our actual budget work done, on time, as is expected by the American people.

With that, I yield the floor.

#### ADJOURNMENT UNTIL 11 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11 a.m. tomorrow.

Thereupon, the Senate, at 6:37 p.m., adjourned until Wednesday, September 15, 2021, at 11 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE

UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 605 AND 7064:

##### To be colonel

DAVID O. ANGLIN  
NATHAN J. BANKSON  
CHARLES D. HALVERSON  
JAMES P. LEARY  
DOUGLAS W. MOORE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

##### To be major

LITO D. AMANDE  
ANDREW M. ANDERSON  
MICKEY L. BASHAM II  
MICHAEL J. BASIE  
LEON S. BUCHANAN  
JOHNNY C. BURNHAM  
ROBERT W. CARUSO  
MICHAEL CERULA  
JAE Y. CHANG  
JAMES M. COHELL  
DANNY P. CROSBY  
CHRISTOPHER S. DAVIS  
JASON M. DAVIS  
DALE R. DUMONT  
LARRY C. EDWARDS  
SAMUEL L. FLETCHER  
ANTHONY L. FOXWORTH  
DANIEL C. GARNETT  
TRAVIS W. HAIRSTON  
SETH C. HAMILTON  
HEEJA HAN  
JOHN K. HAN  
CHRISTOPHER S. HODGE  
NEIL D. HUENEFELD  
ANTHONY J. HUNLEY  
JIYONG Y. HWANG  
ROBERT L. JACKSON  
DOUGLAS R. JONES  
GRACE W. KIM  
CHAE W. LEE  
MARK R. LEE  
GERARD H. MAUTERER, JR.  
MATTHEW C. MCCRANEY  
DANIEL E. MELIN  
RYAN D. MORTENSEN  
DEREK D. MOSHER  
CORNELIUS MUASA  
JAMES D. MURRAY IV  
CHRISTIAN NISONGER  
MATTHEW A. OLIVER  
JASON A. PHIPPS  
JOSHUA M. PORTWOOD  
BENJAMIN D. REED  
MALCOLM A. RIOS  
RICHARD J. RIVERS  
THOMAS C. ROBINSON  
RUSSELL S. SANDERS  
LANE H. SANDIFER  
AZANDE M. SASA  
CAREY W. SHEPARD  
JOSEPH D. SHERWIN  
DELANA I. SMALL  
ABRAM R. STATEN  
JAMES A. STEELMAN  
MENACHEM M. STERN  
DAVID A. THOMPSON  
GLEN W. THOMPSON  
JEFFERY M. TILDEN  
STUART M. WILLIAMS  
THOMAS R. WOOD  
BERNARDINO YEBRA  
ERIK S. YIELDING  
D016150

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

DANIEL C. ESTAVILLE  
BRIAN J. HARLAN  
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

GEORGE W. BOGUSLAWSKI  
HEIKO P. COPPOLA  
NOAH J. FONTANEZ  
BRYAN C. GLASS  
JEFFREY B. JONES  
PETER V. LEE  
ANGELA J. MALLORY  
STEPHAN E. NOLTEN  
RODERICK J. OCONNOR  
SEAN S. PARK  
RODERICK C. PATRICK  
MICHAEL L. PRATT  
MICHAEL J. SCIONTI  
JONATHAN T. SHOENHOLZ  
JOHN R. STEFFEN  
PAUL E. THOMPSON, JR.  
JENNIFER M. WAGNER  
MATTHEW H. WATTERS

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 605:

##### To be colonel

DOUGLAS F. BAKER, JR.

JOSHUA M. BETTY  
BRIAN C. CAMPBELL  
NATHANIEL D. CROW  
MATTHEW C. DAWSON  
KENNETH M. DWYER  
JOHN L. HAAKE  
TODD R. HERTLING  
TYSON J. HISE  
JOHN P. HORNING  
ERICA R. IVERSON  
JOEL M. JOHNSON  
ALEXIS PEREZCRUZ  
JEFFREY D. PORTER  
JENNIFER D. REED  
CHRISTOPHER O. ROBERTS  
TYWANA D. ROBINSON  
KEVIN P. STONEROOK  
JAMES C. STULTZ  
JAMES S. VCHULEK II  
SAMUEL S. YI

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 605:

##### To be lieutenant colonel

DAVID S. BICKELL  
CELIO S. BIERING  
CHRISTOPHER S. BIZOR  
VIRGINIA R. BRICKNER  
JASON E. CADY  
MICHAEL P. CARVELLI  
JOHN R. CHAMBERS  
MARC D. CLEVELAND  
KINARD R. EGLETON  
JAMES M. FASONE  
JUSTIN L. GERON  
ROBERT W. GREEN  
DAVID L. HAMLIN  
RYAN S. HAND  
MATTHEW T. HEGARTY  
JEFFREY T. JAO  
JOSEPHINE E. LADNIER  
ABBY E. LANNI  
WILLIAM D. LINCOLN  
DIANNA C. LIVELY  
PAUL R. LLOVIO  
SEAN A. MERRITT  
JUSTIN T. MILLER  
MATTHEW T. MILLER  
WILLIAMS W. POLLARD  
MATTHEW D. PRIDE  
JAMES E. RAJCHEL  
EDER C. RAMIREZ  
ELIZABETH A. SCHWEMMER  
ROCK A. STEVENS  
KIETH A. THIERRY  
STEVEN J. WHITE  
ROBERT T. WILKINS

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 605:

##### To be major

VICTORIA M. ADAME  
CALEB K. ELLIS  
JONATHAN E. MARSH  
BENJAMIN W. MATTHEWS  
STEPHEN E. ROGACKI  
BENJAMIN R. THOMPSON

##### IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant commander

HANIF K. BENT  
LAWRENCE C. BRITTEN  
ERIC C. DUBOIS  
STEVEN N. DYSON  
CHRISTOPHER FORERO  
MICHAEL A. GILBERT II  
MICHAEL J. HABER  
JEFFERY O. HENRY  
YAROSLAV M. IVASYUK  
JOHN M. JASINSKI, JR.  
CHRISTOPHER O. LILLES  
BENJAMIN M. MATHE  
JEREMY P. NEIMAN  
ROBIN F. NELSON  
ALBERTO H. OSVATH  
CRISTIAN POPA  
DANIEL J. ROBINSON  
ADRIAN A. RUBLE  
RICHARD J. WALLACE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant commander

TWYLA M. ARBUCKLE  
JASMINE M. BEE  
ELIZABETH A. BOCHNER  
CESAR J. CEPEDA  
MEGAN M. ELLINGTON  
ZARAANNE E. FARRAR  
CHRISTOPHER D. GALVIN  
ALEXIS B. GRAHAM  
JAMES J. V. KILPATRICK  
JORDAN A. KRONSHAGE  
JACQUELINE M. LINSTER  
JOY L. LONGWORTH