

to voting on just the second nominee to USAID.

Last week, I made a live unanimous consent request to confirm Ms. Adams-Allen and nine other nominees the Senate Foreign Relations Committee reported to the floor, including two other USAID nominees. But each of the nominations was blocked by our Republican colleagues for reasons that have nothing to do with the nominations themselves.

This continued obstruction of nominees who are critical to restoring U.S. global leadership and ensuring our national security is shameful. And it is dangerous.

USAID is grappling with the impact of the COVID-19 pandemic and other humanitarian emergencies that are ravaging the globe, and Members of this body are preventing it from effectively carrying out its mission, a mission that is intended to further U.S. interests.

So while I am relieved that the full Senate is finally taking steps to confirm Ms. Adams-Allen, the fact that we need votes on both cloture and final passage on a nominee who is without a hint of controversy, has served dutifully in government for decades, and was reported with unanimous support from the Foreign Relations Committee, is utterly absurd.

The delays and obstacles facing nominees for critical development and national security posts pending on the Senate floor and in the Senate Foreign Relations Committee is reckless and contrary to our country's interests. We owe it to the Senate and the American people to fix this problem.

I strongly support confirming Ms. Adams-Allen and respectfully urge my colleagues to join me in advancing her nomination, along with all of the foreign affairs nominations pending before this body.

I yield the floor.

#### VOTE ON ADAMS-ALLEN NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Adams-Allen nomination?

Mr. CASEY. 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. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 79, nays 20, as follows:

[Rollcall Vote No. 405 Ex.]

#### YEAS—79

Baldwin	Blunt	Burr
Barrasso	Booker	Cantwell
Bennet	Boozman	Capito
Blumenthal	Brown	Cardin

Carper	King	Sasse
Casey	Klobuchar	Schatz
Collins	Leahy	Schumer
Coons	Lujan	Scott (SC)
Cornyn	Manchin	Shaheen
Cortez Masto	Markey	Sinema
Cramer	McConnell	Smith
Crapo	Menendez	Stabenow
Duckworth	Merkeley	Sullivan
Durbin	Moran	Tester
Fischer	Murkowski	Thune
Gillibrand	Murphy	Tillis
Graham	Murray	Toomey
Grassley	Ossoff	Van Hollen
Hagerty	Padilla	Warner
Hassan	Peters	Warnock
Heinrich	Portman	Warren
Hickenlooper	Reed	Whitehouse
Hirono	Risch	Wicker
Hoeven	Romney	Wyden
Inhofe	Rosen	Young
Kaine	Rounds	
Kelly	Sanders	

#### NAYS—20

Blackburn	Hawley	Marshall
Braun	Hyde-Smith	Paul
Cassidy	Johnson	Rubio
Cotton	Kennedy	Scott (FL)
Cruz	Lankford	Shelby
Daines	Lee	Tuberville
Ernst	Lummis	

#### NOT VOTING—1

Feinstein

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 action.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair rises 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. 253, Lauren J. King, of Washington, to be United States District Judge for the Western District of Washington.

Richard J. Durbin, Charles E. Schumer, Christopher Murphy, Amy Klobuchar, Debbie Stabenow, Martin Heinrich, Edward J. Markey, Patty Murray, Tina Smith, Tammy Baldwin, Sheldon Whitehouse, Brian Schatz, Tim Kaine, Alex Padilla, Tammy Duckworth, Richard Blumenthal, Jacky Rosen.

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 Lauren J. King, of Washington, to be United States District Judge for the Western District of Washington, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The yeas and nays resulted—yeas 55, nays 44, as follows:

[Rollcall Vote No. 406 Ex.]

#### YEAS—55

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Rounds
Booker	Kelly	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cortez Masto	Leahy	Shaheen
Duckworth	Lujan	Sinema
Durbin	Manchin	Smith
Gillibrand	Markey	Stabenow
Graham	McConnell	Tester
Grassley	Menendez	Van Hollen
Hassan	Merkley	Warner
Heinrich	Murkowski	Warnock
	Murphy	Warren
	Murray	Whitehouse
	Ossoff	Wyden
	Padilla	
	Peters	

#### NAYS—44

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

#### NOT VOTING—1

Feinstein

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 44.

The motion was agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Lauren J. King, of Washington, to be United States District Judge for the Western District of Washington.

The PRESIDING OFFICER. The Senator from Vermont.

(The remarks of Mr. LEAHY, Mr. SCHUMER, Mr. DURBIN, Mr. BLUMENTHAL, Mr. WARNOCK, and Mr. LUJÁN pertaining to the introduction of S. 4 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### INFRASTRUCTURE AND JOBS ACT

Mrs. CAPITO. Mr. President, this summer, the Senate passed historic bipartisan legislation that would make meaningful investments in our physical infrastructure. We did the hard work. We did the hard work to produce legislation that meets current and future needs by investing in our roads,

our bridges, clean water, broadband, transit systems, rail, and our electric grid.

Chairman CARPER and I led a surface transportation reauthorization bill and a water infrastructure bill in our EPW Committee, both of which were unanimously reported out by our committee and really served as the backbone of this infrastructure package. The Commerce Committee and the Energy and Natural Resources Committee both also contributed bipartisan bills to this major effort. A bipartisan group of our colleagues, led by Senator PORTMAN and Senator SINEMA, negotiated with the Biden administration to complete the package. That effort resulted in the Infrastructure Investment and Jobs Act, which earned the vote of 69 Senators nearly 2 months ago. President Biden himself expressed his support for the legislation in a widely covered speech from the White House.

By now, that bill should be law and Federal funding should be on the way to State Departments of Transportation, local water boards, and our economic development officials. All Speaker PELOSI had to do was put the Senate legislation on the floor in August and watch its passage with a strong bipartisan vote. However, House Democrats broke promises to their own Members and refused to ask for a vote on the bill, and that was in September. Our bipartisan work in the Senate advanced the infrastructure football to the 1-yard line. We were there, but somehow House Democrats were still unable to reach the goal line.

Last Friday, our Federal Surface Transportation Program lapsed—lapsed—for the first time in over a decade. After months of talking about rebuilding American infrastructure, House Democrats shut down the Federal Highway Administration, pressing pause on some of the most important infrastructure programs in this country. It was a short lapse, but it was a lapse. A lapse in these programs would be unacceptable in any circumstance, but House Democrats decided to let the programs expire rather than vote on bipartisan legislation that sat on their desks for more than 7 weeks during their August recess.

In delaying this vote, those leaders didn't just break their commitment to the American people, but, again, they broke a commitment to their own Members when they said—they were originally promised the infrastructure bill would receive a vote by September 27. Instead, the House and Senate had to reauthorize, quickly, our existing Surface Transportation Program, but guess what—for a month—October 31. What does that do? Not much. It does continue, but it does create confusion, and that stop-and-start is difficult. I appreciate my colleagues' work to reopen these programs, but it is not enough.

Over on the House side, they are holding core infrastructure legislation hostage in an effort to force Members

of their own party to come on board in separate legislation that would, in my opinion, waste \$3.5 trillion on social programs unrelated to infrastructure. The \$3.5 trillion package is what my colleague and our colleague, Senator MANCHIN, correctly described as “fiscal insanity.” House Democrats are telling the American people that if they want roads and bridges, they have to accept trillions of dollars in unrelated spending and unrelated tax policies.

If this reckless tax-and-spending spree were popular with the American people, they wouldn't have to bind it to the infrastructure legislation and block that legislation in an effort to convince the Members of their own party to support it, but they understand there is a real concern back home to spending \$3.5 trillion. I heard this over and over when I was just home over the weekend—over and over—from my constituents in West Virginia.

We all know inflation is real, and it is impacting day-to-day families—families who are trying to figure out how to pay for the cost of gasoline, that gallon of milk, those new school clothes, books, pencils, the cost of heating and cooling their homes. It is hurting our American families. And yet, even with these red flags, the Biden administration and my Democrat colleagues want to spend an additional 3.5 trillion—with a “t”—dollars. And if that is not enough, they want to impose the largest tax hike in decades.

These efforts will hit American families with higher prices and greater tax burdens at a time when they can least afford it. I am not sure there is a time we could ever afford it. So this makes zero sense.

Now, I know President Biden has promised not to raise taxes on families making less than \$400,000 a year. He has repeated this many, many times in his public speeches. But what he is not telling you is that the cost of everyday living is going up significantly because of these—and will go up more because of these progressive policies, which are a hidden tax on the American people. Your utility bills, your grocery bills, all the costs of everyday goods and services are going to go up.

And have you heard this just really outrageous idea that they want your bank or credit union to tell the IRS every deposit or withdrawal of \$600 or more? And if you have \$600 in your bank account, they want your bank or credit union to report that to the IRS. Does that sound like it is designed to target billionaires or middle-class Americans?

The taxes, fees, and penalties this partisan, reckless tax-and-spending package includes ultimately still falls to you, regardless of how much you make. As ranking member of the EPW Committee, I am especially concerned about several environmental provisions in the \$3.5 trillion spending plan.

Let's be clear. All of us, Republicans and Democrats, we do want a cleaner

energy future, and we are moving toward that. The proof of that is our work together on technologies like carbon capture and utilization. But this rushed reconciliation package doesn't allow time for any sort of transition. Wind and solar energy still has serious gaps. They are growing, yes, but they still have serious gaps in reliability and stability. When the wind stops blowing and the Sun isn't shining, our country still relies heavily on coal, natural gas, and nuclear. But instead of recognizing this reality and investing in technologies to accelerate carbon capture, which would lead to less emissions, this package punishes companies that are already cutting their emissions. It is reckless spending. It is punitive taxation, and, ultimately, the American family will pay the price.

Take, for example, the proposed methane tax—well, methane fee, it is called, but it is actually a natural gas tax. This regressive tax on natural gas would increase energy costs on American families and small businesses, disproportionately affecting middle- and low-income households at a time when natural gas prices are going up due to inflation and increased demand and reduced supply here and abroad due to some factors—and, right now, the pandemic.

According to the EPA, natural gas systems in the United States reduced their overall methane emissions by nearly 16 percent between 1990 and 2019, without these onerous regulations and taxes. It is widely recognized that the shale gas boom led to significant greenhouse gas emission reductions across our power sector. In fact, as our natural gas production has risen and has gone up, the country's overall greenhouse gas emissions have gone down significantly.

According to API, the methane fee, or tax, would cost approximately \$9.1 billion and as many as 90,000 jobs in a lot of the regions in the country, one of which is my own in West Virginia. Don't be fooled. Like any other part of this package, the methane fee is rushed government overreach when the market is already reducing emissions.

More than 150 groups have written to Congress to oppose this natural gas tax. This is not about reducing emissions or even raising revenues for Washington; it is about targeting an industry, oil and gas, and the related good-paying jobs, like those in West Virginia, for elimination for wholly political purposes. The idea that our country will be able to transition to a cleaner future and keep up with our energy demands without natural gas is just not based in reality.

So speaking of based in reality, let's talk about the proposed Clean Electricity Performance Program. This is a program in the \$3.5 trillion bill to eliminate coal and natural gas from our electricity mix by requiring an 80-percent reduction in carbon emissions from utilities by 2030. This goal is very unrealistic as fossil fuels now provide

60 percent of our Nation's electricity today, 2021.

The United Mine Workers of America wrote that this plan would "eliminate virtually all of West Virginia's coal generation fleet of eight baseload power plants well before the end of this decade. . . . All related coal mining and utility jobs would be lost, with severe [adverse] impacts on families, communities, and the local and state tax revenues associated with mining, electric generation, and electric power [generation]."

This program is an explicit attempt to put energy producers out of work. It would use taxpayer dollars to get rid of coal and natural gas jobs in States like mine, using a convoluted system to try to mask the hit to our electricity taxpayers. And for all the promises we heard of lined-up green energy jobs for these workers to replace these jobs, I am certainly not seeing many of those in my State, certainly not the tens of thousands of jobs that would be needed to make up for the lost jobs. And I am definitely not seeing any of those green jobs pay—the pay on those green jobs even close to what a miner would make or somebody in the natural gas business.

But the Clean Electricity Performance Program will impact more than just my home State, of course. If California is any indication, the clean electricity payment plan will lead to less reliability, rolling blackouts all across the country, and higher energy prices. We don't need to wait and see how a plan like this will impact a powerhouse country like ours.

Germany is already trying this. According to Forbes Magazine, our German friends are spending as much as \$4 trillion to install as much wind and solar capacity as possible—laudable goal—and to drastically curtail and hopefully eliminate the need for coal, natural gas, and nuclear. This has left Germany with the highest electricity prices in the world—harming their households and their world-famous manufacturing sector. When they have found themselves short of supply, they have to import coal-fired electricity from Poland.

We, here, in this country, would have no kind of international fallback. So while we try to mimic a path similar to Germany and shut down American coal mines, meanwhile China is building new coal plants that will wash out any of our supposed carbon reductions. American energy prices will skyrocket, and the Clean Energy Payment Plan will make a negligible impact on global emissions.

The Greenhouse Gas Reduction Fund is another absurd provision in this reconciliation package. This is basically a \$27.5 billion slush fund for Democrat States to use whatever they would use for their so-called green projects. This will increase our reliance on critical minerals and energy supplies that we get from China and other international competitors trying to put forward en-

ergy-free technologies and particularly looking at the production of lithium batteries and solar energy that is primarily produced in China.

Another egregious provision tucked away in this reconciliation package is a \$50 million expenditure to EPA to write new clean air regs. That is right, \$50 million. They would give \$50 million to write a new version of President Obama's Clean Power Plan and other devastating climate regulations. With the money, EPA will hire extra lawyers and bureaucrats to write additional regulations under section 111 and other provisions of the Clean Air Act in ways that they have never done before, all, in my view, which would put my hard-working West Virginians out of a job.

These are just a few of the environmental provisions in this reckless tax-and-spending spree. But the package is much broader than that. It is a wish list rolled into a \$3.5 trillion bill that inserts the government into nearly every aspect of American life. The American people understand that passing this bill will harm our country by fueling inflation, and it will harm our country for generations to come as we add to our debt.

It is no wonder that the Democrats are having so much trouble passing this. By shuttering our Federal Surface Transportation Programs last Friday, House Democrats made it abundantly clear that despite their rhetoric, physical infrastructure is not a priority. Instead, they have said that roads, bridges, broadband, water infrastructure—all infrastructure items that Americans in both parties support are only worth funding if they are accompanied by another \$3.5 trillion in spending.

I hope that our House colleagues will change their approach. The bipartisan infrastructure bill represents good policy, and it should be allowed to pass on its own merit. It will benefit every State in this country. It will provide the certainty of 5 years of funding for our Surface Transportation Programs and avoid future lapses like we saw last Friday. These programs cannot bounce from one short-term extension to the next. We have done that before. It is very, very difficult to conduct business, and they should not play second fiddle to a package of partisan policies.

We came together in this body to pass a bipartisan infrastructure bill that the American people can be proud of, and that bill should become law soon.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Wisconsin.

CORONAVIRUS

Mr. JOHNSON. Mr. President, last week, I came to the floor in support of Senator SCOTT's bill pushing back on what many of us consider the unconstitutional COVID vaccine mandates. I used my floor time to describe the lack of transparency of our healthcare Agencies by talking about the information that our healthcare Agencies, the

media, and the news media are not providing the American public. I come to the floor today to expand a little bit on that information.

Now, last week, I presented this chart, which shows the daily number of new cases. Those are the blue lines. You actually have daily deaths—the tragic deaths—very thin red line. But you also have this line showing the percent of fully vaccinated Americans.

Now, I pointed to this chart because this is not what I would expect to see if we had 100 percent effective vaccines. Now, let me again state, I was a big supporter of Operation Warp Speed. I am not an anti-vaxxer. I have had every vaccine up to this one because I had COVID.

So I had hoped and prayed that the COVID vaccine would be 100 percent safe and 100 percent effective, but this chart is not what I would expect to have seen with a vaccine that was highly effective and what we all were hoping would happen once we had a high percentage of Americans vaccinated, together with those who already had COVID, like myself, with natural immunity.

You can see, prior to the vaccine even being able to take effect, as the first major surge of the pandemic was winding down, I would have expected to see a continued winding down, but that is not what we saw. We have seen this surge in Delta, and we have seen additional deaths, and the tragedy continues.

Now, back on September 9, President Biden said: This pandemic is of the unvaccinated.

And he also said: This is not about freedom or personal choice.

No, this is exactly about freedom and personal choice. President Biden also said in July of this year—on July 21, he said: If you are vaccinated, you are not going to be hospitalized. You are not going to be in the ICU unit. You are not going to die. You are not going to get COVID if you have these vaccinations.

Today, I received an email from a constituent in Wisconsin. I am going to read an excerpt. I am not going to identify the individual because he fears reprisals. He has seen what happens to people that tell the truth about COVID and COVID vaccines, so I will keep his name anonymous.

But let me quote from his email: Both my parents were fully vaccinated with the Pfizer vaccine in the spring. Yet, in August, my mom became infected and then gave it to my dad. They became so sick that my sister, fully vaccinated with Moderna, moved in with them to care for them. She used PPEs and was careful, and she caught COVID too. Hence, my family, three of us, caught COVID while fully vaccinated. They spread it while they were fully vaccinated, from vaccinated to vaccinated. My mom and sister recovered. Dad died in a week at home after a 3-week stay in the local hospital.