

shape. He was a proud Republican who ran three times for his party's nomination for the Presidency. But I believe that Bob Dole will be remembered most fondly for his ability to find common ground.

I believe he said it best himself. He said:

When we prioritize principles over party and humanity over personal legacy, we accomplish far more as a nation.

I will read that again. This is worth repeating.

When we prioritize principles over party and humanity over personal legacy, we accomplish far more as a nation.

He was right. We can accomplish far more when we work together as one Nation rather than as Members of different political parties.

Bob himself said his proudest political accomplishments were passing the bipartisan Americans with Disabilities Act and working to find a principled compromise to save Social Security—a compromise that I was privileged to support as a newly elected freshman in the House of Representatives in 1983.

I believe Bob Dole embodied the admonition of Matthew 25 to care for the "least of these" among us. He worked alongside the South Dakota Senator George McGovern, a liberal Democrat, who also ran for President, to improve the Supplemental Nutrition Assistance Program, formerly known as the Federal Food Stamp Program, to ensure that struggling families could feed themselves and their children.

Bob Dole took Matthew 25—and Matthew 25 goes something like this: "For I was hungry, and you gave me something to eat"—and he turned it into the law that, to this day, helps lift Americans out of poverty and on to longer, healthier lives because, ultimately, Bob followed his moral compass, even when it wasn't politically convenient. He wasn't afraid to buck his party when he felt doing so was the right thing to do.

He was a fiscal conservative, but he supported tax reforms to raise revenue. He also supported—get this. He also supported the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965—landmark civil rights bills that sought to eliminate racial discrimination from our laws and sought to ensure equal access to the ballot box for all Americans.

These accomplishments required hard-fought—hard-fought—negotiations and courageous votes. But Bob Dole never let that interfere with his commitment to doing what was right and, I might add, an incredible sense of humor.

When Bob's wonderful wife—our former colleague here in the Senate, Elizabeth Dole—was in front of the Senate Labor Committee in 1989, having been nominated by then-President George Herbert Walker Bush, Bob accompanied her to her confirmation hearing and introduced her there as many of us introduce our own constituents when they are nominated for a

particular position by a President. One of the things that he said, as he sat there next to his wife Elizabeth, he quipped—and he was great for quips—to his colleagues: "I regret that I have but one wife to give for my country."

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And following his defeat in the 1988 Republican Presidential primary, he opened his remarks by saying: Not only do "I regret that I have but one wife to give to my country," he wanted to add: "If I had this much coverage in [my] primary, I would be writing my inaugural address." He then continued to say:

I once dreamed of making a name for myself in Washington, but I never thought it would be as the husband of the Secretary of Labor, but I'll take what comes these days.

The truth is, as much as Bob Dole probably learned while serving here in the Senate, the Senate could learn a lot more from the life and example of Bob Dole. And we could use more Bob Doles in this body today, on both sides of the aisle.

While Bob Dole was a serious man, he didn't take himself too seriously. He didn't care for politicians who divided us just for the sake of division. He also didn't care for big egos of folks who wanted to do something just so they could take credit for it.

He believed the words of Abraham Lincoln, one of his personal heroes, that ours is a "government of the people, by the people, [and] for the people." That is why he fought and nearly gave his life in defense of our Nation and our democracy. That is why he continued to serve our Nation also, always striving to improve the lives of Kansas and all of us.

We owe it to Senator Dole, to my Uncle Bob, and to the entire "greatest generation" who fought and made the ultimate sacrifice for us to live in a free and democratic country, to uphold the ideals of our democracy, and to work together to create a brighter, better tomorrow for our children and our grandchildren.

So as we mourn the passing of Bob Dole, I would challenge all of us to prioritize principles over party and humanity over personal legacy. We can all work better together to address the challenges of today and confront the challenges of tomorrow.

(Mr. HEINRICH assumed the Chair.)

Mr. President, some of us may recall the famous film, "The Wizard of Oz." It took place in Bob Dole's proud home State of Kansas. Throughout the film, Dorothy is reminded that "there is no place like home, no place like home." Well, Senator Dole entered these Halls one last time last week to lie in state in the Capitol Rotunda, just down the hall over my right shoulder. And I, like many of our colleagues, had the chance to pay our respects to a man of integrity, passion, and wit.

Now, it is time to send Bob home back to Russell, KS, as we have, one last time because there is truly no place like home.

As the Presiding Officer knows, I like to—if we are not in session when somebody has a birthday, one of my colleagues has a birthday, I call them. I track them down or send them a text message. And I have done that with Elizabeth Dole, who served in this Chamber with us in more recent years, and I still call her on her birthday.

And her birthday is July 29. I called her on July 29 this year to wish her a happy birthday and to see how she and Bob were doing. I got to talk with him as well as with her, and they both said to me—they said, "Why don't you and Martha"—my wife Martha—"come down here sometime when we have some free time and you do as well, and we will just go out for dinner together."

Sadly, we never got to do that. But we are going to take a raincheck. And I promise you, if you are listening out there, Bob, we plan to take full advantage of that raincheck and come and see you, with Elizabeth.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

KENTUCKY

Mr. TUBERVILLE. Mr. President, I would like to add on to what the other Senators have said. We want to give our blessings and prayers to the people in the southern part of the country after all the tornadoes.

I grew up in Arkansas and now live in Alabama, and there hasn't been a year gone by that we didn't have devastated communities, towns, cities across the South. It seems like it is an every-year occurrence. There has been many people lost, many people injured.

The TV trucks and newscasters will leave in the next couple of days, leaving the destruction behind for the people of these cities and towns to rebuild, and it is a tough time. It is going to be a tough time all around, not just for a few days but for years. And our prayers go out to them and all the families that have to go through one of the toughest times of their life.

BUILD BACK BETTER ACT

Mr. President, on the list of people that my Democratic colleagues are claiming to help on this Build Back Better Act, there is a huge blank.

I worked in education all my life. I worked around people all my life. What is missing from this list is American families, American families all over this country. For example, the childcare program in this tax-and-spend spree is really about only helping certain families. And that is fine—certain families—but we should help all families.

But my colleagues want to help the ones that are structured toward the Democrats that they deem favorable, and that is not the American way. If you are in a two-parent, working household, my colleagues' plan would cost Mom and Dad thousands more each year to pay for their child's care. Think about that: thousands more. And this means tax many and give to a few. Well, that is not what we do here.

Additionally, a once bipartisan initiative, the child tax credit, is being reworked. The cost of that dramatic expansion will be paid for by joint filers; meaning, in other words, couples—our families—will pay the cost.

I want to take a moment to contrast this attack on the family. It is an attack on the family approach with actual American families around the country are facing as we speak. This anti-family bill is not only coming at a time when families have to pay more for groceries and pay more for gas and higher prices at the gas pump but also when families are silently fighting other unnamed pandemic and problems. Those are the worsening problems of mental health and drug addiction issues in our country today, of which they are abundant.

So I ask my colleagues: Why this bill? It doesn't build families back better. It builds them back broke. It helps a few, not all. It doesn't create jobs or support working families. It creates more reliance on Big Government socialism. And why now, when inflation is so high and when so many of our friends and families are struggling to find the help that they need?

It goes without saying that the COVID pandemic has played and is playing a large role in the staggering rise in drug overdoses and increase in mental health crises and homelessness over the past couple of years. Americans were locked down unnecessarily long periods of time. Jobs were lost. And the economic engine of our Nation was brought to a screeching halt.

Children lost out on valuable education opportunities and wondered when they were going to be able to see their friends again. Students' college experiences were forever changed, and working parents had to juggle schooling and full-time childcare in addition to holding down their own jobs.

Throughout this turbulent time, Americans felt lonelier and more detached than ever before, especially in my lifetime.

It is a dream too often turned into a nightmare for an increasing number of Americans, a promising future robbed by deadly drug addiction. And sadly, it is more common now than ever before. According to the latest data from the National Center for Health Statistics, we lost over 100,000 American lives due to drug overdoses from April 2020 to April 2021. That is not including the last 8 months.

This is an increase of 30 percent from the year before. Think of all the open seats that will be at the dinner table for Christmas lunch or dinner, the futures that will never be fully realized, the families forever mourning the loss of a loved one. It is happening every day.

We have these known issues made worse by a pandemic; there is no doubt. Yet Democrats' response has been to open our borders and allow cartels to profit off of trafficking fentanyl and other deadly substances into our country. It is hard to imagine.

Through the first 9 months of this year, the monthly average of fentanyl seized was 830 pounds—a month, 830 pounds. Compare that to a monthly average of 321 pounds from 2018 to 2020. Now, that is way too many—but 830 pounds a month. Two thousand pounds can kill 200 million people—200 million. That is three-fourths of the people in this country.

Instead, we need to look at how we can address mental health and break the cycle of drug addiction and homelessness. That should be a priority in this building. There are solutions out there if we approach the problem the right way. It is clear that the money we are spending and the programs that we have in place are not working.

We need to open our eyes. We should be strengthening the family. We know strong families are the backbone of a strong community, and right now, Democrats are too focused on sneaking in these progressive wish list items—like climate policy and taxes that put us on par with communist countries—into a bill under the guise that it will help all Americans. I am here to help Americans but the right way—all Americans.

Last year, Congress got to work on passing bills to help with COVID relief. While some relief funds were certainly necessary for those who needed it the most, the government's role quickly went from providing targeted stimulus to unchecked spending month by month. And this year, my Democratic colleagues assumed a predictable response to every problem they faced: Just throw money at it.

Folks, money is not the answer. People are the answer. And the money they want to use will be paid for, yes, by the American people. It is not government money. It is the American people, and it is the taxpayers' money.

But pumping more money into the economy is not the solution. It did not work for American families earlier this year when was passed a \$1.9 trillion spending package that was passed off as COVID relief. It caused prices to rise and inflation to spike. It didn't address most of the issues families still face today.

We spent all this money, and we have got worse problems. We throw money around in the name of solving problems. And if we do it this time, it won't work this time either. We are putting the country more in debt, and we are making problems worse. People are starting to figure it out.

You know, as a football coach for 40 years, I know a little bit about strategy. I was a defensive guy. I like strategy. That is part of playing defense.

A good defensive player must make a decision based on what is learned in practice and what their experience tells them, then they have the confidence to commit to that decision. But the key to winning the matchup is to always watch where the ball is if you are on defense. We always taught our players to play the game with your

eyes. If you go to any practice, you will hear this: Defensive players, play with your eyes and trust your eyes.

Offenses will throw motion across formation. They will run a trick play. They try to get your eye off the ball. You have the chance to go out there and stop the play if you trust your eyes.

The same thing is happening right now. We are playing defense, and we cannot take our eye off—not the ball, but this bill. We have got to trust our eyes. The American people have to trust their eyes. Democratic colleagues are trying all sorts of tricks and political spin to convince Americans that their Build Back Better bill is a championship-caliber win. They are banking on Americans to be too busy and be too caught up in the holidays to understand what is really in this bill.

But here is the thing: Americans should know that the Democrats' reckless tax-and-spend spree is nothing more than a gimmick, a trick play designed to fool the defense or the American people, to help a few, not everybody.

The American people should trust their eyes. This bill is not thoughtful policy that will change American lives. It is a way to increase Big Government socialism and pay for it by increasing taxes on not a few in the 1 percent, but everybody in this country.

Because of the way they are doing this bill, using an obscure procedural tool that is called reconciliation, everything in this bill has to be budgetary, as in related to the budget. Sometimes, this is useful, when you are trying to create a fairer, simpler Tax Code or make tax cuts. It is also a tool used to bypass the majority because it only needs 51 votes.

But the reconciliation process actually limits what Congress can do to address most issues facing Americans because everything in this bill has to be budget related. Reconciliation does not allow Congress to thoughtfully construct policy or to make improvements that do not spend money. Throwing money at existing programs or even creating new programs that simply send out checks is not the same as making meaningful change.

So when my Democratic colleagues say that their bill will help Americans, it will—a few—but not very many. All it does is throw money at problems, which is, as we have seen, not what our country needs. This reckless tax-and-spend spree creates a cradle-to-grave entitlement society but does not actually help people in that society.

If we really wanted to help American families, we would start with a bipartisan effort, meaning that we would discuss the needs of all Americans, not just a few. In this very tough time, all citizens need help. Everybody needs help. It has been a tough time. It has been a tough couple of years. But this has just been a one-way street.

We have folks who represent urban and rural areas, talking with each

other about what American families actually need and what actually works. We could create targeted, thoughtful bills that didn't rely on budget gimmicks or party lines to pass.

So we can't let our Democratic colleagues fool Americans. Their Build Back Better bill isn't making American families better. It is not helping Americans who are suffering from mental health issues. It is not helping our country's drug addiction problems. It is an anti-family bill that will make our country more dependent on Big Government, and it is spending money the wrong way.

I yield the floor.

#### JUDICIAL NOMINATIONS

Mr. DURBIN. Mr. President, I rise today to speak on three highly qualified judicial nominees: Judge Lucy Koh, nominated to the Ninth Circuit; Jennifer Sung, also nominated to the Ninth Circuit; and Samantha Elliott, nominated to the District of New Hampshire.

These nominees will bring much-needed professional and demographic diversity to the bench. They have the qualifications and character needed to serve effectively in the Judiciary. And all three have records that demonstrate an evenhanded and unbiased approach to the law.

Judge Lucy Koh has served as a district court judge for the Northern District of California for more than a decade. When President Obama nominated her to that role in 2010, she was confirmed in the Senate with broad, bipartisan support, a 90-0 margin. That unanimous support reflected Judge Koh's abilities and experience and also a deep sense of trust that that she would be ready to take on the demands of the Federal district court from day 1.

Well, Judge Koh has certainly risen to the occasion. As a district court judge, she has issued thousands of written opinions. And she has presided over 271 trials. Notably, Judge Koh has grappled with many complex—and often novel—questions of law, particularly those related to technology. These are the kinds of questions that regularly make their way to the circuit courts. So we know that Judge Koh is already wellversed in the types of cases she will encounter on the Ninth Circuit.

What is more, during her time on the bench, Judge Koh has exemplified the hallmarks of what makes an outstanding judge. She engages in thoughtful, well-reasoned analysis; follows precedent, irrespective of whether she agrees with it; and always—always—applies the law to the facts in an evenhanded, impartial way.

Judge Koh was rated unanimously “well qualified” by the American Bar Association to serve on the circuit court. And upon confirmation, she will be the first Korean-American woman to ever serve on a circuit court.

Judge Koh received a bipartisan vote in the Judiciary Committee, and I hope

she receives bipartisan support here on the floor.

The Senate will also be voting on Jennifer Sung's nomination to the Ninth Circuit. Ms. Sung is a distinguished jurist who will bring a vital, and underrepresented, perspective to the Federal bench.

After graduating from Yale Law School and clerking on the Ninth Circuit, Ms. Sung spent over a decade representing American workers in labor disputes. These workers were often minorities from low-income backgrounds. In 2017, Ms. Sung's expertise in labor law attracted the attention of Oregon Governor Kate Brown, who appointed her to serve on the Oregon Employment Relations Board.

The ERB, as it is called, is a quasi-judicial agency charged with resolving labor disputes. As a member of the three-person panel, Ms. Sung reviews evidentiary records, independently evaluates the law, and works in a collaborative manner to reach a consensus on opinions. In other words, she has already handled many of the responsibilities that come with being a Circuit Court Judge. So Ms. Sung will be right at home on the Ninth Circuit.

In addition to the professional diversity Ms. Sung will bring to the bench as an expert in labor law, she will also bring important demographic diversity. If confirmed, she would make history as the first Asian-American woman to hold an Oregon seat on the Ninth Circuit.

Ms. Sung has presided over hundreds of legal matters—only three of which have been overturned. She has demonstrated a commitment to impartiality, a thoughtful approach to decision-making, and a keen ability to separate her personal views from the law and the facts at hand. That is also reflected by the fact that the American Bar Association rated Ms. Sung as “well qualified.”

Finally, the Senate will soon take up Samantha Elliott's nomination to the District of New Hampshire. Ms. Elliott has spent her entire legal career in New Hampshire. With her deep knowledge of the State's legal system and her evenhanded approach to the law, she will make an outstanding Federal judge.

Ms. Elliott is an accomplished litigator who has spent much of her career representing New Hampshire municipalities and their employees. She has also dedicated herself to increasing access to justice. As a co founder of 603 Legal Aid, Ms. Elliott has worked tirelessly to provide legal services to members of low-income communities. And she has dedicated countless hours to her pro bono legal work.

With her considerable experience in both State and Federal courts, it is little surprise that Ms. Elliott was unanimously rated as “well qualified” by the American Bar Association. She also received a bipartisan vote of 15-7 in the Judiciary Committee.

I urge all of my colleagues to join me in supporting these three highly quali-

fied nominees. With their breadth of credentials, experience, and commitment to the rule of law, each of them will make outstanding additions to the Federal bench.

The PRESIDING OFFICER. The Senator from California.

#### NOMINATION OF LUCY HAERAN KOH

Mr. PADILLA. Mr. President, I rise today in support of the nomination of Judge Lucy Koh to the United States Court of Appeals for the Ninth Circuit. Judge Koh is an outstanding legal thinker and a trailblazing public servant. Her commitment to equal justice for all has earned her support on both sides of the aisle. From her first judicial appointment by former California Governor Arnold Schwarzenegger to her unanimous Senate confirmation to serve as a Federal district judge in California, to her strong bipartisan advancement recently from the Senate Judiciary Committee for this appointment, Judge Koh has a reputation for excellence that stretches far and wide.

She built this reputation over the course of a stellar legal career that started right here in this Senate, as a women's law and public policy fellow with the Senate Judiciary Committee. She then spent 7 years with the U.S. Department of Justice, earning numerous accolades for her work, including an FBI award for excellence in prosecuting major fraud.

From the Department of Justice, Judge Koh made her way to California—to Silicon Valley, specifically—where she made a name for herself as an expert litigator on intellectual property cases.

In 2008, Governor Schwarzenegger, as I mentioned, appointed her to the California Superior Court. Just 2 years later, President Obama nominated Judge Koh to the Federal District Court bench, and she was confirmed unanimously by this Senate. And in the decade since, Judge Koh has gone on to distinguish herself as a jurist. She is well known, not only in her district but across the country as talented, thoughtful, smart, and fair.

This nomination is actually her second nomination to the Ninth Circuit. In 2016, she was nominated and advanced out of the Senate Judiciary Committee at that time on a bipartisan basis but, unfortunately, never received a floor vote in this Senate.

But now that we have this vote scheduled, I hope that my colleagues will join me in voting to confirm Judge Koh on a strong bipartisan vote once again. I know the people of California, the Ninth Circuit, and the country at large will benefit from her dedication, her integrity, and compassion as a circuit court judge.

In many ways, the story that Judge Koh brings to the bench is the epitome of the American Dream. The daughter of Korean immigrants who fled communism and dictatorship in search of a better life, Judge Koh was born in Washington, DC, and raised in Vicksburg, MI. And growing up, Judge Koh