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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, lover of humanity, give us today Your pardon and peace. Pardon the sins of our lips: the unkind words we may have spoken. Pardon the sins of our minds: the refusal to face facts. Lord, pardon the sins of our hearts: the pride that makes us forget to love our neighbors as we love ourselves.

Mighty God, place Your peace within our Senators, providing them with the certainty that Your love can vanquish fear. And, Lord, we continue to pray for the tornado recovery efforts.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 14, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Samantha D. Elliott, of New Hampshire, to be United States District Judge for the District of New Hampshire.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SENATE LEGISLATIVE AGENDA

Mr. SCHUMER. Mr. President, today, the Senate will vote to advance at least one more Biden judicial nominee; we will move forward on our annual Defense bill; we will vote on the motion to proceed on legislation to raise the debt ceiling—all, hopefully, before we start the afternoon. It is a busy day for the Senate, so let me break down each of these items in some detail.

On the legislative front, later this morning, the Senate will vote to invoke cloture on the annual Defense bill, negotiated on a bicameral-bipar-

tisan basis. For over 60 years, the NDAA, the National Defense Authorization Act, has passed without fail, on a mostly bipartisan basis. So I thank all of my colleagues for working in good faith to get this Defense bill done.

The Senate will then turn to the critical matter of addressing the debt limit in order to avoid a first-ever default on our sovereign debt. Last week, Democrats and Republicans came together to pass legislation, setting up a fast-track process for addressing the debt limit. Today, we are going to complete that process, and it will come in two steps.

First, as I said, we will vote on the motion to proceed, followed by a vote on final passage later today. Thanks to last week's agreement between Democrats and Republicans, today's motion to proceed will be set at a majority threshold. Once we are on the bill, no amendments will be in order. Debate will be limited to 10 hours, and we hope to yield back debate time on our side to keep this process moving. The resolution we will vote on will provide for the raising of the debt limit to a level commensurate to funding that is necessary to get into 2023.

As I have said repeatedly, this is about paying debt accumulated by both parties, so I am pleased Republicans and Democrats came together to facilitate a process that has made addressing the debt ceiling possible. I want to thank the Republican leader and all of my Republican colleagues who reached out across the aisle in good faith to bring us to this point—no brinksmanship, no default on the debt, no risk of another recession. Responsible governing has won on this exceedingly important issue. The American people can breathe easy and rest assured there will not be a default.

So, once again, I thank the Republican leader and my Republican colleagues who voted with us to address this issue. The Senate can be done with this matter before the end of the day—

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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crossing another major item off of our December to-do list.

Off the floor, Democrats continue working to put the Senate in a position to act on President Biden's Build Back Better Act, along with the timeline I have set out for our caucus. This week, bipartisan Byrd bath meetings with the Parliamentarian will continue. I thank my colleagues, the Parliamentarian, and her team for working through this important and difficult process.

The President will also continue his conversations with our caucus as we hash out the final details of the legislation. Build Back Better is moving forward, and I thank all of my colleagues and the President for their diligence and their commitment to get this done.

JUDICIAL NOMINATIONS

Mr. President, on judges and nominations, in addition to our legislative agenda, the Senate will also work today and the rest of the week on confirming more of President Biden's nominees to serve on the Federal bench.

First, we will hold a vote this morning to proceed on the nomination of Samantha Elliott to serve as a district judge for the District of New Hampshire. As soon as today, we also hope to vote on the confirmation of Jennifer Sung of Oregon, nominated to sit on the U.S. Court of Appeals for the Ninth Circuit. The Senate invoked cloture on Ms. Sung at the end of last week, and I want to say a few words in support of this remarkable nominee.

Throughout her career, Ms. Sung has proven herself to be an exceptionally impartial adjudicator, a valiant advocate for working Americans, and I am confident she will be an excellent judge who adds to the personal and professional diversity of the Ninth Circuit.

A graduate of Oberlin and Yale Law School, Ms. Sung's first experience with the Ninth Circuit came while she served as a clerk for Judge Betty Fletcher before embarking on a career in private practice focused on employment and on labor law. For over a decade, she regularly represented low-income workers, minority workers, and underserved communities in disputes against their employers. As a member of the Oregon Employment Relations Board, she struck a difficult balance between protecting the rights of working Americans while applying the law without prejudice—the key ingredients for any successful Federal judge.

If confirmed, Ms. Sung will be one of the very few Asian Americans to sit on the Federal judiciary. Along with Ms. Elliott, she would be the 31st judge whom the Senate Democratic majority has confirmed this year—the most under any President's first year in decades—and we are doing it with outstanding, impartial, and diverse nominees, and we are going to keep working in the months ahead.

Today, article III judges are still overwhelmingly White, overwhelmingly male, and overwhelmingly from big law firms or prosecutorial back-

grounds. Many of these individuals have served admirably on the bench, but we hope the trailblazers of today can be closer to the norm of tomorrow. We want our courts to include more women, more diverse candidates, both demographically and professionally, and more judges who come from unique walks of life. That is how we can strengthen Americans' trust in an independent and impartial judiciary—so important to the vitality of our democracy.

CORONAVIRUS

Now, Mr. President, on the COVID moment of silence, this evening, I will join the Speaker and other congressional leaders on the Capitol steps to mark a dreaded and sorrowful milestone as 800,000 Americans—800,000—have now lost their lives to the COVID-19 pandemic. We will hold a moment of silence in their memory.

As Americans come together for the holidays, as we take stock of the long road we have taken this year, many of us carry in our hearts an unresolvable contradiction: gratitude for the progress we have made but grief for the loss we have endured along the way.

Thanks to vaccines, tens of thousands of deaths—maybe even hundreds of thousands—have been, thankfully, prevented. Across the country, Americans are returning to work and once again are meeting at bars, at restaurants, at concerts.

Our country is far better off today than we were a year ago, but on this day—this day—we will remember that 800,000 loved ones did not make it this far: a lost father or grandfather, mother or grandmother, friend or familiar face in the neighborhood. All of us know someone whom this disease has taken away. And, of course, we are not out of the woods yet. As the Omicron variant makes its way across the country, I urge my fellow New Yorkers and all of my fellow Americans to get vaccinated and boosted as soon as possible, if eligible. Vaccines remain the best—the very best—way to bring this disease to an end.

I hope the milestone we observe today is the final one in our fight against this awful disease. With vaccines, we can rid ourselves of COVID and avoid adding to the awful sum that we have reached this week.

As for those we have lost, today, we remember them. We hold them close to our hearts, and we commit to doing our part to bring this pandemic to an end.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

KENTUCKY

Mr. McCONNELL. Mr. President, Kentucky is working to recover from the deadly storms and tornadoes. Each day brings entirely new challenges. Tens of thousands are still dealing with water, gas, or power outages. Families are in shock and grief over the loss of loved ones. Rebuilding the areas in Kentucky leveled by this storm will take months, if not years, to complete.

Amid this pain, though, bright lights of hope shine through. In the face of tragedy, Kentuckians are still as strong and as generous as we have always been.

Yesterday, I spoke with the Taylor County judge-executive. He told me that 70 families in his county had lost their homes in the storm. Emergency responders made shelters available, but folks were completely taken in by family, friends, or neighbors—just the kind of people we have in Kentucky.

In Mayfield, residents are already beginning to rebuild only days after the storm leveled full city blocks. Churches hosted Sunday services this past weekend. Locals brought their chain saws and cleared debris from the city's roads. People from nearby counties and States have flooded—literally flooded—in to help.

One man, Jimmy Finch, has struck a chord with America's hearts all across the country. He had no connections to Mayfield whatsoever. He is from Clarksville, TN. But after the disaster, he borrowed a big meat smoker, got into his car, made the hour-and-a-half journey in the dead of night and started serving up food the next morning. This fellow from Tennessee came up to Kentucky and brought a whole bunch of food. On Sunday morning, for hours, he fed chicken, hot links, and burgers to hungry residents who had been without heat or power for days.

Western Kentucky's radio and TV stations have kept operating throughout this crisis, delivering vital information, even amid roving power outages. State parks opened their doors to residents who lost their homes. Businesses, individuals, and charities have been generous with food, water, and shelter.

Kentucky's first responders are working hand in hand with FEMA to provide coordinated relief. Doctors, nurses, firefighters, and law enforcement officers are working literally through the night. Utility workers are making a Herculean effort to restore power and water.

Hundreds of Kentucky National Guardsmen have deployed to Western Kentucky to offer their assistance. And in Fort Campbell, the Federal Government has provided a critical lifeline of support: 61 generators, 74,000 meals, 135,000 liters of water, thousands of cots and blankets, all supplied by Fort Campbell.

I am in close contact with Governor Beshear, our Federal Agencies, and local leaders. My staff and I have been in frequent touch with the White House.