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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, December 20, 2021, at 10:30 a.m.

Senate

FRIDAY, DECEMBER 17, 2021

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by our guest Chaplain, the Reverend Lisa Schultz, Church of the Advent, Washington, DC.

The guest Chaplain offered the following prayer:

Let us pray.

O God, our help in ages past, You are our hope for years to come.

Give to the Members of this body a special measure of wisdom and strength to accomplish Your purposes on Earth. Lord, help them to see what a practical resource they have in You as You empower them to complete their business with civility, cooperation, and competence. Bless the leaders of both parties and their staff members. Bless those who chair committees and subcommittees, those who manage bills and labor for liberty. Enable our lawmakers to do what without You would be impossible.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Atul Atmaram Gawande, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development.

The PRESIDENT pro tempore. The Senator from California.

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

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

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PADILLA). Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The Democratic leader is recognized.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 635.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Holly A. Thomas, of California, to be United States Circuit Judge for the Ninth Circuit.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The 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. 635, Holly A. Thomas, of California, to be United States Circuit Judge for the Ninth Circuit.

Charles E. Schumer, Alex Padilla, Catherine Cortez Masto, Patty Murray, Sheldon Whitehouse, Tammy Baldwin,

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



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Patrick J. Leahy, Chris Van Hollen, Angus S. King, Jr., Tim Kaine, Richard J. Durbin, Gary C. Peters, Tina Smith, Jack Reed, Martin Heinrich, Benjamin L. Cardin, Richard Blumenthal.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATIONS

Mr. SCHUMER. Mr. President, on nominations, in a few moments, we are going to begin confirming a slew of nominees to serve in the Biden administration that, up until now, have been needlessly obstructed by a handful—just a handful—of Senate Republicans. But under the rules, they can do that.

Confirming these nominees is one of the most basic constitutional responsibilities of the U.S. Senate. It is bigger than the interests of any one Senator. It is about ensuring our government is able to effectively serve the American people here at home and advance the American interests overseas.

For decades, both sides—both sides—have understood that each President, regardless of party, deserves to have their administration filled, and we have worked together to make that happen, particularly for noncontroversial and less senior nominees. But today's blockade is a beast of a different nature.

Right now, over 150—150—of President Biden's nominees are stalled by a handful of Republican Senators who have hijacked the rules of the Senate for no other reason than obstruction for its own sake. Many received bipartisan support in committee.

These aren't low-priority nominees—whatever that means. Many of these men and women would deal with matters of diplomacy and national security. That is what Republicans are blocking. Some of them would help implement the bipartisan infrastructure bill. That is what Republicans are blocking.

From fighting inflation to relieving supply chains, to advancing U.S. national security, many of the men and women who are nominated would be the ones who would actually do this work. Let me repeat that. For all the howling and hollering we hear from Republicans about inflation, national security, and economic recovery, they are blocking the very same people whose jobs it would be to tackle these issues. It is "Alice in Wonderland" logic.

There are no justifications for their delay—none. Listening to the other side twist themselves into pretzels, it is clear that their game is simple, cynical, self-interested obstruction. And I thank my colleagues on this side of the aisle for coming to the floor day after day to shine a spotlight on the real-world impact of Republicans' obstruction.

This is the consequence of Republican obstruction. We are going to keep voting in this Chamber as we work to get these nominees confirmed.

BUILD BACK BETTER ACT

Mr. President, now on Build Back Better, Senate Democrats are working to pass Build Back Better and send it to the President's desk as soon as possible so we can strengthen the middle class, create opportunity in the 21st century, and fight the climate crisis.

Yesterday, I had a good discussion with the President and the Speaker, where we talked about ongoing negotiations on finalizing the Build Back Better Act so we can pass it through the Senate. The President requested more time to continue his negotiations, and so we will keep working with him, hand in hand, to bring this bill over the finish line and deliver on these most needed provisions.

At its core, Build Back Better is about making the greatest investment in the American people that we have seen in generations. It is about building new ladders to help people climb into the middle class and providing them stability to thrive in the middle class once they get there. That means lowering the costs of prescription drugs, extending the child tax credit, making childcare more affordable for tens of millions of families, expanding housing, early education, and affordable healthcare. And it means taking unprecedented steps to fight climate change and lay the groundwork for greater action in the future.

These are all things that the American people want. These are things Democrats are fighting to secure.

And it cannot be forgotten that not a single Republican—not one—has joined us in making them happen. They are opposed to making childcare more affordable; they are opposed to fighting the climate crisis; and they are possibly even considering fighting provisions like making drugs like insulin more affordable.

If Republicans won't fight to help everyday Americans afford the basics, Democrats will. We are going to keep working to achieve our goal of passing Build Back Better into law.

VOTING RIGHTS

Mr. President, on voting rights, the fight to protect voting rights and restore the U.S. Senate is moving forward.

Yesterday, I continued to have detailed discussions with many of my colleagues about how we are going to reach our goal of passing voting rights to ensure it takes effect before Americans return to the polls in the next election, so it can affect those 2022 elections which Republican legislators are so jaundicing.

Last night, a number of my colleagues and I met with Marty Paone, a Senate rules expert who worked under several previous majority leaders, including Robert C. Byrd, about how we can restore the Senate so it can work the way our Founders intended, the way it has functioned for generations before the Republican gridlock of the past decade or so.

Just now, I came from a meeting where both Marty Paone and Marty Gold—one a Democrat and one a Republican—counseled discussing how we can move forward on these issues, making the Senate work and getting voting rights done.

Later today, Marty will join the Senate Democrats at our caucus meeting to continue this very important conversation—Marty Paone will.

We have tried all year long to get Republicans to join us on a bipartisan effort to protect our democracy, but they have resisted, and they have blocked the Senate from having so much as a debate on this issue—a debate, not even a debate. Four votes, on three of them, every Republican voted not even to go forward in debating them—on the fourth vote, only one. Of course, under the rules of the Senate, as they are presently constituted, you need 10.

Voting rights should not be a partisan issue. Both parties are better off if our democracy is strong and safeguarded against the Republican assaults playing out at the State level.

The voting restrictions we are seeing passed in Republican-dominated State legislatures are the most egregious assaults on voting rights since the days of Jim Crow, and they are being passed entirely on a party-line basis—zero bipartisanship from these State legislator Republicans.

Here in the Senate, we are going to keep at it because just because Republicans will not join us, does not mean Democrats will stop fighting on this issue. It is too important, and the fight continues.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays 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. 528, Atul Atmaram Gawande, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Martin Heinrich, Alex Padilla, Jacky Rosen, Margaret Wood Hassan, Dianne Feinstein, Benjamin L. Cardin, Richard Blumenthal, Angus S. King, Jr., Jon Ossoff, Bernard Sanders, Christopher Murphy, Sheldon Whitehouse, Sherrod Brown, Christopher A. Coons.

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